



01 July 2019

Dear Councillor

You are invited to attend a meeting of the Environment Committee to be held in The Chamber, Magherafelt at Mid Ulster District Council, Ballyronan Road, MAGHERAFELT, BT45 6EN on Monday, 01 July 2019 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.
3. Chair's Business

Matters for Decision

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| 4. | DfI Roads Proposal to Mid Ulster District Council - Proposed Provision of a Disabled Persons' Parking Bay at High Street, Moneymore | 3 - 6 |
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| 6. | DfI Roads Proposal to Mid Ulster District Council - Proposed Provision of a Disabled Persons' Parking Bay at Stewart Avenue, Cookstown | 11 - 14 |
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| 8. | Revised Design Guide for Traveller sites and the revised Model licence conditions for caravan sites | 19 - 124 |

Matters for Information

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Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public will be asked to withdraw from the meeting at this point.

Matters for Decision

22. General Power of Competence Update
23. Tender report for the appointment of Vehicle Suppliers
24. Public Toilet Provision – Dungannon and Clogher
25. Environmental Revitalisation Improvement Scheme to Railway Park, Dungannon
26. Connecting Pomeroy – ICT Appointment
27. Increased ICT Fees for Seamus Heaney Trails

Matters for Information

28. Confidential Minutes of Special Environment Committee held on 16 April 2019
29. Confidential Minutes of Environment Committee held on 11 June 2019
30. Entertainment Licensing Update
31. Capital Projects Update

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|--------------------------|---|
| Report on | DfI Roads Proposal to Mid Ulster District Council - Proposed Provision of a Disabled Persons' Parking Bay at High Street, Moneymore |
| Date of Meeting | Monday 1 st July 2019 |
| Reporting Officer | Andrew Cassells, Director of Environment & Property |
| Contact Officer | Andrew Cassells, Director of Environment & Property |

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|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

| | |
|------------|---|
| 1.0 | Purpose of Report |
| 1.1 | To seek the agreement of Members in relation to proposals from DfI Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals. |
| 2.0 | Background |
| 2.1 | DfI Roads are consulting the Council with proposals to introduce measures designed to improve network safety, sustainability and efficiency to encourage safe and sustainable travel. |
| 3.0 | Main Report |
| 3.1 | <p>The following outlines the proposals to be brought to the attention of the Environment Committee:</p> <p>Proposed Provision of a Disabled Persons' Parking Bay at High Street, Moneymore</p> <p>DfI Roads are proposing to provide a disabled persons' parking bay at the above noted location.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p> |

| | |
|------------|---|
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: |
| | Human: |
| | Risk Management: The introduction of the aforementioned proposal at this location will assist in the management of road safety issues. |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their duties in regard to disability. |
| | Rural Needs Implications: |
| 5.0 | Recommendation(s) |
| 5.1 | That the Environment Committee endorses the proposal submitted by DfI Roads. |
| 6.0 | Documents Attached & References |
| 6.1 | Appendix 1 Letter from DfI Roads dated 10 th June 2019; Proposed Provision of a Disabled Persons' Parking Bay at High Street, Moneymore |
| 6.2 | Appendix 2 Drawing – Proposed Provision of a Disabled Persons' Parking Bay at High Street, Moneymore |



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Network Development

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County Hall
Drumragh Avenue
Omagh

Tel: 028 8225 4085

10 June 2019

Dear Mr Tohill

PROPOSED PROVISION OF A DISABLED PERSONS' PARKING BAY AT HIGH STREET, MONEYMORE

DfI Roads is proposing to provide a disabled persons' parking bay at High Street, Money more, as detailed on the attached map.

PSNI have been consulted and are in agreement with the proposal.

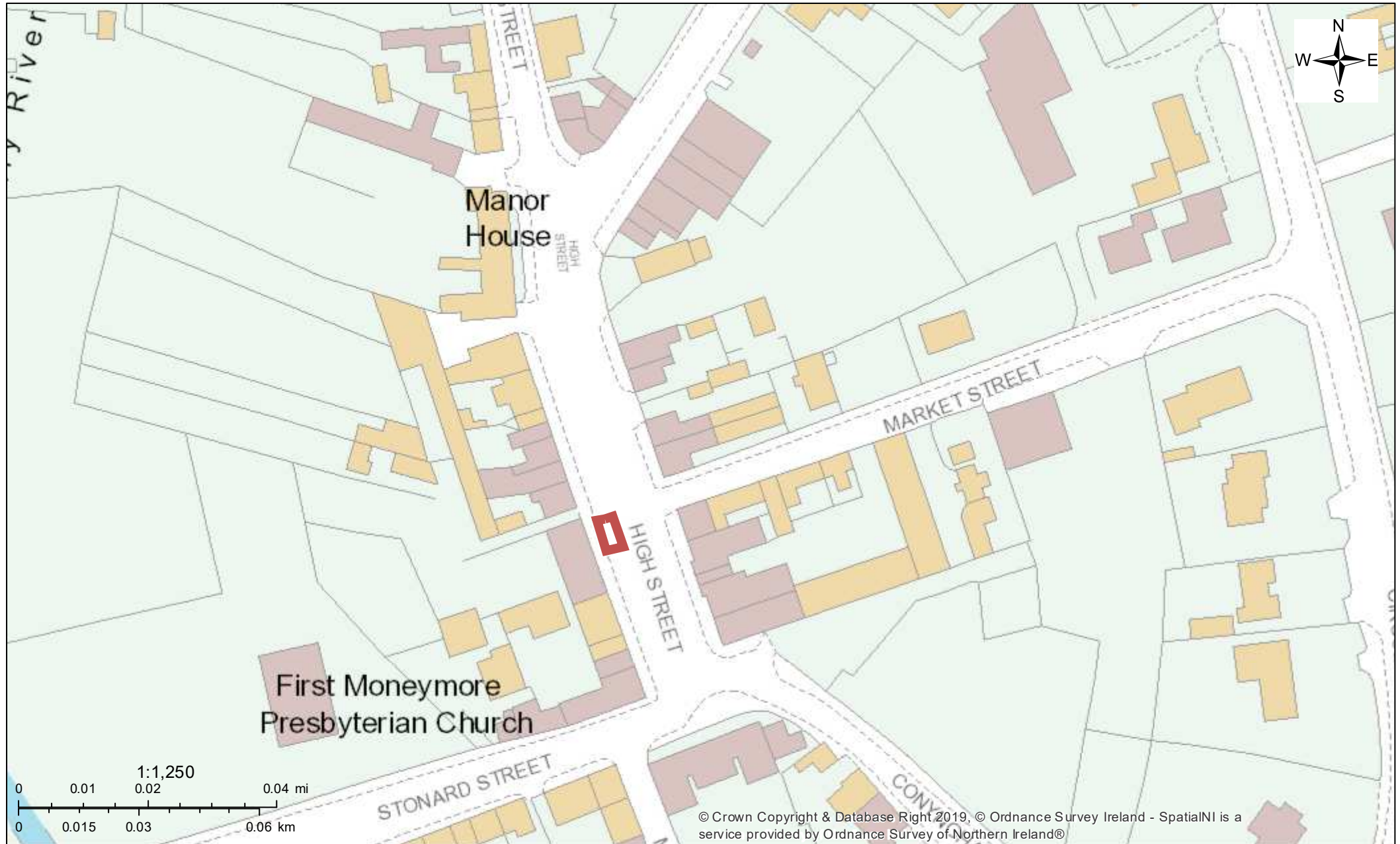
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Moneymore disabled bay



Monday 10 June 2019 13:25:22

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|--------------------------|---|
| Report on | Dfl Roads Proposal to Mid Ulster District Council - Proposed Provision of a Disabled Persons' Parking Bay at King William III Crescent, Maghera |
| Date of Meeting | Monday 1 st July 2019 |
| Reporting Officer | Andrew Cassells, Director of Environment & Property |
| Contact Officer | Andrew Cassells, Director of Environment & Property |

| | | |
|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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| 1.0 | Purpose of Report |
| 1.1 | To seek the agreement of Members in relation to proposals from Dfl Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals. |
| 2.0 | Background |
| 2.1 | Dfl Roads are consulting the Council with proposals to introduce measures designed to improve network safety, sustainability and efficiency to encourage safe and sustainable travel. |
| 3.0 | Main Report |
| 3.1 | <p>The following outlines the proposals to be brought to the attention of the Environment Committee:</p> <p>Proposed Provision of a Disabled Persons' Parking Bay at King William III Crescent, Maghera</p> <p>Dfl Roads are proposing to provide a disabled persons' parking bay at the above noted location.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p> |

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| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
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| | Human: |
| | Risk Management: The introduction of the aforementioned proposal at this location will assist in the management of road safety issues. |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their duties in regard to disability. |
| | Rural Needs Implications: |
| 5.0 | Recommendation(s) |
| 5.1 | That the Environment Committee endorses the proposal submitted by DfI Roads. |
| 6.0 | Documents Attached & References |
| 6.1 | Appendix 1 Letter from DfI Roads dated 7 th June 2019; Proposed Provision of a Disabled Persons' Parking Bay at King William III Crescent, Maghera |
| 6.2 | Appendix 2 Drawing – Proposed Provision of a Disabled Persons' Parking Bay at King William III Crescent, Maghera |



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Tel: 028 8225 4085

7 June 2019

Dear Mr Tohill

**PROPOSED PROVISION OF A DISABLED PERSONS' PARKING BAY AT
KING WILLIAM III CRESCENT, MAGHERA**

DfI Roads is proposing to provide a disabled persons' parking bay at King William III Crescent, Maghera as detailed on the attached map.

PSNI have been consulted and are in agreement with the proposal.

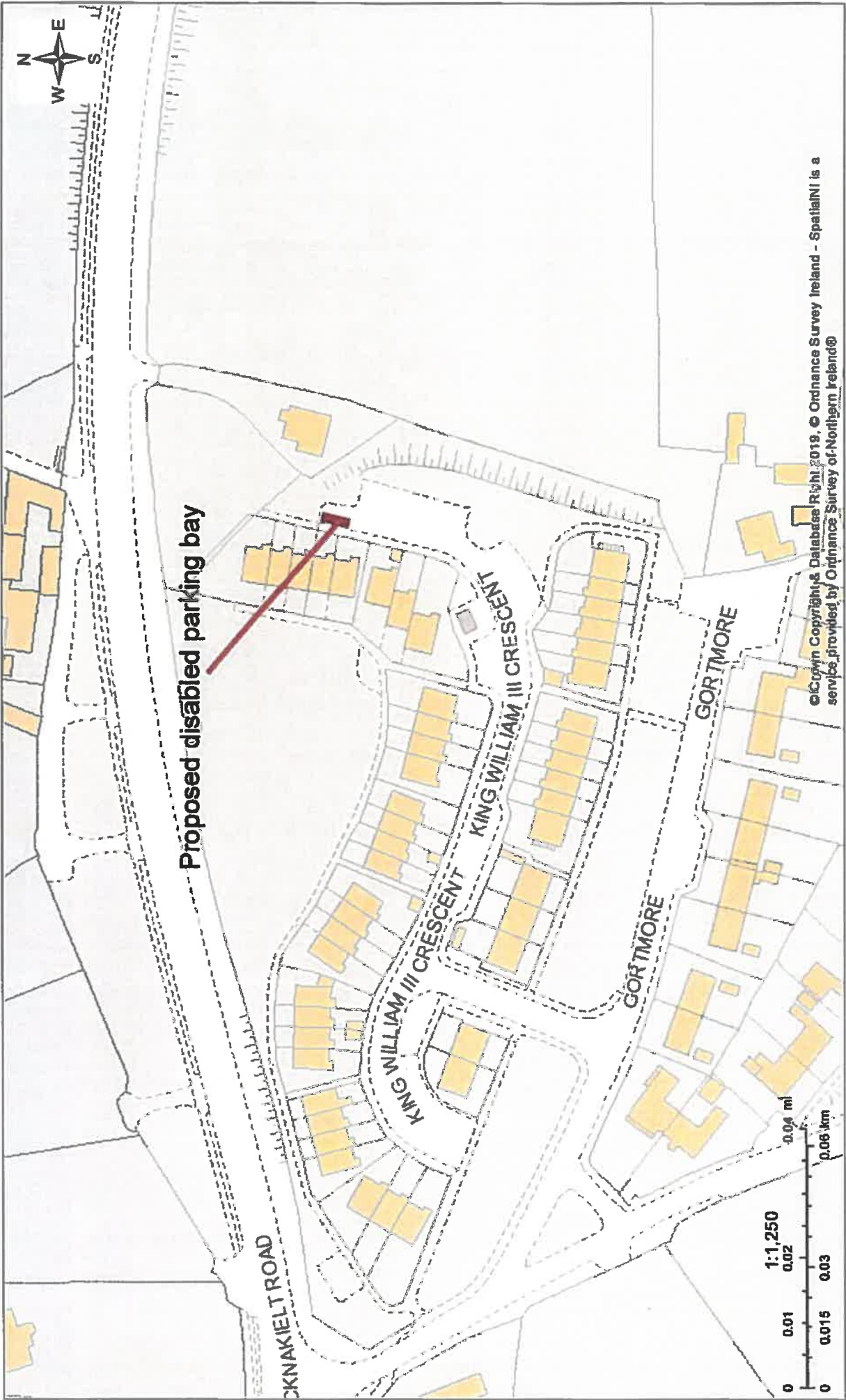
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Proposed disabled parking bay King William III Crescent, Maghera



04/06/2019, 16:13:10

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|--------------------------|--|
| Report on | Dfl Roads Proposal to Mid Ulster District Council - Proposed Provision of a Disabled Persons' Parking Bay at Stewart Avenue, Cookstown |
| Date of Meeting | Monday 1 st July 2019 |
| Reporting Officer | Andrew Cassells, Director of Environment & Property |
| Contact Officer | Andrew Cassells, Director of Environment & Property |

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|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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| 1.0 | Purpose of Report |
| 1.1 | To seek the agreement of Members in relation to proposals from Dfl Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals. |
| 2.0 | Background |
| 2.1 | Dfl Roads are consulting the Council with proposals to introduce measures designed to improve network safety, sustainability and efficiency to encourage safe and sustainable travel. |
| 3.0 | Main Report |
| 3.1 | <p>The following outlines the proposals to be brought to the attention of the Environment Committee:</p> <p>Proposed Provision of a Disabled Persons' Parking Bay at Stewart Avenue, Cookstown</p> <p>Dfl Roads are proposing to provide a disabled persons' parking bay at the above noted location.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p> |

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| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: |
| | Human: |
| | Risk Management: The introduction of the aforementioned proposal at this location will assist in the management of road safety issues. |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their duties in regard to disability. |
| | Rural Needs Implications: |
| 5.0 | Recommendation(s) |
| 5.1 | That the Environment Committee endorses the proposal submitted by DfI Roads. |
| 6.0 | Documents Attached & References |
| 6.1 | Appendix 1 Letter from DfI Roads dated 18 th June 2019; Proposed Provision of a Disabled Persons' Parking Bay at Stewart Avenue, Cookstown |
| 6.2 | Appendix 2 Drawing – Proposed Provision of a Disabled Persons' Parking Bay at Stewart Avenue, Cookstown |



Department for

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Tel: 028 8225 4085

18 June 2019

Dear Mr Tohill

PROPOSED PROVISION OF A DISABLED PERSONS' PARKING BAY AT STEWART AVENUE, COOKSTOWN

DfI Roads is proposing to provide a disabled persons' parking bay at Stewart Avenue, Cookstown as detailed on the attached map.

PSNI have been consulted and are in agreement with the proposal.

Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Stewart Avenue



Monday 17 June 2019 10:00:02

Department for



Infrastructure

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| | |
|--------------------------|--|
| Report on | The Roads Miscellaneous Provisions Act (NI) 2010 |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | Fiona McClements, Head of Environmental Health |

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| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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| 1.0 | Purpose of Report |
| 1.1 | To request that Members make a determination on a road closure application in connection with a special event that is being held in August 2019. |
| 2.0 | Background |
| 2.1 | <p>Further to previous reports, Members will be aware that The Roads Miscellaneous Provisions Act (NI) 2010 introduced by The Department for Infrastructure (DfI) permits the closure of roads for the holding of special events.</p> <p>The above legislation enables Council to deal with requests to close public roads for special events in its area. Special Events are defined as:</p> <ul style="list-style-type: none"> • Any sporting event, social event or entertainment which is held on a public road; or • The making of a film on a public road (including making TV programmes, films or advertisements). <p>Special Events do not include the following:</p> <ul style="list-style-type: none"> • Public processions; • Motor road races; • Cycle races or trials; or • Road works |
| 2.2 | <p>The underlying principle in relation to special events on roads is that it would not be reasonably practicable to hold the event elsewhere. The restriction or prohibition of traffic using the public road will only be permitted for:</p> <ul style="list-style-type: none"> • Facilitating the holding of a special event, or • Enabling members of the public to watch a special event, or • Reducing traffic disruption in adjacent streets <p>Although the legislation provides the Council with the power to prohibit or restrict the use of a public road, an Order cannot be made that would at any time prevent pedestrian access to any premises situated on or adjacent to the road, or to any other premises accessible for pedestrians from and only from the road.</p> |

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| 3.0 | Main Report |
| 3.1 | <p>The Environmental Health Service has received an application from Draperstown Traders for a road closure order to facilitate the holding of the following special event:</p> <ul style="list-style-type: none"> • Draperstown Busking Festival and Community Fun Day – Saturday 24th and Sunday 25th August 2019 <p>The application seeks to temporarily restrict all vehicular traffic using St. Patrick's Street, Draperstown from its junction with Cahore Terrace to its junction with Cahore Road at the following times:</p> <ul style="list-style-type: none"> - Saturday 24th August 2019 between the hours of 19:00 and 00:00. - Sunday 25th August 2019 between the hours of 13:00 and 22:00 <p>Diversion routes will be signposted via Cahore Terrace and Cahore Road, Draperstown.</p> |
| 3.2 | <p>The application is in the latter stages of being processed by the Environmental Health Service after receipt of a completed application form, payment of the appropriate fee, and submission of a range of supporting information which must include:</p> <ul style="list-style-type: none"> • Traffic Management Plan / Traffic Signing Schedule prepared by one of the DfI authorised Traffic Management Companies. • Evidence of Public Liability Insurance • Details of consultees and feedback received • Evidence of consultation with emergency services <p>Draperstown Busking Festival and Community Fun Day is deemed a 'large event' and is likely to attract a large number of visitors from a wide catchment area.</p> <p>A fee of £415 has been receipted in respect of the application.</p> |
| 3.3 | <p>The necessary consultation has been undertaken with the various statutory bodies (PSNI, NIFRS, NIAS) and DfI in relation to each application and a public notice of consultation has been placed in the local press.</p> |
| 3.4 | <p>Although feedback has been sought in connection the application, some statutory consultee responses remain outstanding at the time of report. The Environmental Health Service will however, be in a position to update Members of any particular concerns or representations raised by the consultation process at the time of Committee.</p> |
| 3.5 | <p>It is therefore recommended that Members make a determination "that the road closure order outlined above be made in line with DfI guidance, subject to no objections being received during the consultation process and DfI giving final consent".</p> |

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| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: N/A |
| | Human: N/A |
| | Risk Management: N/A |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: N/A |
| | Rural Needs Implications: N/A |
| 5.0 | Recommendation(s) |
| 5.1 | <p>That Members note the content of this report and agree issue of a Road Closure Order as specified under the Roads Miscellaneous Provisions Act (NI) 2010 for</p> <ul style="list-style-type: none"> • Draperstown Busking Festival and Community Fun Day – Saturday 24th and Sunday 25th August 2019 <p>The Order to temporarily restrict all vehicular traffic using St. Patrick's Street, Draperstown from its junction with Cahore Terrace to its junction with Cahore Road at the following times:</p> <ul style="list-style-type: none"> - Saturday 24th August 2019 between the hours of 19:00 and 00:00. - Sunday 25th August 2019 between the hours of 13:00 and 22:00 <p>subject to no objections being received during the consultation process and DfI consent being granted.</p> |
| 6.0 | Documents Attached & References |
| 6.1 | N/A |

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| Report on | Revised Design Guide for Traveller sites and the revised Model licence conditions for caravan sites |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | Fiona McClements, Head of Environmental Health |

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| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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|------------|---|
| 1.0 | Purpose of Report |
| 1.1 | To seek elected members' comments on the revised Design Guide for Traveller sites and the revised Model licence conditions 2019. |
| 2.0 | Background |
| 2.1 | The Human Rights Commission published their report "Out of sight, Out of mind" in March 2018. The report made a number of recommendations for a number of organisations. It was recommended that the Department for Communities (DfC) carry out a prompt and thorough review of the Design Guide for Traveller's sites in Northern Ireland and ensure that the minimum standards are sufficiently prescriptive and reflective of human rights. |
| 2.2 | The report also recommended that the DfI, "review the legal and policy framework concerning site licences. This should include the development of a model site licence setting out the minimum standard of provision and safety requirements for each type of Travellers site in NI, along with enforcement powers for any breach." |
| 3.0 | Main Report |
| 3.1 | Within the appendices are the two revised documents. |
| 3.2 | <p><u>The Design Guide for travellers sites in NI</u></p> <p>The Design Guide focusses on the design stage where the use of land as a caravan site is controlled by relevant planning legislation. The Design Guide is intended to support the provision of appropriate, cost effective facilities for Travellers living in NI. It seeks to outline the key issues, including the relevant planning context that should be considered and identifies the main design and management elements necessary to create high quality and sustainable traveller sites which meet residents' traditional and cultural needs. This guide would primarily be a planning related matter and views from the Planning department have been incorporated within the draft response. The opportunity to provide comments on the Design Guide is contained within Appendix 2 and a draft response is contained within Appendix 3.</p> |

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| 3.3 | <p><u>Model Licence conditions 2019</u></p> <p>The use of land as a caravan site is controlled by relevant planning legislation, whereas the physical standards and layout, amenities and other standards within the site are controlled by a site licence issued by local Councils. Under section 5(7) of the 1963 Act the Department may from time to time specify model conditions with respect to the lay-out and the provision of facilities, services and equipment for caravan sites or particular types of caravan site; and that, in deciding what (if any) conditions to attach to a site licence, the council shall have regard to any conditions so specified. The model Licence conditions document revises and updates the Model Licence Conditions for Caravan Sites 1992 and Model Licence Conditions Residential Caravan Sites 1994 and now will apply to all caravan sites:</p> <ul style="list-style-type: none"> • Permanent residential caravan sites; • Holiday caravan sites; • Touring caravan sites; and • Traveller or Roma sites. |
| 3.4 | The revised document amalgamates the current Model Licence Conditions for holiday caravan sites as well as residential caravan sites into one document. |
| 3.5 | The Model Licence Conditions are not intended to be the “ideal”; Councils may in the circumstances set more demanding ones if it is appropriate and can be justified. |
| 3.6 | There will be some licence conditions that require inter and cross agency input and advice from other departments within the Council and outside organisations, such as the Planning and Building Control teams , Health and Safety Executive Northern Ireland, the Northern Ireland Fire and Rescue Service, Northern Ireland Water and the Northern Ireland Environment Agency. |
| 3.7 | The opportunity to provide comments on the revised model licensing conditions is contained within Appendix 5 and a draft response at Appendix 6. |
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: Staff time |
| | Human: Staff time |
| | Risk Management: N/a |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: N/a |
| | Rural Needs Implications: N/a |

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| 5.0 | Recommendation(s) |
| 5.1 | <p>That members consider content of this report and approve the draft responses to:</p> <ul style="list-style-type: none"> • The Design Guide for Travellers Sites - Appendix 3 • Model Licence conditions 2019 - Appendix 6 |
| 6.0 | Documents Attached & References |
| 6.1 | Appendix 1 – Revised Design Guide for Traveller sites |
| 6.2 | Appendix 2 – Correspondence received providing the opportunity to comment on the Design Guide |
| 6.3 | Appendix 3 – Draft response to the Department on the Design Guide for Travellers sites |
| 6.4 | Appendix 4 – Revised Model conditions 2019 |
| 6.5 | Appendix 5 – Correspondence received providing the opportunity to comment on the revised Model conditions 2019 |
| 6.6 | Appendix 6 – Draft response to the Department on the revised Model conditions 2019 |

Design Guide **for Travellers' Sites** **in Northern Ireland**

May 2019

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Introduction

Purpose

- i. This guide is intended to support the provision of appropriate, cost effective facilities for Travellers living in Northern Ireland. It seeks to outline the key issues, including the relevant planning context, that could be considered and identify the main design and management elements necessary to create high quality and sustainable Traveller sites which meet residents' traditional and cultural needs. However the issues are complex and there is no single 'one size fits all' Travellers' site.
- ii. It is therefore not the intention of this guide to impose uniform solutions. Decisions around the provision of Traveller sites should be taken on a case by case basis taking into account local circumstances such as the development requirements, geographical and other characteristics of the site (or potential site). For this reason it is recommended that early and regular consultation with all relevant stakeholders is a crucial element in getting the design right from the outset.
- iii. The previous *Design Guide for Travellers' Sites in Northern Ireland* was published by the Department of the Environment for Northern Ireland (DOE (NI)) in 1997. Since then there have been a number of developments including the transfer of all Council owned services sites to the Housing Executive. This new version of the guide has been produced to reflect those changes.

Background

- iv. In 1999 the DOE *New Policy on Accommodation for Travellers* recommended that the Northern Ireland Housing Executive (NIHE) be given the strategic role and responsibility for the provision of accommodation for Travellers. This included the transfer of all existing district council owned serviced sites to the Northern Ireland Housing Executive (NIHE).

- v. The Housing (Northern Ireland) Order 2003 provided the legislative framework to allow for the transfer from district councils to the NIHE of all sites/land in receipt of funding in the form of a government grant either for the acquisition or the development of land for Traveller accommodation. On 1st December 2003 a number of sites/lands were transferred to NIHE under the Order from the following former District Councils: Strabane, Belfast, Derry, Omagh and Dungannon.

Travellers' Accommodation Needs Assessment

- vi. As the Regional Housing Authority for Northern Ireland, NIHE has strategic responsibility for providing Travellers' Accommodation. In delivering the Traveller Accommodation Programme, the NIHE has worked to improve the range of accommodation options available and continues to work with partner agencies, regionally and locally to reduce the inequalities experienced by Travellers.
- vii. Travellers' distinctive needs are assessed as part of the local housing needs assessment undertaken by the NIHE. In 2002 the NIHE completed the first comprehensive assessment of the accommodation needs of all Traveller households in Northern Ireland. Subsequent assessments were published in November 2008 and March 2015, and a new assessment is currently under development. <https://www.nihe.gov.uk/index.htm>
- viii. Travellers require decent, culturally sensitive accommodation which provides meaningful choice for households regarding their way of life.¹ In order to support this aim the NIHE develops a programme of Traveller-specific schemes each year in consultation with Traveller families and the wider community to address identified priority need and taking into account factors such as land availability and compatibility.

¹ Outlining Minimum Standards for Traveller Accommodation, Equality Commission for N.I. (ECNI) (2009), page 9.

Planning Policy Context: The Northern Ireland Planning System

- ix. In April 2015, the Northern Ireland planning system was reformed and restructured from a unitary system where all planning powers rested with the Department of the Environment (DOE), to a new two-tier model of delivery whereby the eleven local councils have primary responsibility for the implementation of the following key planning functions:
- local plan-making;
 - development management (excluding regionally significant applications) and;
 - planning enforcement.
- x. The DOE retained responsibility for regional planning policy, the determination of regionally significant and called-in applications and planning legislation. It also provides oversight, guidance for councils, governance and performance management functions. These DOE responsibilities were transferred to the new Department for Infrastructure (DfI) in May 2016 and are aligned with the former Department for Regional Development's existing regional planning responsibilities as set out in the *Regional Development Strategy 2035*.
- xi. *DfI's **Regional Development Strategy 2035 (RDS)***, published in 2012, guides the future development of Northern Ireland to 2035 and is the spatial strategy of the Executive.² It provides an overarching strategic planning framework to facilitate and guide the public and private sectors. The RDS addresses economic, social and environmental issues aimed at achieving sustainable development and social cohesion. It has a statutory basis and all planning policy and guidance prepared by central government must be in general conformity with the RDS.

² <https://www.infrastructure-ni.gov.uk/publications/regional-development-strategy-2035>

- xii. Local Development Plans currently being prepared by councils must also take account of the RDS. Its vision is for “An outward-looking, dynamic and liveable Region with a strong sense of its place in the wider world; a Region of opportunity where people enjoy living and working in a healthy environment which enhances the quality of their lives and where diversity is a source of strength rather than division.”
- xiii. In September 2015, DfI's **Strategic Planning Policy Statement (SPPS)** was published in final form. This sets out the Department's regional planning policies for securing the orderly and consistent development of land in Northern Ireland under the reformed two-tier planning system. The provisions of the SPPS must be taken into account in the preparation of Local Development Plans, and are also material to all decisions on individual planning applications and appeals.
- xiv. The SPPS does not seek to restate policy or guidance that is expressed elsewhere within other relevant government strategies or policies.
- xv. The relevant Strategic Planning Policy for Travellers Accommodation as set out in the SPPS is reproduced below;

Traveller Accommodation

6.144 Travellers have distinctive needs which will be assessed as part of the local HNA/HMA. Where the HNA/HMA identifies a demonstrable need for Travellers specific accommodation, planning permission will be granted for a suitable facility to meet this need. This may be provided through a grouped housing scheme, a serviced site or a transit site, subject to meeting the following criteria:

- adequate landscaping being provided;
- the development being compatible with existing and proposed buildings and structures in the area paying particular regard to environmental amenity; and
- Where appropriate, the provision of workspace, play space and visitor parking being provided.

6.145 Where a need is identified and a development plan is under preparation, this should identify a suitable site(s).

6.146 Where a need is identified for a transit site or a serviced site, which cannot readily be met within an existing settlement in the locality, proposals will be required to meet the policy requirements in respect of rural planning policy for social and affordable housing.

- xvi. In addition it is important to note that PPS12: (Housing in Settlements) – Policy HS 3 (Amended) 'Travellers' Accommodation 2013') will also apply during a transitional period whilst a council brings forward a Plan Strategy for their area (See Paragraphs 1.10-1.12 of the SPPS).
- xvii. With the introduction of the new two-tier planning system on 1 April 2015, councils now have the power to allocate housing land to facilitate the 'right' mix of housing tenures for their own plan area including open market and special housing needs such as Travellers' accommodation. Councils will bring forward detailed operational planning policies for inclusion within their **Local Development Plans**, tailored to local circumstances. In doing so, councils must take account of the provisions of the SPPS.

- xviii. It is ultimately a matter for a Council as the planning authority to determine individual planning applications for 'Travellers' Accommodation' on a case by case basis, taking into account all relevant material planning considerations, including the provisions of the local development plan, regional planning policy, the characteristics of the site and the Design Guide for Travellers' Sites NI . The relevance and weight given to material considerations is a matter of planning judgement for the planning authority.

Scope of the Guide

- xix. This guidance is primarily intended to apply to caravan sites for Travellers (as defined under the Caravans Act (Northern Ireland) 1963 as amended by the Caravans Act (Northern Ireland) 2011)³ and addresses the three site categories⁴ listed below:
- **Serviced Site**
 - **Transit Site**
 - **Emergency Halting Site**
- xx. **A Serviced Site** is a range of managed accommodation where Traveller families have a permanent base to park their caravan or erect a structure as defined within the Caravans Act; where electricity, water and sewerage are provided and where other facilities such as communal or individual amenity buildings must be provided.
- xxi. **A Transit Site** is a permanently operational facility with similar facilities to serviced sites where Travellers may park their caravans on a temporary basis and where electricity, water and sewerage services are provided. They are not intended for use as a permanent lease for an individual household.

³ Definition - The definition of caravan can include mobile homes, park homes and timber framed sectional buildings if they fall within the description given under Part 4, section 15 of The Act.

⁴ These are the categories as used by NIHE and Planning Authorities. Elsewhere a 'Serviced' Site is sometimes referred to as a 'Permanent' site and the 'Emergency Halting Site' is sometimes referred to as a 'Temporary Stopping Place'.

- xxii. **An Emergency Halting Site** is a temporary (less than 28 days) place to park with appropriate facilities managed under Co-operation Policy⁵ principles. They may not require planning permission if they are in use for fewer than 28 days.
- xxiii. A fourth type of accommodation for Travellers is Group Housing Schemes. Group Housing is developed through the Social Housing Development Programme (SHDP). The specifications for these developments are comparable to that provided for the settled community and covered under guidance provided by the Department for Communities (DfC) Design Standards and Planning and Building Control regulations. Specific requirements such as layout or caravan parking for group housing should be determined by consultation throughout the design process with prospective residents and their families in line with the guidance in this document.
- xxiv. This guidance should be considered in the development of new sites and for sites that have to be substantially redeveloped.

⁵ In Northern Ireland, the Co-operation Policy, managed by the NIHE, allows camping on a temporary basis. It is a way of dealing with a humane requirement rather than an alternative to the permanent sites or transit sites. Once the co-operation policy is in place for a given site, Travellers are allowed to remain, subject to a number of conditions. Further details can be found on the NIHE website.

Serviced Sites

The Site

Site Location / Selection

1. Selecting the right location for a site is a key element in supporting good community relations and maximising its success. As with any other form of housing, poorly located sites will have a detrimental effect on the ability of residents to:

- Seek or retain employment;
- Attend school, further education or training;
- Obtain access to health services and shopping facilities.

Principles

2. Sites should have safe and direct access onto a public road with reasonable proximity to major roads and public transport services.
3. Where possible, sites should be located within a reasonable distance to local schools, shops, medical services, parks, places of worship and community facilities. Sites should be located where services (e.g. drainage, water supply, electricity, telephone, etc.) are available or can be provided for reasonable cost.
4. Easy access to essential services and facilities promote social contact with other residents in the settled community therefore encouraging a greater sense of community with shared interests.
5. It is essential to ensure that the location of a site will provide a safe environment for the residents. Sites should not be situated near refuse sites, industrial processes or other hazardous places as this could have a negative impact on the general health and well-being of residents and pose safety risks particularly for young children. All prospective site locations should be considered carefully before any decision is taken to proceed to ensure that the health and safety of future residents is not at risk. It should also provide privacy and have

characteristics which are sympathetic to the local environment. When selecting locations for permanent sites consideration needs to be given to the fact that children will be on the site.

6. Sites should not normally be identified for Traveller use in locations that are inappropriate for ordinary residential dwellings. Exceptions can be considered if for example the location is unsuitable for housing for practical or technical reasons, and the health and safety of the Traveller is not compromised. If the site is sustainable and is supported by the Travellers and the wider community exceptions may apply in the following circumstances:
 - Prospective residents are happy to live in the location;
 - Existing land is available to meet immediate need on a short term interim basis pending a longer term solution;
 - Land is suitable for low level single storey development but not for multi storey construction requiring deeper foundations.
7. In such cases prospective residents should be made aware of these exceptional circumstances at the outset.

Relationship to Surrounding Land Use

8. Consideration must be given to the relationship of sites with the surrounding settled community. For this purpose it is important to ensure that proposals to develop a site are compatible with broader strategies in place for improving community cohesion. The site must be sustainable, offering scope to manage an integrated coexistence with the local community. This will include consideration of noise and possible disturbance to Travellers living on the site and possible noise and disturbance to the wider community, in particular from movement of vehicles.
9. Many Travellers express a preference to live in a rural location on the edge of, or closely located to, a large town or city consistent with their traditional lifestyles and means of employment. Sites adjacent to light industrial areas therefore tend not to be popular because of their isolation, distance from local facilities and safety risks due to poor lighting.

Health and Safety Considerations

10. A site survey and investigation should be undertaken in all cases to identify possible problems, e.g. waterlogging, flooding, landfill, contamination, etc.
11. Sites must be located on land that has been properly decontaminated. If contamination is present remedial work should only be undertaken by approved contractors in accordance with relevant standards to ensure the contamination has been remedied to the standard on which housing development would take place. These processes can be prohibitively expensive and should be considered only where the development is financially viable.
12. Previously used sites may be suitable; however the standard of appraisal should reflect the standards for conventional residential housing. For example, sites adjacent to a rubbish tip, on landfill sites, close to electricity pylons or any heavy industry are unlikely to be suitable.
13. When considering sites adjacent to main roads, flyovers and railway lines, careful regard must be given to:
 - The health and safety of children and others who will live on the site; and
 - The greater noise transference through the walls of caravans than through the walls of conventional housing and the need for design measures (for instance noise barriers) to abate the impact on quality of life.
14. The proposed site must be relatively flat and suitable for purpose. Sites should not be developed on exposed sloping sites where there is risk of caravans being overturned.

Good Relations

15. Sites should support harmonious relations, both within the Traveller community and between Travellers and the settled community. Research by Equality Commission for Northern Ireland (ECNI) (*Outlining Minimum Standards for Traveller Accommodation*) has highlighted the issue of compatibility as a key success factor in developing sites. In some instances it will not be possible to place Traveller families in close proximity to each other, and in such cases, early engagement and meaningful consultation with Travellers is critical. Design of the site is important here as, for example, it may be possible to have separate entrances for use by different families.

Scheme Design

16. Following site identification and investigation there are a number of factors that will need to be taken into account when creating a design brief for the site. Where possible the physical layout of the site should take into consideration the specific preferences of site residents. These factors include:

- Consultation with and between the Traveller and settled communities;
- Number of family groups to be accommodated;
- Average family size and range of family sizes;
- Relations between family groups;
- Desire of Travellers to settle;
- Desire of Travellers to have community facilities provided;
- Attitude towards integration with the settled community;
- Planning considerations and the design approach including any special requirements of the relevant planning authority affecting layout and development;

- Appropriate architectural treatment, which should seek to produce a design of character;
- The number of pitches and the size of the site;
- Provision for open space, play areas, work areas, community facilities, landscaping and grazing;
- Any special considerations regarding accessibility in the design of buildings and facilities;
- Provision for management of the site;
- Obtaining scheme approval and planning permission from the relevant council/ planning authority;
- Adherence to Northern Ireland Building Regulations;
- Statutory obligations under the Health and Safety Regulations, Fire Regulations, Construction (Design and Management) Regulations, etc;
- Access issues;
- Cost parameters; and
- Environment and aesthetics of the land to be developed.

17. The preferred design option must be derived from a robust needs assessment and an economic appraisal of the range of possible options for a particular site and group of Travellers, taking into account feasibility and value for money.

18. With regards design standards it is also recommended that peer groups are created with existing site occupants, are created for the purposes of providing design reviews at an early stage when provision is being considered and also prior to a planning applications being submitted.

Sustainability

19. Sites should be developed so that they:

- promote peaceful and integrated co-existence between the site and the local community;
- promote, in collaboration with commissioners of health services, access to appropriate health services;
- ensure that children can attend school on a regular basis;
- provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment;
- provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any Travellers that may locate there or on others as a result of new development;
- avoid placing undue pressure on local infrastructure and services;
- do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans;
- reflect the extent to which traditional lifestyles (whereby some Travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

Site Licences for Travellers' Sites

20. In the main, traveller sites provided by NIHE, Housing Associations or private sites will require a site licence as they are providing space for a caravan which travellers considers to be their permanent residence. The length of stay on a particular site is irrelevant. The only exception to this is where a temporary site is provided as an emergency halting stop for 1 or 2 nights. Planning permission must be obtained for a caravan site before a licence can be applied for with the Local Council. Under Model Licence Conditions the Local Council may apply

conditions on the licence. Failure to hold a Site Licence or breaking any licence conditions is an offence which can incur a fine.

Site Design

Size and layout of the Site

21. Ultimately it is a matter for the local council as the planning authority to determine the appropriateness of the 'Site Design' taking into account the relevant local development plan, planning policy, local circumstances and all other material planning considerations.
22. When designing the layout of a site careful consideration must be given to the health and safety of residents and in particular children. The need for separate vehicular/pedestrian access should also be considered.
23. It is important to ensure that traffic calming measures are considered for all sites. Care should be taken when introducing speed humps and other measures to ensure that appropriate drainage is accommodated within the scheme to allow for the effective passage of surplus water.
24. Clear and effective signage should be introduced where a speed restriction or other traffic calming measure is to apply. Similarly, clear directions should be in place to indicate the location of hydrants and other access points for the fire service when attending an emergency on site. Signage should be in graphical form in addition to the written word.
25. For practical reasons, caravan sites require a greater degree of land usage per household than for a houses with the same footprint. Traveller sites are designed to provide land per household which is suitable for a caravan as defined within the Caravans Act (Northern Ireland) 1963 as amended the Caravans Act (Northern Ireland) 2011 and an amenity building together with space for parking. Sites of various sizes, layouts and pitch numbers operate successfully and work best when they take account of the size of the site and the needs and demographics of the families that reside on them. Sites where pitches are in a linear form or in "tree

branch" form may be a preference for some families, however many Travellers prefer a circular or horseshoe design as these provide a better sense of community.

26. All areas of the site should generally be allocated for a specific use, such as pitches, and roads, as open space that has no obvious purpose may be vulnerable to appropriation of a space for a purpose not intended.
27. Consultation with the Traveller community is crucial in deciding how best to proceed with the overall layout of the site. It is a key element in obtaining the trust and full support of the prospective residents at the earliest stage of the project and can help identify potential barriers and deal swiftly with subsequent consultation on individual aspects of the design as they arise.
28. There is no optimum size of site or number of pitches.⁶ Generally the size of site will depend on the individual scheme and take into account a number of factors such as need, compatibility between distinct families and health and safety issues. NIHE experience would suggest smaller sites are easier to manage and more likely to attract Travellers in compatible family units. Larger sites, on the other hand, are more economical to develop but more likely to have management difficulties and compatibility problems. However for the purposes of this Guide, no more than 6-8 pitches is the recommended number of pitches given the advantages outlined above.
29. Where a larger site is unavoidable due to clear evidence of need, local Traveller community preference and value for money, then up to 15-20 pitches can be considered. Extensions to existing residential sites may lead to authorities exceeding 20 pitches on a particular site. This may be appropriate when authorities seeks to keep families together and has had regard to the views of

⁶ ECNI's 'Outlining Minimum Standards for Traveller Accommodation' (2009) document recommends a maximum of 20 pitches on a permanent serviced site, whereas in England, DCLG's Good Practice Guide (2008) suggests a maximum of 15 pitches. Previous guidance for Northern Ireland as issued by DOE (1997) stated that sites should not be less than 6 or more than 20 pitches. The Welsh guide states generally no more than 12, but flexibility for a maximum of 15-20 or more if necessary.

existing residents and the surrounding community.

30. The creation of smaller 'closes' within a larger site for distinct, extended families should be considered to help create a sense of community and create definable space. This arrangement could also open up possibilities for facilitating inter site transfers where, for example, families may be offered the opportunity to move closer to other family members or elderly and dependant relatives where a pitch in a certain close may become available.

Site Boundaries

31. The site boundary must provide clear demarcation of the perimeter of the site so as to prevent nuisance for existing residents. The site should be contained on all sides and boundaries should take into account adjoining land uses and be designed for the safety and protection of children. This subject merits specific attention in consultation with the local Traveller community at an early stage in the design process.
32. Generally, suitable fencing of at least 1.8m high shall be provided, with planting where possible. The views of Travellers and local residents living in close proximity are important in agreeing the height of boundaries. However, a range of other boundaries may be used including low walls, hedges, earth banks and natural features. Existing walls and fences may be used if they are sound and of sufficient height. The aim should be to achieve a boundary that is sympathetic to, and in keeping with, the surrounding area. Boundaries can also be used to provide shelter for more exposed sites.
33. Where a site is to be located near an industrial area or a main road, fencing and planting may be used for screening purposes. Conversely more open boundaries may be used in residential areas so as to promote integration and inclusion with the surrounding community although the degree of integration which can be achieved will be in part governed by the degree of community cohesion already experienced in that location. A balance needs to be struck between providing privacy and security for the site residents and avoiding a sense of enclosure

through, for example, the use of high railings.

34. Measures to protect the safety of site residents from fire are of paramount importance and it is essential that a clear gap of 3 metres is provided within the inside of all site perimeter boundaries as a fire prevention measure.

Size of Pitch

35. There is no one-size-fits-all measurement of a pitch as, in the case of the settled community, this depends on the size of individual families and their particular needs. In designing a site, account should be taken of the likely characteristics of families on the waiting list as identified in the *Travellers Accommodation Needs Assessment in Northern Ireland*.
36. ECNI's research noted that most Travellers expressed a preference for a design that would give maximum space per pitch and space for children to play.⁷ Some Travellers can have large families, for instance where members of an extended family live together. There may also be families with older children who may want one or two additional small touring caravans on the pitch as separate sleeping accommodation for older children.
37. For this reason there is likely to be much greater demand amongst these communities for large family units, and small pitches may become quickly overcrowded. Larger family sizes alongside the need for vehicles for towing caravans and for employment also create particular requirements for parking.
38. Some families may also be in possession of larger mobile homes and, where possible, pitches should be large enough to cater for this possibility. Conversely, potential residents may be single or elderly members of the community who would not need a pitch of the same size.
39. Innovative site design that facilitates growth in number of pitches on an established site should be considered where possible. For example, a horse-shoe shaped design could be amended to a circular shape to increase the number of

⁷ Outlining Minimum Standards for Traveller Accommodation, Equality Commission for N.I. (ECNI) (2009), section 6.0 at page 55.

pitches on the site. Future changes to the site should not undermine health and safety considerations, standards of proximity between pitches, emergency access routes etc.

40. Previous guidance proposed a minimum pitch size of 225m² (e.g. 12.5m wide by 18m deep)⁸, but rather than be prescriptive, it is simply recommended that a pitch is designed to accommodate the following range of amenities:

- an amenity building;
- a caravan as defined within the Caravans Act (Northern Ireland) 1963 as amended the Caravans Act (Northern Ireland) 2011;
- drying space for clothes;
- a lockable shed (for bicycles, wheelchair storage etc.); and
- parking space for two vehicles and a small garden area.⁹

41. Smaller pitches, as a minimum must be able to accommodate an amenity building, a caravan as defined within the Caravans Act (Northern Ireland) 1963 as amended the Caravans Act (Northern Ireland) 2011, drying space for clothes and parking for at least one vehicle.

42. Individual parking spaces should be a minimum of 2.4 × 4.8 metres.

43. The inclusion of a play space or grassed area on each pitch is not usually feasible and therefore space for play as part of a central and communal focal point for all site occupants is normally preferred.

44. Drainage falls must comply with current NI Building Regulations. Ideally the pitch should be level apart from drainage falls.

⁸ Design Guide for Travellers' Sites in Northern Ireland, DOE, (1997), section 4.1 at page 15.

⁹ Outlining Minimum Standards for Traveller Accommodation, ECNI, March 2009, section 6 at page 58.

Layout of Pitches

45. The layout of pitches will depend on the layout of the overall site. There will be different views about whether to have grassed areas and amenities at the front, back or side of the pitch. Discussion with the Traveller community will be useful, however developers also need to consider prospective residents' needs.
46. Each pitch should be clearly demarcated to make it clear what each individual household may occupy in return for the fee paid and their responsibilities for the pitch they occupy.
47. The boundaries between pitches also act as a fire break so grass embankments, raised plant beds or low walls, rather than wooden fences, should be considered. The aim should be to achieve a boundary that is clear, sympathetic to and in keeping with surrounding areas.
48. Pitch boundaries should provide a balance between good neighbourliness and privacy. For example fencing between pitches could be up to 1.8 metres in height, particularly where amenity buildings would otherwise be overlooked, whereas 1.2 metre high fencing around the front of the pitch will offer good surveillance of the road and the site in general.
49. Each pitch should have a secure lockable gate. This will enable pitch residents to secure their own pitches. The gates should be of a robust and pleasant design and not so imposing they act as a barrier screening off pitches completely. Gates should be at least 3.1 metres wide.

Orientation of Pitches

50. As with the settled community, site layout and design should ensure a degree of privacy for each household without inhibiting the sense of community.
51. Due regard should be given to privacy and security.
52. In designing the layout of a site enough space must be provided to permit the easy manoeuvrability of the residents own living accommodation both to the site

and subsequently on to a pitch. Account needs to be taken of a tendency for some Travellers to use a mobile home in place of the traditional caravan.

53. Some mobile homes can be up to around 20 metres in length¹⁰. In order to accommodate this, the site design should strike a balance between enabling a variety of accommodation to be catered for and making best use of available space. Access roads and the site design should provide sufficient space for the manoeuvrability of average size caravans of up to 15 metres in length with capacity for larger mobile homes on a limited number of pitches where accessibility can be properly addressed in the light of the land available.

54. In addition to the movement of families on and off the site, site residents will sometimes wish to change the caravan accommodation they own and this movement can sometimes cause problems when boundary fences or gates do not allow for this. This could be overcome by the use of movable fencing and gates adjacent to the roadside which are capable of short term removal.

Site Access and Roadways

55. Access to the site should have good sightlines. Good sightlines are essential, as caravans on tow will be entering and leaving the site at various times. Public roads should have clearly displayed signs requesting cars to slow down for site access. Transport NI will be consulted on applications by the relevant council as the planning authority.

56. The width of the internal access roadway should normally be adequate for 2-way traffic and be not less than 5.5 metres wide. The design must allow caravans on tow to be positioned on pitches and adequate turning space must be provided in cul-de-sac layouts. However where the area of a site is restricted, consideration may be given to other design approaches, e.g. one way loops and 'pull-in areas' for internal roads. In any event, sufficient space must be allowed for manoeuvring caravans into and out of pitches and for access and egress of the emergency

¹⁰ The dimensions of a caravan (or mobile home/park home/timber sectional building) must not exceed 20m length, 6.8m width and 3.05m internal height if it is to fall within the definition of a caravan under the Caravans Act (Northern Ireland) 1963 as amended by the 2011 Act.

services.

57. A stretch of internal access roadway immediately adjacent to the site entrance should be of adequate width to allow, for example, 2 lorries to pass each other safely, and of adequate length to cater for caravans on tow entering or leaving.
58. A ramp or similar device will be required near the entrance to the public road in order to ensure a reduction in speed of vehicular traffic. Consideration must also be given to the use of such ramps at other locations within the site.
59. Good quality roads which are capable of withstanding heavy vehicles should be constructed. Although roads on sites do not require adoption, all roads should be constructed to adoptable standards to avoid future maintenance costs from increased wear and tear due to frequent movement of heavy vehicle. Normally concrete or tar macadam on a suitable sub-base appropriate to soil conditions is preferable.

Access for Emergency Vehicles

60. It is essential that sites are designed so that appropriate turning and reversing requirements of emergency vehicles are incorporated. Access requirements for emergency vehicles are covered under the current Northern Ireland Building Regulations and detailed within Section 6 of Technical Booklet E. This may impact on the number of pitches permitted. Good practice from recognised sources is outlined in the paragraphs below which can be used as a starting point prior to discussions with local emergency services.
61. In designing a site, all routes for vehicles on the site, and for access to the site, must allow easy access for emergency vehicles and safe places for turning. Emergency vehicles should have access to within 45 meters¹¹ (hose route) of any building or a caravan/trailer, where the 45m distance should be to a door giving access to the interior. Cable overhangs must meet the current statutory

¹¹ NI Building Regulations: Technical Booklet E (Fire Safety) 2012, 6.19 (b) (i).

requirements¹² but should generally not be less than 4.5metres above the ground. Vehicular access and gateways must be at least 3.1 metres wide and have a minimum clearance of 3.7 metres.¹³

62. Roads must not be less than 3.7 metres wide or if they form part of a one way traffic system, 3 metres wide. One way systems should be clearly sign posted. To increase potential access points for emergency vehicles more than one access route into the site is recommended.

Children's Play Area

63. A safe communal recreation / play area for children of all ages is recommended on site where suitable provision is not available within reasonable walking distance from the site on a safe route or using easily accessible public transport. For larger sites, specially designated play areas with play equipment should be considered in close liaison with the local council. Ideally, these should be designed in consultation with children and parents, to ensure equipment is provided that will be well used.

64. Where recreation areas are provided it is important to ensure they are designed and located with the safety of children in mind (taking into account the proximity of busy roads) and allowing for supervision. Warning signs should be placed at the entrance to the site and throughout warning drivers of the presence of children.

65. Any designated play area should be flexible, adaptable, varied and interesting. Providing features such as shrubs or sand will promote good quality play. Any equipment should meet normal local Council standards. Play areas should be well lit and designated as dog free areas.

66. Locating play areas in secluded areas of the site and near boundary perimeters is

¹² Model Standards for Caravan Sites in England, DCLG, (2008).

¹³ Designing Gypsy and Traveller Sites- A Good Practice Guide, DCLG, (2008).

not favoured as children could be subject to outside harassment and the play area and equipment open to vandalism. Perimeter fencing should be included to ensure children are safe from site traffic and to prevent dumping or use for scrap storage.

Car parking

67. A key element for the site is the provision of adequate parking space for residents' use. Car parking spaces must be a minimum of 2.4 x 4.8 metres each. Resident parking should be provided for on individual pitches but a site should also contain additional parking facilities for visitors as parking on the roadside could otherwise impede access of fire and other emergency services. Separate parking areas may present security considerations for residents and should therefore be situated in sight of residents generally.

Site Security

68. Site design should aim to show due regard to security and privacy. Site layout should maximise natural surveillance enabling residents to easily oversee all areas of the site. Scheme specific advice on security provision for the site should be obtained from the PSNI Crime Prevention Design Advisor (CPDA) for the area and reference should be made to 'Secured by Design' standards to inform detailed planning of the site.

69. Site layout can play an important role in avoiding a sense of enclosure and isolation amongst Travellers. The aim should be to 'design out' crime and social exclusion and 'design in' community safety and social inclusion through openness of design, allowing ease in passing through, whether walking or driving. Care also needs to be taken to ensure the safety of residents and children where car traffic passes through.

70. Before pursuing this approach however, prospective residents should be consulted at the outset to ascertain the level of community cohesion already

prevalent in the area and to establish the degree to which those who are to live on the site are comfortable with this approach and if it meets the degree of privacy and security that is acceptable.

71. It is important to provide clear delineation of public communal areas such as play areas and private space with boundaries that indicate clearly where individual pitches begin and end. It is recommended that communal areas without a clear usage are avoided in the design as they may attract vandalism, fly tipping or unauthorised caravans.

72. It is recommended that local needs and preferences are taken into account as well as the requirements of DfI Roads and fire and rescue services when designing the entrance to the site. Many Travellers are in favour of controlled access to sites, for example using a lockable gate. Such controls can prevent unauthorised parking and caravans on site. Gates can however hinder access for emergency services, postal deliveries and refuse collection.

Landscaping

73. Site landscaping that provides a mix of durable, hard landscaping (paved or concrete areas) with some good quality, soft landscaping (grassed areas, shrubs and trees) should ideally be provided. The landscaping should be designed throughout for low maintenance, and thought should also be given to preventing it from being used for unauthorised parking or unauthorised pitching of caravans. Consultation with Travellers on the provision of soft landscaping is essential as a preference for hard surfacing has been expressed by some Travellers.

74. Landscaping opportunities within and on the edge of the site should be used to create an attractive environment that can enhance resident satisfaction and pride with the site, encouraging participation with management to maintain their surroundings.
75. Planting should prove more successful if provided within a few large areas instead of in scattered patches throughout the site, although soft landscaping can be used to ensure spatial separation which prevents the movement of caravans to positions which would breach fire safety distances from the adjoining pitch.
76. Including artistic features on site could be an ideal opportunity for existing residents or potential residents to celebrate Traveller culture and identity. If this is to be considered, consultation with existing or potential residents should take place at an early stage. It is important any feature is agreed in partnership with residents. This would be a good opportunity to get Traveller children involved in the design and development of artistic features on site, particularly if there is a children's play area.

Hard Standing

77. Each pitch must include a hard standing area constructed of concrete or a similar suitable hard wearing material which extends over the whole area to be occupied by a touring caravan or other vehicle. The use of stoning should be avoided. These standings must be constructed in accordance with the industry code of practice and project a sufficient distance outwards to enable occupants to enter and leave safely. The base must be sufficient to bear the load placed on it by the home or vehicle and its contents, and the anticipated level of vehicle movement.
78. Experience indicates that Travellers have a preference for a bitumen finish to all areas of the site due to a greater life expectancy. Nevertheless, ideally hard-standing should be part of the landscape design and the pitch width need not be entirely paved. Where agreed, pitches could be designed to break monotonous design with soft landscape and where this is adopted in the design, consideration should be given to the inclusion of a storage facility on each pitch for residents to

keep equipment to maintain it.

79. The site provider/owner should consider the environmental impact of the site and measures that might be taken to improve sustainability. For example, the inclusion of separate identifiable containers for the collection of recyclable waste and provision of water butts is recommended.

Site Facilities

Amenity Building

80. It is essential for an amenity building to be provided on each service site pitch. This should have a floor area of at least 25m² and can be a detached or semi-detached design if across two pitches. The amenity building should normally be a traditionally constructed permanent building,¹⁴ however the use of modern methods of construction (MMC), such as prefabricated pods, should be considered where there are clear benefits in terms of cost, maintenance, security, etc.
81. The amenity building must include as a minimum hot and cold water supply, electricity supply, a separate toilet and hand wash basin, a bath/shower room, a kitchen with sink drainer and worktop, and a dining area. The access to the toilet should be through a lobbied area or by separate access direct from the pitch. The amenity building must also include secure storage space for harmful substances/medicines, enclosed storage for food, brooms, washing and cleaning items and space with wiring/plumbing/drainage for connection of a cooker, fridge/freezer and washing machine.
82. The inclusion of a day/living room in the amenity building for family meals, and for children and young people to play and study is recommended. The day/living room could be combined with the kitchen area to provide a kitchen/dining/lounge area. It is desirable that the day/living room should not be part of essential

¹⁴ In this context the term 'traditionally constructed' refers to masonry cavity wall construction.

circulation space, nor contain essential storage.

83. The design and construction of amenity buildings must meet the requirements of the current Building Regulations, the Institution of Electrical Engineers (IEE) regulations, the NI Water and DfC Design Standards. Materials used must comply with the relevant British Standards and Codes of Practice and provide for durable and low maintenance buildings. Its design should be sympathetic to local architecture, be attractive and of a domestic nature taking account of the relevant planning considerations.
84. Wall and floor finishes should have a high standard of durability. Particular attention should be paid to matters such as ease of maintenance and cost over its lifespan. Plumbing should be concealed as far as possible.
85. It is recommended that amenity buildings incorporate cost effective energy efficiency measures. Layout and construction should be designed to maximise energy conservation and the use of passive solar gain. All mechanical and electrical systems should be as energy efficient as possible.
86. Consideration should be given to the insulation of plumbing systems, the use of low energy light fittings and appropriate heating and ventilation systems. Any opportunity for using energy from renewable sources should be considered.
87. Adequate and sensibly situated electrical outlets, switching and controls should be installed throughout the amenity building.
88. Economical heating systems should be installed throughout the amenity building that provide temperature controls suitable for room use, and capable of being individually controlled in each room. The overall heating, ventilation and insulation strategy must take into account the potential risk of condensation, mould growth etc. due to low usage.
89. The width of main entrances, doorways and passageways must comply with current NI Building Regulations to ensure mobility standards. Fixtures and fittings in the amenity building should be domestic but robust.

90. In line with standards for social housing, other recommended features include:

- Sill heights in living/dining area no higher than 800mm above floor level;
- Hot water taps to baths/showers with a thermostatically controlled supply;
- Adequate screening and wall tiling where showers are provided over baths;
- A worktop-cooker-sink-worktop sequence that is not broken by doors, passageways or tall units;
- A 1.2 metre run of worktop between the cooker and the sink;
- A 500 mm minimum worktop each side of the cooker and wall units set back minimum 100 mm;
- A space for additional equipment such as a microwave;
- Walls in bathrooms and WCs designed to take support aids;
- Smoke/fire and heat detectors and;
- A carbon monoxide detector.

Other on site facilities.

91. The standards for site facilities applied by NIHE on serviced sites is through the provision of pitch specific facilities, following a resident centred approach.

92. The provision of a communal building is recommended within the Equality Commission for Northern Ireland's *Outlining Minimum Standards for Traveller Accommodation* document.¹⁵ The NIHE report that Communal facilities do not work as practice has indicated in a number of sites in Northern Ireland. Nevertheless, provision of a communal building could be considered on sites large enough for a diverse community of residents rather than one extended family, where need has been explored in consultation with the Travellers to be accommodated and where a site is isolated from local facilities either by distance or a lack of public transport facilities. This facility can be an important resource in

¹⁵ Outlining Minimum Standards for Traveller Accommodation, ECNI, March 2009, Page 88.

sustaining a more remote site, offering an opportunity for visits by health visitors, youth workers and education services as well as use by site management and residents alike.

93. Any such building should include:

- A community room
- Toilets (male and female)
- A kitchenette.

Ideally it should be situated towards the front of the site, accessible to all the community not just site residents and if promoted and managed well can help encourage good relations between Traveller and neighbouring communities.

Lighting

94. Sufficient lighting must be provided on the site to enable safe access and movement through the site at night for both pedestrians and vehicles having regard to the density and overall layout of the site. External lighting should also be provided on amenity buildings to ensure safe access. All lighting installations and fittings should be vandal and tamper proof.

95. Street lighting arrangements should be planned to minimise the risk of damage through vandalism and avoid problems of light pollution to homes on the site through light shining directly into caravans or amenity buildings. It should be planned to properly illuminate access roads and access to residential pitches.

96. Any play area for children should receive special attention in terms of appropriate lighting.

97. Consideration could be given to using three quarter length light pillars where there is a prospect the site may create light pollution for neighbouring sites.

Postal Arrangements

98. The site should be designed so that post can be delivered separately for each pitch. Each residential pitch should have a secure post box accessed by a key held by the pitch resident.
99. Experience has shown that postal deliveries to pitches can be disrupted by complaints about harassment by unrestrained dogs so the provision of an individual box at the entry to a pitch would be advisable. Where delivery to individual pitches is not possible, a 'pigeon hole' system near the entrance to the site or on a site office wall should be considered. This must have lockable individual boxes for each pitch.
100. Consultation has shown that a simple but important element in helping to avoid discrimination against the residents of a Traveller site is to allocate site and pitch addresses which are of a similar nature to those for the settled community and which do not highlight that the accommodation is site based.

Waste Disposal

101. Travellers should receive the same waste disposal arrangements as the settled community. Domestic waste disposal must be provided for each pitch in accordance with the local council requirements. A key element in designing the layout of the site is to ensure sufficient space exists for refuse collection vehicles to reach an appropriate point from which waste can be collected from individual pitches, as well as any communal refuse areas.
102. Consideration should be given to including a recycling collection point on the site where it is not in close proximity to one in the neighbouring vicinity.
103. Communal refuse areas can encourage fly-tipping and the accumulation of non-domestic waste. If a communal refuse area is necessary (in addition to refuse collection for each pitch), this should be designed and located to be convenient, accessible, robust, non-combustible and inconspicuous. It should be located away from individual pitches and from access points to the site to ensure that fire

service vehicles can enter the site and deal with any fire that might break out.

Space for Work and Animals

104. Traveller sites are essentially residential and those living there are entitled to a peaceful and enjoyable environment. Guidance on site management would therefore propose that working from residential pitches should be discouraged and residents should not normally be allowed to work elsewhere on site.
105. Paragraph 6.144 of the Strategic Planning Policy Statement (SPPS) allows for workspace to be provided 'where appropriate,' although providing areas for work on a Traveller site creates issues for health and safety, public liability, cost and management, as well as taking up valuable living space that is often not readily available. Therefore the provision of facilities for some level of activity will only be considered in exceptional circumstances where it is appropriate, having due regard to planning, environmental and health and safety considerations. However if significant commercial or other work activity is proposed and accepted, it is very important to ensure the site is delineated so that residential areas are separated from commercial or work areas.
106. This also applies to the inclusion of space for keeping animals. Where there is demand for space for animals Travellers should be encouraged to rent grazing land from neighbouring land owners if possible. The provision of space on site for keeping animals will only be provided where it is reasonable and practicable to include this.

Office premises

107. Currently in Northern Ireland there are no site managers or a requirement for an office on site as the equivalent designated officers in Northern Ireland work out of local district offices. **Further detail at Section 13.** However if this changes and an office is required for a larger site, this should ideally be in a location which can be easily found by visitors- preferably at the front of the site to ensure that it has a

view which increases security but is not intrusive to residents. Facilities that may be needed include an office area, storage space, and kitchen and bathroom facilities.

Site Services

Scope to Provide Essential Services

108. All sites must be provided with access to mains water, electricity supply, drainage and sanitation.

Water supply

109. A mains water supply suitable for drinking must be provided for each pitch, sufficient to meet the reasonable demands of residents. Water supplies must comply with current legislation, NI Building Regulations and British Standards. Ideally water meters will be provided in amenity buildings by Northern Ireland Water and must be for domestic usage.
110. Water pressure must be sufficient to enable the use of fire hydrants by the emergency services which should be located near the front of the site.
111. Outside taps and hook up points for caravans should be provided on each pitch with internal isolation valves and suitable backflow protection for security of the water supply.

Electricity supply

112. Mains electricity to each pitch is essential, sufficient to meet the reasonable requirements of the residents, and with separate meters for each pitch. Ideally pre-paid card electricity meters will be provided in amenity buildings for each pitch by the relevant supplier and must be for domestic usage. Each Traveller household is responsible for their own electricity account.

113. Underground cabling must be adequately earthed and comply with current electrical installation regulations. Installations must be inspected annually and all electrical work carried out by competent / appropriately qualified personnel in accordance with the current IEE Wiring Regulations and to the satisfaction of Northern Ireland Electricity (NIE).

Connection points

114. Consideration may be given to providing more than one electricity and water access point on each pitch to allow for trailers to be realigned either through resident's choice, family expansion or to cater for visitors.

Gas supply

115. It is essential that gas installations, supplies and storage meet all statutory requirements, relevant standards and codes of practice. Storage facilities that comply with health and safety regulations for Liquid Propane Gas cylinders must be provided. As the guidance on storage is complex, the site provider/owner should seek advice from local environmental health services. It is essential any mains gas installation is inspected annually and certified as safe.
116. Provision of a mains gas supply is recommended for amenity buildings on pitches and, if supplied, must comply with current gas installation regulations.

Oil fired central heating

117. Installations for oil fired central heating should meet current NI Building Regulations together with appropriate storage and safety arrangements in case of oil leaks.

Drainage

118. Surface water and storm water drainage must be installed. All drainage must accord with current legislation, Building Regulations and British Standards. This should be given early consideration in both site selection and scheme design.
119. It is recommended that gully and manhole covers are robust and secure. If individual caravans are connected to the drainage system the connections must be capable of being sealed when not in use.
120. Smaller drain covers could be considered as these can assist in preventing foreign objects becoming accidentally lodged in soakaways and gulleys.
121. Traveller sites may offer opportunities for implementing a Sustainable Drainage Systems approach for dealing with surface water management where surface water runs off to either natural water courses or municipal systems.
122. Consideration should be given to the inclusion of interceptors to ensure protection against petrol, oil and other substances entering the surface water drainage system.¹⁶

Sewerage

123. Sewerage for permanent sites should normally be through mains systems.
124. Each pitch should be connected to a public mains sewer when it is economic to do so. In some locations this may not be possible and in that case alternative arrangements can be made, such as a properly constructed and regulation compliant, sealed septic tank sewage system. Consent to Discharge must be sought from the Northern Ireland Environment Agency (NIEA) where it is proposed to discharge from a septic tank to a waterway, or underground stratum. All sanitation provision must accord with current legislation, NI Building

¹⁶The purpose of an interceptor is to separate water coming from the drainage system from any contaminants picked up on-route such as oil, silt, dirt and brake dust. Petrol interceptors intercept oil and petrol contained in the storm water runoff from hard standing

Regulations and British Standards.

125. Consideration should also be given to additional waste disposal connections from resident caravans to avoid problems over unauthorised connections.

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Health, Safety and Accessibility

Risk assessment

126. It is essential that site owners undertake a general Health and Safety risk assessment of the site during the initial stage.

Fire Safety

127. It is essential that consultation with Northern Ireland Fire & Rescue Service takes place at a very early stage of designing a site so that appropriate fire safety measures can be incorporated. Good practice from recognised sources is outlined in the paragraphs below which can be used as a starting point prior to discussions with local emergency services.
128. To ensure fire safety it is essential that every caravan must be not less than 6 metres from any other caravan that is occupied separately.
129. Other structures are allowed in the separation zone if they are made of non-combustible materials (such as a brick built amenity building), as long as they do not impede means of escape.
130. As part of the overall health and safety risk assessment it is imperative that site owners carry out a fire risk assessment of the site during the initial design stage, which includes the homes on the site.
131. It should pay particular attention to those at special risk, such as children, and must include consideration of any dangerous substance liable to be on the site. A fire risk assessment will help identify the risks that can be removed or be reduced and to decide the nature and extent of the general fire precautions.
132. The significant findings of such an assessment should always be recorded.
133. General fire precautions include measures to reduce the risk of fire on the site and the risk of the spread of fire on the site.

- (a) Pitches should be no more than 30 metres from a fire point. Fire points must be housed in a weatherproof structure, easily accessible and clearly and conspicuously marked 'Fire Point'. A clearly written and conspicuous notice should be provided and maintained at each 'Fire Point' to indicate the action to be taken in the case of fire including details of a muster point. Notices should comply with BS 5499-2 - Fire safety signs, notices and graphic symbols.
 - (b) Water standpipes, hydrants or fire extinguishers should be provided on each site as determined by the risk assessment and as informed by consultation with the local fire officer. All equipment should conform to relevant British/European standards.
 - (c) A means of raising the alarm in the case of fire should be provided at each fire point. This must be appropriate to the size and layout of the site and informed by consultation with the local fire officer.
 - (d) All alarm and firefighting equipment should be installed, tested and maintained in working order by a competent person. All equipment susceptible to frost should be suitably protected.
134. The level of necessary safety (or service) must be dictated by the findings of the risk assessment.

Emergency Telephone

135. An emergency telephone for calling the emergency services should be provided particularly in areas where the mobile phone reception is poor.
136. If required, the telephone should be immediately accessible and a notice by the telephone should include the name, address and postcode of the site.

Accessibility

137. All private or communal buildings on the site must be provided to mobility standards as specified within the current NI Building Regulations. Developers

must also have regard to the Disability Discrimination Act 1995, as amended by the Disability Discrimination (NI) Order 2006, both when designing the site and during refurbishment planning.

138. When considering the extent to which pitches, parking spaces and amenity buildings should be suitable for wheelchair users, reference should be made to local Traveller Accommodation Needs Assessments. The *2014 Travellers' Accommodation Needs Assessment in Northern Ireland* confirmed that a high proportion of Traveller households (46%) had a household member with a disability or health problem that limited their day-to-day activity.
139. Where no need has been identified it is recommended that at least one pitch per site be constructed to meet the needs of a disabled resident as a contingency for future demand. Where provided, these should be consistent with the standards for housing for wheelchair users as set out in the Department for Communities' Design Standards as detailed in the Housing Association Development Guide.

Transit Sites

The Site

140. **Site Location / Selection** - The guidance for permanent sites largely also applies except that the proximity to community facilities is primarily in respect of the need for access to schools. The presence of children on the site, and potential health and safety risks for them and other residents should receive equal consideration
141. **Relationship to Surrounding Land Use** – The guidance for serviced sites applies.
142. **Health and Safety Considerations** – The guidance for serviced sites applies.

Site Design

143. **Number of pitches** – no more than 6-8 pitches is the recommended number of pitches on a site. In exceptional circumstances where larger sites are proposed, the number of pitches should not normally exceed 15-20.
144. **Site boundaries** – The guidance for serviced sites applies
145. **Size of pitch** - Wherever possible each pitch should be of a size sufficient to accommodate two touring caravans, two parking spaces and private amenities.
146. **Layout of pitches** – The guidance for serviced sites applies
147. **Orientation of pitches** – The guidance for serviced sites applies.
148. **Site access and roadways** - – The guidance for serviced sites applies
149. **Access for emergency vehicles** – The guidance for serviced sites applies.
150. **Emergency Telephone** – Details of the nearest available telephone for contacting the emergency services should be included on an adjacent fire notice in areas where the mobile phone signal is poor.
151. **Car Parking** - It is recommended that parking space for at least two vehicles is provided on each individual pitch at a minimum size of 2.4m x 4.8m each.
152. **Site Security** – The guidance for serviced sites applies.
153. **Landscaping** - The guidance for serviced sites applies although soft landscaping on transit sites can be more difficult to maintain. As these sites are only intended for short stays there is less need for soft landscaping but the general ambience of the site should be maintained to a limited and cost effective degree.
154. **Hard Standing** – The guidance for serviced sites applies.

Site Facilities

155. **Private amenities** - The provision of private amenities on each pitch including a toilet, wash hand basin and shower with hot and cold water supply is essential.
156. Depending on the degree of usage, portable facilities may be provided to meet these needs and these should be well managed and maintained. Where sites are empty for lengthy periods and to avoid vandalism to facilities these should be removed until the site is reoccupied. Permanent waste and water points should be in place to reduce the cost of use of contractors to manage the facilities.
157. **Lighting** – The guidance for serviced sites applies.
158. **Waste disposal** - Waste disposal for individual pitches is recommended. Communal refuse disposal should be provided which is convenient (but away from pitches and associated dwellings), fenced off, robust and inconspicuous.
159. **Sluice** – Provision of a sluice should be considered on each site.
160. **Laundry facilities** – consideration should be given to the provision of washing and cleaning facilities e.g. deep sinks/space for washing machines.
161. **Space for Work and Animals** – The guidance for serviced sites applies.

Site Services

162. **Water supply** – The guidance for serviced sites applies
163. **Electricity supply** - The guidance for serviced sites applies although in practice a central electricity supply administered by the site management may be provided which would entail residents paying by meter.
164. **Gas supply** – Mains gas supplies are not applicable to transit sites.
165. **Drainage** – The guidance for serviced sites applies
166. **Sewerage** – The guidance for serviced sites applies.

Health and Safety Considerations

167. **Risk Assessment** – The guidance for serviced sites applies.
168. **Fire Safety** – Please refer to Section 6 of the Northern Ireland Fire & Rescue Service (NIFRS) Caravan Site Operators Guide which can be accessed under Fire Safety Guides at the following link.

<https://www.nifrs.org/fire-safety/dhssps-fire-safety-risk-assessment-documents/>

169. **Accessibility** – The guidance for serviced sites applies.

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Emergency Halting Sites

The Site

Site Location / Selection

- 170. Emergency halting sites should provide safe and convenient access to road networks and cause minimum disruption to surrounding communities.
- 171. When considering the suitability of different sites, the potential presence of young children and any risks from adjoining land uses must be considered.

Site Layout, Access and Orientation

- 172. It is important to provide markings or barriers to encourage residents to park safely, allow access for emergency vehicles and enable maximum use of the site in accordance with its intended capacity and fire safety standards. Particular regard must be given to the need to ensure a safe distance between trailers/caravans and other structures made of combustible materials. Emergency Halting Sites Stopping places should be designed to ensure there is a separation of 6m between trailers/caravans to reduce the risk of fire spread.
- 173. The road to and from the site must be of sufficient quality and size to enable access onto and off the site by heavy vehicles such as trailers.
- 174. There must be a clear barrier around the emergency stopping place to prevent unauthorised expansion of the site. Boundaries to be in keeping with surrounding area.

Site Facilities and Services

- 175. It is essential for a cold water supply to be provided for the use of site residents which may be by use of water standpipe or water bowser.
- 176. Appropriate number of portable toilets must be provided and there must be separate provision for men and women. Consideration should also be given to the provision of portable showers.

177. It is essential for a sewerage disposal point to be provided.

178. Refuse disposal facilities must be provided.

Health and Safety Considerations

179. The guidance for serviced sites applies.

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Consultation

Introduction

180. Effective and meaningful engagement with Travellers, and liaison with the local community from the initiation of a proposal through to completion, is essential for a successful, integrated and sustainable development. Issues requiring discussion include: site selection, design features, facilities and services, management and maintenance of sites and provision of accommodation other than through serviced or transit sites.

181. This guidance is not intended to replace local consultation with Travellers and other key agencies. Local consultation should include:

- Travellers from the communities whose needs will be met on the site, including if possible, the families who will move onto the site at first let;
- Northern Ireland Fire & Rescue Service;
- The Police, for advice on site security;
- The local Transport NI Division;
- The local council, including the planning department from the very first stages of site identification;
- Local residents & businesses;
- Local Education , Local Health and Social Care Officers; and
- Designated officers & maintenance Officers.

182. The same principles apply to consultation on Traveller sites as with other refurbishment projects and new developments. Very few architects and developers will have first-hand experience of living on a site as part of a Traveller community, and consultation with Travellers will be crucial to ensuring the site works successfully.

183. The needs and preferences of those who will live on the site should be given full consideration and should be met as far as is possible within available resources. People who have lived on sites for most or all of their lives are in the best position to advise on what works well and what doesn't for a particular community. However, the needs of those people who will move onto the site at first let will need to be balanced with the needs of those who may live on the site at a later date.

When to consult?

184. Travellers and/or their relevant representative bodies should be consulted throughout all stages of the design process, including site identification through the NIHE. Local communities can be aware of factors which, despite site shortages, could prevent take up of site places in particular areas.

Methods of consultation

185. The NIHE (NIHE) has an established record of joint working with the Traveller community following the development and publication of the Travellers' Accommodation Needs Assessments in Northern Ireland 2008 and 2014. It is recommended that Housing Associations wishing to work with Travellers for the first time, consult with the NIHE at the outset to secure its own introductions.
186. Where difficulties remain, introductions can usually be secured through other organisations which already have a good working relationship with members of the Travellers community and their representative organisations.
187. Participation will be greatly improved by holding the consultation in familiar and informal surroundings that are easy to get to, comfortable and warm. The office of a local organisation working with Travellers, or a local community building might be appropriate for instance.
188. It is important that consultation does not rely on written methods such as leaflets, surveys or feedback forms. Face to face consultation which enables Travellers to influence rather than just respond to the consultation agenda is important. Provision of models and computer generated images of proposed site

development will also help prospective residents visualise the outcome and help identify useful refinements which may not otherwise be immediately apparent.

189. In some cases it may be appropriate to use a small number of people from the communities to represent their interests, however there is a danger with this type of approach that the perspective of some parts of the community will be missed. There is also a risk that many Travellers are reticent about representing their whole community, instead preferring to speak on behalf of their own family.
190. It would be beneficial to ensure as far as possible that sympathetic and knowledgeable architects and contractors are employed in the site design process. At an early stage the NIHE could offer an 'awareness raising' session on Traveller culture involving representatives of the local Traveller community. This would be a means of opening dialogue and facilitating ongoing consultation with prospective residents, which is necessary to ensure the successful design and construction of the site and achieve best value for the money.
191. The timing of the consultation will be important. For instance women are more likely to be able to take part in consultation that takes place on sites during the day (and outside school pick up hours) whereas men may be more likely to be able to attend evening meetings.
192. One to one interviews are one method of consulting, but they can be time-consuming and do not provide an opportunity to attempt to resolve differing opinions. Focus groups can be a good way to encourage discussions around matters where there are differing perspectives and where there is a need to achieve a consensus position. If some tensions between different members of the community are anticipated then small meetings or group discussions will work better than large meetings.
193. *An Assessment of Travellers' Accommodation Needs in Northern Ireland*, which is published periodically by the NIHE, gathers views on site design and satisfaction with existing sites. The information contained within this report should be drawn upon and added to the knowledge base.

Feeding back on the results of consultation

194. As a common courtesy the results of any consultation should always be fed back to the individuals and/or communities concerned. Where it has not been possible to meet the expressed preferences of the community the reasons for this should be clearly explained.
195. Once the site has been developed, this consultation process offers the basis of a permanent residents' forum, which can help sustain a good co-operative spirit of consultation between the NIHE and residents which is a key element in managing a site successfully.

Consulting with the settled community

196. As for other kinds of development, it is important that members of the local community, whether Travellers or settled residents, are able to feed in views on plans for new sites.
197. Misinformation and limited contact between Travellers and the settled community can feed distrust and misconceptions, and these must be challenged and addressed proactively. Opposition from the settled community can delay, and in some cases prevent, the issue of planning permission for new sites. The right of any individual to comment on any development proposal is central to the functioning of a fair and open planning system and should be protected and facilitated at all costs.
198. It will be important to demonstrate the need for new site provision in any consultation with the settled community, and the steps that the NIHE will take to address concerns and deal with problems should they arise.

Management Standards

199. Successful places are safe, well maintained and well managed. Achieving this depends on managing the physical assets effectively and appropriately. With the right management structures, people who live and use the place will be able to influence what happens there. The success of developments is sustained by active support and resources that enable them to function effectively.
200. Across the range of accommodation types, respectful and sensitive management in conjunction with effective maintenance is essential for ensuring the long term sustainability of a Traveller development and can also be a critical success factor in building the support of the local community for a Traveller site.
201. To help local communities accept authorised sites, they will need to see that provision in their area is proportional to need and matched by provision in other areas; and that sites are managed in a way that avoids, or remedies quickly, any negative impact on neighbouring areas.
202. It is recommended that, from the beginning, a site management and maintenance plan is in place along with sensible, transparent rules around allocation of pitches. This will help ensure residents live in a safe and secure environment. The plan should be flexible and pay particular attention to the involvement and participation of site residents in the management and maintenance of the site. In addition the plan should have regard to best practice in housing management guidelines.
203. There are no specific legal requirements for the management of Traveller sites in Northern Ireland. However the principles of effective management of accommodation apply in a similar fashion to Traveller sites as to other forms of social housing, and these are set out below.

- Ownership of responsibility for site management should be clear, whether this is NIHE or, in future, contracted out to a housing association, a private company, a voluntary or community organisation or to Travellers living on site.
- It is recommended that each site should have a designated officer who can be contacted by residents as necessary. The designated officer would be a member of the local district office staff in which a particular site is located. Good practice suggests that some residents should be invited to take part in the recruitment of the designated officer. The designated officer may have responsibility for a number of sites, and where this is the case, or where the officer does not live on site, regular visits – at least twice a week – should be made to the site.
- The designated officer should familiarise him/herself with the families living on a site, through direct engagement with residents, with the licensing agreement, payment procedures, etc. The designated officer should play a proactive role in the management of the site and be visible to residents and approachable.
- The designated officer has a central role in preserving health and safety standards on site. This must be carried out proactively, and in discussion with residents, who should know and understand the benefits of measures in place to protect their health and safety.
- The publication of an *Allocations Policy* presented in oral and written form to residents, is an important step in building trust between residents and management. Allocation of pitches should not take place informally, but should follow the terms of the allocations policy to ensure fairness in approach. An appeals process should be available to residents who wish to challenge a decision.
- It is recommended that site residents are consulted when deciding management arrangements. Residents should be invited and encouraged to play a central role

in the way the site is run. Travellers should be asked about their preferred methods of consultation, and these should be accommodated wherever possible.

- Effective and efficient repair and maintenance is a central obligation on site management, and will play an important role in the smooth operation of the site. A contact number should be provided for residents to report faults either to their own pitches or communal areas. A management plan should have a programme of planned maintenance as well as contingencies for reactive maintenance. A clear management structure should be included and relevant contacts in appropriate departments identified.

ANNEX A

KEY DOCUMENTS

- Caravans Act (Northern Ireland) 1963 as amended the Caravans Act (Northern Ireland) 2011 - An Act to amend the law relating to caravans and caravan sites.
<http://www.legislation.gov.uk/nia/2011/12/contents>
- Disability Discrimination Act 1995, as amended by the Disability Discrimination (NI) Order 2006. <http://www.legislation.gov.uk/ukpga/1995/50/contents>
- Design Guide for Travellers Sites in Northern Ireland, 1997, Department for the Environment. This document can be obtained from the NICS Library.
[https://nigl.ent.sirsiidynix.net.uk/client/en_GB/default/search/detailnonmodal/ent:\\$002f\\$002fSD_ILS\\$002f0\\$002fSD_ILS:28249/one?qu=design+guide+for+travellers&te=ILS](https://nigl.ent.sirsiidynix.net.uk/client/en_GB/default/search/detailnonmodal/ent:$002f$002fSD_ILS$002f0$002fSD_ILS:28249/one?qu=design+guide+for+travellers&te=ILS)
- Race Relations (Northern Ireland) Order 1997- Where Irish Travellers were specifically identified as a racial group protected against unlawful discrimination.
<http://www.legislation.gov.uk/nisi/1997/869>
- Northern Ireland Act 1998- Specifically section 75 which requires Public Authorities to promote equality of opportunity between persons of different racial groups.
<http://www.legislation.gov.uk/ukpga/1998/47/contents>
- DOE New Policy on Accommodation for Travellers 1999- Although the responsibility for Traveller accommodation remained within the remit of local Councils this policy gave the NIHE a more strategic role. <https://www.communities-ni.gov.uk/sites/default/files/publications/dsd/report-of-the-working-party-on-travellers-accomodation.pdf>
- Promoting Social Inclusion Working (PSI) Group on Travellers Report 2002- Highlighted the various needs of the Traveller community and helped push their issues higher up the Governments agenda. Office of the First Minister and Deputy First Minister responded to this report in *A Response to the PSI Working Group Report on Travellers*. <http://www.equality.nisra.gov.uk/travellers.pdf>
- Housing (Northern Ireland) Order 2003 - Led to the transfer of 6 sites from local Councils and gave NIHE responsibility to both manage and provide suitable accommodation, including transit sites.
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<http://gov.wales/docs/ds/jlg/publications/equality/150528-designing-gypsy-and-traveller-sites-en.pdf>

Additional Copies

Additional copies of this document can be obtained from:

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Housing Supply Policy
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1-7 Bedford Street
Belfast
BT2 7EG

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Mid Ulster District Council

By email: info@midulstercouncil.org

Housing Division
Level 3
Causeway Exchange
1-7 Bedford Street
BELFAST
BT2 7EG

7 June 2019

Dear Sir/Madam

The Department for Communities has responsibility for publishing and maintaining a Design Guide for Travellers' sites in Northern Ireland, which is a technical guidance document. The current Design Guide was published by the former Department of the Environment (NI) in 1997. The Department has now completed a comprehensive review and produced an updated draft Design Guide, which is being shared with you as a consultee as part of a focused consultation process (**Annex A**).

The Design Guide for Travellers Sites in Northern Ireland is a purely technical document. It is intended to support the provision of appropriate, cost effective facilities for Travellers living in Northern Ireland. This guide should be considered in the development of new sites and for sites that have to be substantially redeveloped. It seeks to outline the key issues, including the relevant planning context, that must be considered and identify the main design and management elements necessary to create high quality and sustainable Traveller sites which meet residents' traditional and cultural needs. The Northern Ireland Housing Executive (NIHE) has the strategic role in provision of accommodation for Travellers.

The deadline for the submission of comments on this consultation document will be 31 July. Respondents are asked to submit their views as early as possible to allow time for consideration. All responses not submitted electronically must be made in

writing and your name, address and council name should be clearly stated. Contact details for responses are below.

Yours sincerely,



DAVID POLLEY

DIRECTOR OF HOUSING SUPPLY POLICY & DELIVERY

CONTACT DETAILS

Supported Housing Branch

3Rd Floor, Causeway Exchange

1-7 Bedford Street

Belfast

BT2 7EG

E mail responses should be sent to

Supported.Housing@communities-ni.gov.uk

If you require further information or wish to discuss the Design Guide with Department officials please contact us and a meeting can be organised.

The Department will publish a summary of the responses following completion of the consultation process, in line with the Freedom of Information Act 2000 (Confidentially of Consultations). More information about the Freedom of Information Act is at **Annex B** of this email.

Section 75 of the Northern Ireland Act 1998 requires public authorities, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality between all the Section 75 groups. Without prejudice to these obligations, the Department is also required in carrying out its functions relating to Northern Ireland, to have due regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial groups. Equality screening of the Design Guide for Travellers' Sites in NI has identified no

adverse impacts. On this basis, the decision is that the Design Guide for Travellers' Sites in NI should not be subject to a full equality impact assessment.

Annex A



DRAFT Design
Guide for Travellers

Annex B

FREEDOM OF INFORMATION

Freedom of Information Act 2000 – Confidentiality of Consultations

The Department will publish a summary of responses following completion of the consultation process. Your response and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely the Department in this case. This right of access to information includes information provided in response to a consultation. However, the Department does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties 'in confidence' which is not confidential in nature; and

- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner's Office (or see web site at: <http://www.informationcommissioner.gov.uk/>).

Email: environmentalhealth@midulstercouncil.org

PB/

19th June 2019

Mr David Polley
Director of Housing Supply & Delivery
Department for Communities
Housing Division
Supported Housing Branch
Level 3 Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG

Dear Mr Polly,

Consultation on Design Guide for Travellers' Sites in Northern Ireland

Mid Ulster District Council (MUDC) welcomes the opportunity to comment on the Department's reviewed and updated Design Guide for travellers' sites in NI. Meaningful consultation with travellers and the local community regarding site location and design is important. Location should take into consideration surrounding land uses in relation to noise and disturbance for the travellers and surrounding communities. Any proposed workspaces within the sites should provide suitable protection for residents and surrounding communities from noise or other potential environmental issues.

Clarification is sought that serviced sites would have individual amenities available for permanent sites and not be reliant on communal amenity buildings. Clarification is sought as to why a Transit Site, which the only difference from a Serviced Site appears to be that it is smaller, requires each pitch to be provided with private amenities such as a toilet; wash hand basin and shower, and is not required to have a communal amenity building.

Transit sites refer to caravans being parked on a temporary basis. The term temporary can be interpreted differently and should be defined to ensure that there is not longer term residency with limited amenities.

The section on private amenities suggests that portable facilities may be provided. MUDC would support having in place individual or communal amenities rather than portable ones.

MUDC recommends the inclusion of example site layouts and diagrams of amenity units, which would be helpful in demonstrating layouts and how the key considerations have been taken into account i.e. plot sizes; car parking; landscaping; amenity building; children's play; storage; services and waste collection etc. Consideration of pitch size should be considered in light of the Welsh design guide.

In addition to the footnote on Page 10, MUDC would welcome further clarification on the definition of a caravan in relation to modular homes on Traveller's Sites.

Overall, it is essential that there is consistency and compatibility with the terminology and approach contained within the draft Design Guide and associated guidance documents, with the draft new Model Licence Conditions and NIFRS Fire Safety Guide for Caravan Site Operators.

Yours sincerely,

Model Licence Conditions 2019

Caravans Act (Northern Ireland) 1963 Section 5



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Product Code:

ISBN:



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Introduction

1. The use of land as a caravan site is controlled by relevant planning legislation, whereas the physical standards and layout, amenities and other standards within the site are controlled by a site licence issued by local councils under the Caravans Act (Northern Ireland) 1963 (“the 1963 Act”). Section 5 of the 1963 Act enables councils to set licence conditions.
2. Under section 5(7) of the 1963 Act the Department may from time to time specify model conditions with respect to the lay-out and the provision of facilities, services and equipment for caravan sites or particular types of caravan site; and that, in deciding what (if any) conditions to attach to a site licence, the council shall have regard to any conditions so specified.
3. These conditions revise and update the Model Licence Conditions for Caravan Sites 1992 and Model Licence Conditions Residential Caravan Sites 1994 and apply to all caravan sites:
 - permanent residential caravan sites;
 - holiday caravan sites;
 - touring caravan sites; and
 - Traveller or Roma sites.
4. This review has been prompted by the Northern Ireland Human Rights Commission (NIHRC) ‘Out of Sight, Out of Mind: Travellers’ Accommodation in NI’ investigation report published on 6 March 2018. The report made a number of recommendations for public authorities including that the Department should:

“review the legal and policy framework concerning site licences. This should include the development of a model site licence setting out the minimum standard of provision and safety requirements for each type of Travellers site in NI, along with enforcement powers for any breach.”
5. While addressing the report’s recommendation the Department has also taken the opportunity to amalgamate the current Model Licence Conditions for holiday caravan sites as well as residential caravan sites into one document, creating greater clarity and ease of reference for councils and stakeholders. In parallel

and in response to a recommendation by NIHRC, the Department for Communities has completed its review of the Design Guide for Travellers' Accommodation 2019, and will be consulting shortly. The Design Guide is intended to support the provision of appropriate, cost effective sites for Travellers living in Northern Ireland.

6. Although the conditions remain largely unchanged there are some key revisions regarding emergency telephones and fire safety measures.
7. These conditions should be considered when:-
 - applying licence conditions to new sites;
 - applying licence conditions to sites that have been substantially redeveloped; or
 - renewing or reviewing a current licence.
8. Where current licence conditions are adequate in serving their purpose, the council do not need to apply new conditions.
9. Where it is appropriate to amend an existing condition or apply a new condition to a licence the council must be able to justify its reasons for doing so, having regard to all the relevant circumstances of the site. In deciding whether to apply a new condition the council must have regard to the benefit that the condition will achieve and the interests of both residents and site owners (including the cost of complying with the new or altered condition) and should consult the site licence holder on the proposed variations. They may also wish to consult with residents or a Residents' Association, where appropriate.
10. The model conditions represent those standards normally to be expected as a matter of good practice on caravan sites. They should be applied with due regard to the particular circumstances of the relevant site, including its physical character, any relevant services, facilities or other amenities that are available within or in the locality of the site and other applicable conditions.
11. The council should also consider the Northern Ireland Fire and Rescue Service guidance¹ and the Department for Communities Design Guide for Travellers

¹ "NIFRS Fire Safety Guide for Caravan Site Operators" available via NIFRS website at www.nifrs.org

when applying conditions on a site licence.

12. The explanatory note to this document provides advice on the application and enforcement of the model conditions when considering attaching conditions to licences.

13. Councils should allow a reasonable period of time after any site licence alteration for compliance with the revised conditions, unless the reason for making the alteration is to address a matter requiring immediate attention.

14. When considering taking enforcement action councils should undertake a risk assessment to take into account all possible factors in relation to the prosecution.

15. This document should be referred to as Model Licence Conditions 2019.

Interpretation

16. In the model conditions any references to “site” includes a park home site (including a mobile home site) and to “caravan” includes a mobile or park home.

17. In this document the term “site owner” is referred to throughout, as normally that person would be the licence holder.

THE MODEL CONDITIONS

1. The Boundaries and Plan of the Site

- (i) The boundaries of the site from any adjoining land should be clearly marked by a man made or natural feature.
- (ii) No caravan or combustible structure should be positioned within 3 metres of the boundary of the site.
- (iii) A plan of the site should be supplied to the council upon the application for a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the council.
- (iv) The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and should be of suitable quality.

2. Density and Spacing Between Caravans

- (i) Subject to the following variations the minimum spacing distance between any two caravans should not be less than 6 metres in permanent residential caravan sites, touring caravan sites and Traveller or Roma sites. On holiday caravan sites the minimum spacing should not be less than 5 metres between caravans made of aluminum or 6 metres between those made of plywood or similar skin. Where there is a mixture of holiday caravans of aluminum and plywood the separation distance should be 6 metres.
- (ii) The point of measurement of porches, awnings etc. is the exterior cladding of the caravan, excluding the draw bar. The distance from any part of a caravan to any part of a road within the site should not be less than 2 metres.
- (iii) Porches may protrude 1 metre into the 5 or 6 metres space and should be of the open type.
- (iv) Where awnings are used, the distance between any part of the awning and an adjoining caravan should not be less than 3 metres. They should not be of the type which incorporates sleeping accommodation and they should not face each other or touch.

- (v) Eaves, drainpipes and bay windows may extend into the 5 or 6 metre space provided the total distance between the extremities of 2 adjacent units is not less than 4.5 metres in a 5 metre space, or 5.25 metres in a 6 metre space.
- (vi) Where there are ramps for disabled, verandahs or stairs extending from the unit, there should be 4.5 metres (3.5 metres on holiday caravan site which has holiday caravans only) clear space between them and such items should not face each other in any space. If they are enclosed, they should normally be considered as part of the unit and, as such, should not intrude into the 5 or 6 metres space.
- (vii) A garage, a shed or covered storage space should be permitted between units only if it is of substantially non-combustible construction (including non-combustible roof) and sufficient space is maintained around each unit so as not to prejudice means of escape in case of fires. Windows in such structures should not face towards the unit on either side. Car ports and covered walkways should in no circumstances be allowed within the 5 or 6 metres space. For cars and boats between units see paragraph 12.
- (viii) The density should be consistent with safety standards and health and amenity requirements. The gross density should not exceed:-
 - 50 caravans per hectare in permanent residential caravan sites and Traveller or Roma sites
 - 60 caravans per hectare in holiday caravan sites; and
 - 75 caravans per hectare in touring caravan sites;calculated on the basis of the usable area (i.e. excluding lakes, roads, communal services and other areas unsuitable for the siting of caravans) rather than the total site area.

3. Roads, Footpaths, Pavements, Gateways and Overhead Cables

- (i) Roads and footpaths should be designed to provide adequate access for emergency vehicles.
- (ii) Emergency vehicle routes within the site should be kept clear of obstruction at all times.
- (iii) New roads should be constructed and laid of suitable bitumen macadem or concrete with a suitable compacted base.
- (iv) All roads should have adequate surface water/storm drainage.

- (v) New two way roads should not be less than 3.7 metres wide, or if they are designed for and used by one way traffic, not less than 3 metres wide.
- (vi) One-way systems should be clearly signposted.
- (vii) Where existing two way roads are not 3.7 metres wide, passing places should be provided where practical.
- (viii) Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.
- (ix) Roads and footpaths should be maintained in a good condition.
- (x) Cable overhangs must meet the statutory requirements.
- (xi) Every caravan should be connected to a road by a footpath with a hard surface.
- (xii) Where practicable, communal footpaths and pavements should not be less than 0.9 metres wide.

4. Lighting

- (i) Taking into account the needs and characteristics of a particular site, roads, communal footpaths and pavements should be adequately lit between dusk and dawn to allow the safe movement of pedestrians and vehicles around the site during the hours of darkness.

5. Bases

- (i) Every unit must stand on a concrete base or hard-standing.²
- (ii) The base must extend over the whole area occupied by the unit, and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. The hard standings must be constructed to the industry guidance, current at the time of siting, taking into account local conditions.

6. Maintenance of Common Areas, including Grass, Vegetation and Trees

- (i) Every part of the site to which the public have access should be kept in a clean and tidy condition.
- (ii) Every road, communal footpath and pavement on the site should be

² Councils should refer to paragraph 25 in the Explanatory Notes in respect of holiday/touring sites.

maintained in a good condition, good repair and clear of rubbish.

- (iii) Grass and vegetation should be cut and removed at frequent and regular intervals.
- (iv) Trees within the site should (subject to the necessary consents) be maintained.
- (v) Any cuttings, litter or waste should be removed from the immediate surrounds of a pitch.

7. Supply & Storage of Gas etc.

- (i) Gas (including natural gas) and oil installations, and the storage of supplies should meet current statutory requirements, relevant Standards and Codes of Practice.
- (ii) Liquefied Petroleum Gas cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.

8. Electrical Installations

- (i) On the site an electricity network of adequate capacity should be installed to meet safely all reasonable demands of the caravans and other facilities and services within it.
- (ii) The electrical network installations are subject to regulation under current relevant legislation and must be designed, installed, tested, inspected and maintained in accordance with the provisions of the current relevant statutory requirements.
- (iii) Any work on electrical installations and appliances should be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements.
- (iv) Any work on the electrical network within the site should be done by a competent person fully conversant with the appropriate statutory requirements.

9. Water Supply

- (i) All pitches on the site should be provided with a water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.
- (ii) All new water supplies should be in accordance with all current legislation, regulations and relevant British Standards.

- (iii) All repairs and improvements to water supplies and installations should be carried out to conform with current legislation and British Standards.
- (iv) Work on water supplies and installations should be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current relevant legislation and British Standards.

10. Drainage and Sanitation

- (i) Surface water drainage should be provided where appropriate to avoid standing pools of water.
- (ii) There should be satisfactory provision for foul and waste water drainage either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the council.
- (iii) All drainage and sanitation provision should be in accordance with all current legislation and British Standards.
- (iv) Work on drains and sewers should be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British Standards.
- (v) For caravans without their own water supply and water closets, clean and properly maintained communal toilet blocks should be provided, with adequate supplies of water, to at least the following scales:-
 - Men: 1 WC and 1 urinal per 5 caravans or less;
 - Women: 2 WCs per 15 caravans or less;
 - 1 wash basin for each 2 WCs (or urinals).
- (vi) Toilet blocks should be sited conveniently so that all site occupants may have reasonable access to one by means of a road or footpath.
- (vii) On holiday and touring caravan sites, where laundry facilities are not available, at least one deep sink with adequate supplies of hot and cold water should be provided.

11. Refuse Storage & Disposal

- (i) Where communal refuse bins are provided these should be housed within a properly constructed bin store.
- (ii) All refuse disposal should be in accordance with all current legislation and regulations.

12. Parking

- (i) Private cars, jet skis and boats may be parked between adjoining caravans provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan.
- (ii) Fuel tanks for motor boats should be disconnected and stored in a shaded area, not below a caravan.
- (iii) Suitably surfaced parking spaces should be provided to meet the requirements of residents and their visitors.

13. Communal Recreation Space

- (i) On sites where it is practical to do so, suitable space equivalent to about one tenth of the total area of the site should be allocated for recreational purposes, unless in the council's opinion there are adequate recreational facilities within a close proximity to the site.

14. Notices and Information³

- (i) The name and address of the site should be displayed on a sign in a prominent position at the entrances to the site together with the current name, address and telephone number of the licence holder and manager and emergency contact details.
- (ii) In addition, the following should be available for inspection in a prominent place on the site:-
 - a copy of the current site licence
 - a copy of the most recent periodic electrical inspection report.
 - a copy of the site owner's certificate of public liability insurance.
 - a copy of the local flood warning system and evacuation procedures, if appropriate.
 - a copy of the fire risk assessment made for the site (if required by the NIFRS Caravan Sites Operators Guide).
- (iii) A current plan of the site with roads and pitches marked on it should also be prominently displayed at the entrances.
- (iv) All notices should be suitably protected from the weather and from direct

³ Councils should refer to paragraph 67 in the Explanatory Notes when applying Conditions 14(ii) and (iii) in respect of NIHE sites.

sunlight, preferably in area lit by artificial light.

15. Emergency Telephone

- (i) An emergency telephone for calling the emergency services is only required if mobile phone reception in the area is poor.
- (ii) If provided, the telephone should be immediately accessible and a notice by the telephone should include the name, address and postcode of the site.

16. Flooding

- (i) The site owner should establish whether the site is at risk from flooding by referring to the Department for Infrastructure's Flood Maps.
- (ii) Where there is risk from flooding the site owner should consult the Department for Infrastructure (Rivers) for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and on what appropriate measures to take.

17. Fire Safety Measures⁴

Fire Points

- (i) These points should be located so that no caravan or site building is more than 30 metres from a fire point. Equipment provided at a fire point should be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Fire Fighting Equipment

- (ii) All fire hydrants should conform to the current British Standard.
- (iii) Access to hydrants and other water supplies should not be obstructed or obscured.

Fire Warning

- (iv) A suitable means of raising the alarm in the event of a fire should be provided at each fire point on permanent residential caravan sites, holiday caravan sites and touring caravan sites.

⁴ Councils should consider the "NIFRS Fire Safety Guide for Caravan Site Operators", available via NIFRS website at www.nifrs.org. See paragraph 75 of explanatory notes.

Maintenance and Testing of Fire Fighting Equipment

- (v) All alarm and firefighting equipment should be installed, tested and maintained in working order by persons who are qualified in the particular type of work being undertaken and be available for inspection by, or on behalf of, the licensing authority or the Fire and Rescue Service.
- (vi) A record should be kept of all testing and remedial action taken.
- (vii) All equipment susceptible to damage by frost should be suitably protected.

Fire Notices

- (viii) A clearly written and conspicuous notice should be provided and maintained at each fire point to indicate the action to be taken in case of fire. This notice should include the following:

“On discovering a fire:

- I. Ensure the caravan or site building involved is evacuated.
- II. Raise the alarm.
- III. Call the fire brigade (the nearest phone is sited at).”

In applying the conditions above in respect of fire safety measures the council should refer to NIFRS Fire Safety Guide for Caravan Site Operators. As regards to Traveller/Roma sites the guidance emphasises that in the event of a fire the occupier should Get Out, Get the Fire and Rescue Service Out, and Stay Out and therefore the provision of fire points, fire fighting equipment or a fire warning is not recommended.

Annex to Model Licence Conditions 2019 for Caravan Sites in Northern Ireland: Explanatory Notes

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MODEL LICENCE CONDITIONS – EXPLANATORY NOTES

Introduction

1. These explanatory notes are designed to be read in conjunction with Model Licence Conditions 2019 in Northern Ireland (“the conditions”) and are intended to offer guidance on the application and enforcement of the conditions for councils.
2. The Model Licence Conditions as laid out represent what would normally be expected as a matter of good practice on such sites. They should be applied with due regard to the particular circumstances of each case, including the physical character of the site, any facilities or services that may already be available within convenient reach and other local conditions.
3. It is recognised that not all sites will easily be able to meet the Model Licence Conditions in every case due to their particular characteristics, but a council will need to be able to justify any decision not to have regard to the Model Licence Conditions in setting a licence condition.
4. The Model Licence Conditions are not intended to be the “ideal”; councils may in the circumstances set more demanding ones if it is appropriate and can be justified.
5. There will be some licence conditions which require inter and cross agency input and advice from other teams within the council and outside organisations, such as the Health and Safety Executive Northern Ireland, the Northern Ireland Fire and Rescue Service, Northern Ireland Water and the Northern Ireland Environment Agency. It is important for all parties concerned with sites that effective lines of communication are established to ensure that any problems are identified and resolved as early as possible.
6. Disability Discrimination legislation applies to sites and this should be borne in mind when framing licence conditions and considering possible enforcement action. Guidance can be found at www.nidirect.gov.uk and this can also help councils in their consideration of licence conditions. Further guidance can also be found on the Equality Commission's website at <https://www.equalityni.org>.

Legal background

7. Under the 1963 Act, most privately owned sites must be licensed by the council, unless exempted under the 1963 Act⁵. A licence will be granted unless the applicant does not have relevant planning permission to operate the site or has had a licence revoked in the last three years.⁶
8. The council may attach conditions to the licence, but these can only relate to the physical use of the site and its management⁷. The Department for Infrastructure may issue Model Licence Conditions which the council must have regard to in deciding what conditions to attach to a licence⁸. The council may from time to time alter a site licence condition (either of its own volition or upon the application of the licence holder)⁹.
9. A licence holder may appeal against the imposition of a condition in a licence or any proposed alteration to a condition or a refusal to alter a condition¹⁰.
10. It is an offence to breach a licence condition and on summary conviction the offender can currently be fined up to £2,500¹¹. Where a condition requires works to the site to be carried out and these are not done either within the time specified or to the satisfaction of the council, the council may carry out the works itself and recover from the licence holder any expenses it has reasonably incurred in doing so¹².
11. The council may apply to the court to have a licence revoked if the licence holder has been convicted on two or more occasions of breaches of licence conditions¹³.
12. The council is required, under section 22 of the Act, to maintain an accurate register of the site licences in their area. Given the number of different types of sites that councils may deal with, it is recommended that the register

⁵ Section 2 and Schedule to the 1963 Act set out in which circumstances a site licence is not required.

⁶ Section 3 (3) and (6).

⁷ Section 5 (1) to (6). For restriction see *Mixnam's Properties v Chertsey UDC* A.C. 735.

⁸ Section 5 (7).

⁹ Section 8.

¹⁰ Sections 7 and 8 (2).

¹¹ Section 9 (1). The maximum penalty on summary conviction is a fine not exceeding level 4 on the standard scale.

¹² Section 9 (4).

¹³ Section 9 (2).

shows what type of site each is, be it holiday, residential, mixed use or Traveller. It is recommended as a minimum the information the site register has is:

- Name and address of site (if available the Geographic Information Service mapping code should also be logged)
- Name of the licence holder, the site owner (if different) and any person managing the site on behalf of either of those persons
- Type of site
- The number of pitches
- The licence conditions (if any)

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The Boundaries and Plan of the Site

1. The boundary should clearly define the limit of the site owner's responsibility. The boundary should be suitably marked and properly maintained. This boundary could be formed of a fence, hedge, wall or natural feature or any other suitable structure (or any combination of these) or it may in whole, or part, be formed by an appropriate natural feature, such as a river or a wood. It would not normally be appropriate for that natural feature to simply include an open field.
2. Plans of the site should be provided to the council at the site owners' expense.
3. It is best practice for copies of the plan to be made available to the emergency services.
4. The 3 metre separation distance inside the boundary serves the purpose of ensuring privacy from whatever is on the other side of the boundary, such as a road, and other developments, such as houses etc. This may not be necessary given the particular characteristics of the site.
5. The 3 metre separation distance measurement should be taken from the caravan wall.

Density and Spacing Between Caravans

6. The 5 or 6 metre separation distance is required for two reasons:
 - Health and safety considerations; and
 - Privacy from neighbouring caravans.
7. Health and safety matters, such as the positioning of gas bottles, etc. should also be taken into account.
8. For the purposes of calculating the distance between the caravans, the point from which measurements are taken is the exterior cladding of the relevant caravan. Eaves, drainpipes, gutters, sills, threshold, door canopies and bay windows should be discounted.

9. Porches should not render the home incapable of being moved, which means they should be demountable.
10. If structures, other than garages, are on pitches within the separation distance and are of a combustible construction, then the council should consider allowing sufficient time for them to be replaced with an acceptable non combustible model.
11. At no time should a garage constructed of combustible material be allowed in the separation distance.

Enforcement

12. In considering the enforcement of the separation distance the council should refer to the Northern Ireland Fire and Rescue Service guidance. It should also seek the views and take account of representations from the site owner and affected residents before taking any steps to enforce this condition, where practicable.
13. Before the council undertakes any enforcement action it should consider the benefit of the works against the potential impact on the residents' enjoyment of their caravans and the cost to the site owner.

Roads, Footpaths, Pavements, Gateways and Overhead Cables

14. Roads should be constructed of bitumen macadam or concrete with suitable compacted base. However, sites with roads constructed of tarmac should not be required to automatically upgrade their roads. The roads should only be required to be upgraded as and when they begin to fall into disrepair.
15. Some larger sites may have traffic calming measures such as speed humps on their roads. Though not specifically covered in this standard, it will be worth ensuring that any legal requirements applying to un-adopted roads are met. Guidance and assistance can be found on the Department for Infrastructure website, www.infrastructure-ni.gov.uk.
16. Gateways, roads and turnings should have enough clearance to allow safe entry for emergency vehicles and new units on lorries. The widths and heights

given are based on the maximum sizes of emergency vehicles that may regularly attend incidents on sites.

17. In determining the permitted height of cable overhangs the council must take into account the current statutory requirements. Those applying as at the date of this guidance are found in the Electricity Safety Quality and Continuity Regulations (Northern Ireland) 2012 SR 2012/381 (ESQCR). These regulations provide that, in general, cables should not overhang a road at a height of less than 5.8 metres for lines not exceeding 33KV.

18. The Technical Specification (TS) published by the Energy Networks Association (ENA) ["ENA TS 43-8"](#) specifies that where:

- The overhead line follows a route along a hedgerow, fences, boundary walls or similar features, the minimum clearance in these circumstances is 4 metres.
- The overhead line crosses a driveway with an access width of no more than 2.5 metres (and the driveway is defined by gateposts or similar features), the minimum clearance is 4.3 metres.

Further advice on minimum clearances is available from the Health and Safety Executive Northern Ireland.

19. It is good practice that all overhead lines on sites should be fully insulated and where a cable is within easy reach of a property; it must be so and protected from interference.

20. Where the site owner generates their own electricity, the council should require the site owner to comply with regulation 3 of the ESQCR and in considering any enforcement action in relation to cables must consult with the HSENI.

21. Communal path widths should normally be 0.9 metres in respect of new sites or sites that are undergoing substantial redevelopment (including expansion to part of the site); otherwise paths of not less than 0.75 metres should be accepted where they already exist.

Lighting

22. The lighting provided for communal paths and roads should be adequate to allow safe movement around the site during the hours of darkness. Many sites use low lighters rather than traditional street lamps and these work well as long as they are well maintained and plants/vegetation are not allowed to grow around them and stop them emitting light effectively. The lighting must be fit for purpose i.e. to allow vehicles and pedestrians to navigate around the site between dusk and dawn.

Bases

23. It is important to note that the construction, maintenance and repair of the concrete base are the responsibility of the site owner. New bases should be laid as a minimum in accordance with the current industry guidelines.

24. Particular attention should be paid to the terrain of the site before a base is laid, which may mean a thicker base is needed. The base should be sufficient to handle the load placed upon it by the caravan and its contents.

25. On holiday caravan sites and touring caravan sites hard standings may not be necessary if the caravans are removed during the winter or if the ground on which they are situated is firm and safe in poor weather conditions.

Enforcement

26. When considering any enforcement action, the council should also seek the views and take account of representations from the site owner and affected residents before taking any steps to enforce this standard, where practicable.

27. Before the council undertakes any enforcement action it should consider the benefit of the works against the potential impact on the residents' enjoyment of their homes and the cost to the site owner.

28. Where a caravan has to be removed in order to facilitate works to the base the council should normally, if it is feasible and if it is the resident's wish, require the site owner to reinstate, at his own expense, the caravan on the original pitch on completion of the works.

Maintenance of Common Areas, including Grass, Vegetation and Trees

29. Cut grass and vegetation should be removed from the site as soon as practicable. Bonfires should not be used as a means of disposal. Vegetation is often used for sight screening but should be kept at a reasonable height.
30. Trees on the site will normally be the responsibility of the site owner. Where trees are in need of care and maintenance the council should, before any action is taken, liaise with the officer responsible for trees at the council to ensure that all statutory and other requirements are complied with.
31. The common parts of the site (including roads, paths and pavements) must be kept free of any rubbish and maintained in a clean and tidy condition. The council may wish to consider whether appropriate receptacles for litter need to be provided in such areas. In any case the site owner should be required to make arrangement for the regular collection of routine rubbish from the site. They should also be required to make arrangements for the prompt disposal of waste and other materials which accumulate on the site during any works etc. Secure non combustible facilities should be provided on the site for the proper storage of rubbish and waste prior to its removal and disposal off the site.

Supply and Storage of Gas etc.

32. The Health and Safety Executive Northern Ireland ("HSENI") website, www.hseni.gov.uk, provides details and information about the various legislative requirements and contacts if further information is needed. In addition the trade body for LPG suppliers, uklpg, www.uklpg.org, also has information which may be of use.
33. Anyone being employed by a site owner to carry out work on gas (including natural gas) or oil installations should be suitably qualified to do the work. The [HSENI](#) pages contain details of various certification schemes which may apply.

Enforcement

34. In considering whether to take enforcement action for a breach of site licence conditions officers should liaise with the HSENI to ensure any action taken by the authority is not in conflict with any action the HSENI is proposing to take.

35. Council officials who identify areas of concern on sites should always consult the HSENI about the problem(s).

36. All new installations must be to the current regulations and maintained at that standard.

Electrical Installations

37. The electrical installations on the site will be a distributor's network either belonging to the regional electricity network operator or the owner of the site. The Department for Economy's website: www.economy-ni.gov.uk contains information on legislation regarding the electricity supply in Northern Ireland.

38. A suitably qualified person for the purpose of carrying out work on electrical installations and appliances, including maintenance and inspections, includes a professionally qualified electrical engineer, a member of the Electrical Contractors Association, a contractor approved by the National Inspection Council for Electrical Installations Contracting, or a qualified person acting on behalf of the above.

39. It may be necessary to ensure the electricity distribution network complies with ESQCR, in which case such work should only be undertaken by a competent person familiar with those Regulations.

40. All new installations must meet the requirements of the current regulations and maintained at that standard.

Enforcement

41. In considering whether to take enforcement action for a breach of site licence conditions, officers should liaise with the HSENI to ensure any action taken by the authority is not in conflict with any action the HSENI are proposing to take.

42. Council officials who identify significant areas of concern with site electrical networks and installations should always consult the HSENI about the problem(s).

Water Supply

43. The Utility Regulator lays down service standards for Northern Ireland Water ("NI Water") and details can be found on its website at www.uregni.gov.uk. In addition,

there are various schemes for suitably qualified persons and authorities should check to see that those undertaking works are qualified. The main scheme is run by NIC certification and details can be found about the scheme at www.niceic.com

44. Where the water supply is wholly or partially supplied from a private water supply such a supply should be registered with the Drinking Water Inspectorate before use. Further information can be obtained from <https://www.daera-ni.gov.uk/articles/private-water-supplies> .

45. On any site of two or more caravans the site owner must consult with NI Water in respect of installing a water supply to the site.

Enforcement

46. With the majority of well-established sites enforcement of this section will need to be carefully handled, as most sites will have long established water systems. As with gas and electricity above, there may be a case for dual enforcement if an offence is identified. Consultation with NI Water and the Drinking Water Inspectorate for Northern Ireland within the Department of Agriculture, Environment and Rural Affairs is essential.

47. As with the previous sections, council officers who identify an issue with water supply on a particular site may wish to advise NI Water and the Drinking Water Inspectorate for Northern Ireland of the problem.

48. All new installations must be to the current regulations and maintained at the appropriate standard.

Drainage and Sanitation

49. As with water supplies, provision of sewerage facilities is overseen by the Utility Regulator.

50. It is important that all drains and sewers are well maintained and are connected to the appropriate system. If left unchecked, there can be consequences for the health of residents, along with those who live near the site.

51. Where the proposed site is serving multiple caravans, those constructing must consider the requirements of Article 161 of the Water and Sewerage Services

(Northern Ireland) Order 2006, as amended, with regards the construction and adoption of sewers serving two or more units.

52. It should be noted that the environmental quality of drainage is regulated by the Northern Ireland Environment Agency, with whom the council must consult about any problems.

53. Where appropriate, particular consideration should be given to the needs of disabled people in the provision made for water points, toilets, washing points and showers.

Enforcement

54. In considering whether to take enforcement action for a breach of site licence conditions officers should liaise with NI Water and the Northern Ireland Environment Agency to ensure any action taken by the council is not in conflict with any action NI Water or the Northern Ireland Environment Agency are proposing to take.

55. Council officials who identify areas of concern on sites should alert NI Water and the Northern Ireland Environment Agency to the possible defects.

56. All new installations must be to the current regulations and maintained at that standard.

Refuse Storage and Disposal

57. If communal bins are provided they should be housed within a properly constructed bin store. Liaison with colleagues who deal with refuse collection matters will help in ensuring that the bins provided by the site owner (in the case of communal bins) are acceptable to the council in pursuance of its collection of rubbish from them.

58. The site owner should be required to discuss with the council arrangements for the separation of waste for the purpose of recycling it, and required to provide the necessary receptacles etc. on the site.

Parking

59. Parking needs will vary considerably between individual caravan sites. Parking

requirements should reflect the reasonable needs of the residents, having regard to the size and layout of the site, the number of units, the occupation criteria of the site and the availability of public transport in the immediate vicinity.

60. Provision of parking spaces on new sites or those undergoing redevelopment or extension should be consistent with local planning policies.

Communal Recreation Space

61. This standard should only be applied if the council is satisfied that it is both practicable to provide recreation space on the site and there is insufficient recreation space off the site in the near locality.

62. It will only be practicable to provide such space on the site if there is sufficient open space which is available and it is possible to safely use that space for recreation. The standard requires the council to consider the need for recreation space; it does not require it to consider the need for recreation facilities, although the council may consider that need as part of a licence condition. The larger the site the more recreation space or spaces may be needed. On small sites there may be no need for space at all. In deciding whether it is practicable to provide the space the council should also consider the site layout, the availability of private open spaces (e.g. within the pitch), the availability of other amenities on the site (e.g. club houses) and the age and number of residents on the site.

63. On site recreation space may be considered unnecessary if there is sufficient suitable space available off site within close (walking) distance of it. The space must, however, be freely accessible by the public, such as a municipal park, commons land, and greens or any part of the countryside to which the public have a right to walk.

Notices and Information

64. It is important that all notices are protected from the weather and are prominently displayed, either on a board, in an office open to the public, or other places on the site which the residents have free and reasonable access to.

65. The notices must include the most recent site licence, and the contact details of the site manager, and if different the licence holder. This should include an out of

hours contact number for emergencies, and if available an e-mail address.

66. The site owner is also required to make available certain information for inspection by residents in a prominent position on the site. That could be the site office provided it is open at reasonable times, a community room which every resident is entitled to use and which is also open at reasonable times or a notice board located at the entrance to or in a central part of the site.

67. The council should discuss and agree a suitable arrangement in respect of the display of notices and information required by Conditions 14(ii) and (iii) with the NIHE, regarding the sites provided for Travellers.

Emergency Telephone

68. The council should decide whether an emergency telephone for calling the emergency services is required, taking account of the individual characteristics of each site including appropriate availability of mobile phone coverage and reception.

Flooding

69. It is important that if a site is in an area susceptible to flooding, procedures are in place to ensure that all those on the site are alerted quickly, and that they are aware of any evacuation procedures that may be in place. A notice should be prominently displayed with all relevant information.

70. The site should be included in any emergency arrangement plans held by councils.

71. Sites should consider surface water flood risk and how to mitigate any such risk. For those located within the inundation area of a Controlled Reservoir it would be advisable to have an evacuation plan in place.

72. Advice on flood risks is available from the Department for Infrastructure website:
www.infrastructure-ni.gov.uk

73. It is important in those parts of the country where flooding is an issue that councils have effective liaison with the Department for Infrastructure Rivers Office for their area, as well as relevant officials across their own council. NI Water should also be

contacted.

Fire Safety Measures

74. The Northern Ireland Fire and Rescue Service website: www.nifrs.org contains a range of helpful information on fire safety and the requirements of The Fire and Rescue Services (Northern Ireland) Order 2006. This includes links to fire safety guides including a specific guide relating to fire safety for caravan site operators.
75. In applying any conditions relating to fire safety measures, the council should consider the recommendations made in the Northern Ireland Fire and Rescue Service guidance. For example at Traveller or Roma sites, NIFRS recommends that during meetings and site visits it should be emphasised that in the event of a fire the occupier should Get Out, Get the Fire and Rescue Service Out, and Stay Out, and therefore the provision of fire points, fire fighting equipment or a fire warning is not recommended.
76. The Fire and Rescue Service has a duty to provide fire safety advice to those who ask for it, although it will not carry out risk assessments.

Fire Fighting Equipment

77. Where fire points are advised in the NIFRS Fire Safety Guide for Caravan Site Operators they should be visible at all times and marked in a way that makes it obvious as to what they are. They will need to be kept clear of any obstructions at all times should they be needed in the event that a fire breaks out.
78. As of the date of publication of this document current guidance by the Northern Ireland Fire and Rescue Service is that a fire hydrant should be installed within 100m of any caravan standing and be capable of providing a flow rate of at least 1,500 litres per minute. Where a fire hydrant is not provided, or where the flow rate is insufficient, an alternative water supply may be acceptable, such as lake, pond, river, canal or a holding tank, provided it is capable of providing at least 45,000 litres of water at all times of the year, and to which access, space and a hard standing is available for a fire appliance.
79. The positioning of mains connected hydrants is the responsibility of NI Water, and any queries as to whether a site has a hydrant should be directed to them. The

positioning of the hydrants should be recorded on the site map, which will assist the emergency service in locating them in the event of an emergency.

80. The site operator may decide, for additional protection, to install other measures such as water standpipes and hose reels at each fire point. Where these are provided, the water pressure and flow should be sufficient to project a jet of water approximately 5m. The hose reel should be a minimum length of 30m and comply with the current British Standard.

81. Fire Extinguishers should only be used if there is not enough water pressure for a hose reel. Where provided, extinguishers should comply with the current British Standard.

82. The previous Model Licence Condition in respect of an emergency telephone has been modified. An emergency telephone for calling the emergency services is only required if mobile phone reception is poor. On touring caravan sites, site owners are encouraged to provide details of the nearest available telephone for contacting the emergency services on the fire notice.

Fire Warning

83. The means of raising the alarm in the event of a fire should be appropriate to the size and layout of the site. If you are unsure of which form of raising the alarm is the most suitable to the site, then refer to the NIFRS Fire Safety Guide for Caravan Site Operators.

Maintenance and Testing of Fire Fighting Equipment

84. It is important that all fire warning systems and firefighting equipment are regularly inspected and maintained. The suggestion is that these checks should be carried out on an annual basis. All testing and maintenance should be carried out by a person suitably qualified to do the work. Records should be kept of any testing and when the most recent inspections were carried out. The record of all tests and inspections should be kept on the site for inspection.

Fire Notices

85. The fire action notice should be displayed on a notice board, and at other suitable points around the site. The full address of the site, including the postcode should be included. Suggested text is available in the NIFRS Fire Safety Guide for Caravan Site Operators.

Enforcement

86. The main enforcer in respect of fire safety is the Northern Ireland Fire and Rescue Service.

DRAFT

DRAFT

Regional Planning Directorate



Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Tel: 0300 200 7830

31 May 2019

Dear Sir/Madam

CONSULTATION ON NEW MODEL LICENCE CONDITIONS FOR CARAVAN SITES

I am writing to advise you that the Department is seeking views on draft new Model Licence Conditions for caravan sites.

The Department is proposing to revise and update the following publications:-

- Model Licence Conditions for Caravan Sites 1992; **and**
- Model Licence Conditions Residential Caravan Sites 1994.

The draft new model conditions will assist councils in deciding the conditions to attach to caravan site licences. They will apply to all caravan sites:

- permanent residential caravan sites;
- holiday caravan sites;
- touring caravan sites; and
- Traveller or Roma sites.

The draft new Model Licence Conditions may be downloaded from the Department for Infrastructure website at www.infrastructure-ni.gov.uk. Alternatively you can request a copy by telephone: 028 90540571; by email from Legislation.Planning@infrastructure-ni.gov.uk or from the postal address below.

Regional Planning Directorate
Room 1 - 08
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

E-mail: planning@infrastructure-ni.gov.uk

Website: www.planningni.gov.uk

Should you feel that a meeting would be beneficial before submitting a response, my staff would be happy to meet with you. Please contact Irene Kennedy at Irene.kennedy@infrastructure-ni.gov.uk if you wish to arrange a meeting.

The closing date for the receipt of comments is 31 July 2019.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Angus Kerr', with a stylized flourish at the end.

ANGUS KERR
Chief Planner
& Director of Regional Planning

Email: environmentalhealth@midulstercouncil.org

PB/

19th June 2019

Mr Angus Kerr
Chief Planner & Director of Regional Planning
Department for Infrastructure
Regional Planning Directorate
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

Dear Mr Kerr,

Consultation on New Model Licence Conditions for Caravan Sites

Mid Ulster District Council (MUDC) welcomes the Department's review and update of the Model Licence Conditions for Caravan Sites 1992 and Model Licence Conditions Residential Caravan Sites 1994, and for the opportunity to reply to the consultation. MUDC raises the following comments as per the numbering in the draft new Model Licence Conditions;

1. The Boundaries and Plan of the Site
 - MUDC requests clarification on why there is no longer a requirement to number each caravan stand
2. Density and Spacing Between caravans
 - MUDC welcomes the amalgamation of separation distances and density of caravans from previous Model Licence Conditions
 - MUDC requests clarification regarding the omission concerning the erection of fences around or near to individual caravans
 - MUDC requests clarification on whether the minimum spacing distance between caravans also refers to modular buildings on Travellers' sites
 - MUDC requests clarification on what would be deemed a sufficient timeframe for the relocation of structures, in order to comply with separation distances
 - MUDC requests clarification on whether LPG storage should be taken into account in regards to ensuring the prescribed spacing between caravans
 - MUDC is of the opinion that the enforcement of prescriptive spacing is significantly weakened by the consideration of residents' enjoyment and costs to the site owner, as referred to on Page 17 Para.13
3. Roads, Footpaths, Pavements, Gateways and Overhead Cables
 - No comment
4. Lighting
 - MUDC welcomes the specific addition of lighting requirements

5. Bases
 - No comment
6. Maintenance of Common Areas, including Grass, Vegetation and Trees
 - MUDC would welcome consistency of language used regarding the terms footpath and pavement
7. Supply & Storage of Gas etc.
 - MUDC requests clarification regarding the application of this requirement to Traveller's Sites
8. Electrical Installations
 - MUDC requests clarification on whether the examination of the electrical installation within a caravan, is required for caravans located on all sites i.e. Holiday and Travellers' caravan sites
9. Water Supply
 - MUDC would welcome the inclusion that it is the responsibility of the site owner to ensure the quality of workmanship being carried out on water supplies
10. Drainage and Sanitation
 - MUDC highlights the correction that approval should be sought from NIEA for the satisfactory provision for foul and waste water drainage, not the council
 - MUDC requests clarification regarding the removal of the requirement for providing hygienic disposal of sanitary towels
 - MUDC requests clarification regarding the removal of the requirement to provide artificial lighting to toilet blocks for during the hours of darkness
11. Refuse Storage & Disposal
 - MUDC requests clarification for removing the requirement to provide the facility to enable the communal bin storage area to be hosed down with clean water
12. Parking
 - MUDC welcomes the addition of separation distances
13. Communal Recreation Space
 - No comment
14. Notices and Information
 - MUDC requests clarification as to whether this should apply to Travellers' sites as they have permanent structures and residence

15. Emergency Telephone

- MUDC requests clarification regarding the provision of an emergency telephone on a Travellers' Site, and its suggested location given that fire points are not required

16. Flooding

- MUDC welcomes the specific addition of flooding risk awareness

17. Fire Safety Measures

- MUDC is of the opinion that as there is no exemption for Fire Notices on Travellers' Sites, this may be problematical to get a suitable location for display as fire points are not required

MUDC raises the following comments in relation to the Model Licence Conditions Explanatory Notes;

- Page 14 Paragraph 10: MUDC is of the opinion that enforcement actions are weakened by the contents of Paragraphs 13 & 14 on Page 3, and Paragraphs 26 & 27 on Page 19.
- Page 15: MUDC requests clarification on whether the name of the licence holder is required for Travellers' Sites
- Page 18: MUDC is of the opinion that the permitted height of cable overhangs should be dealt with primarily at the planning stage
- Page 20 Paragraph 30: MUDC is of the opinion that a council may not have an officer responsible for trees
- Page 21 Paragraph 39: MUDC would welcome the inclusion that it is the responsibility of the site owner to ensure the electricity distribution network complies with the relevant regulations
- Page 22 Paragraph 47 & Page 23 Paragraph 55: MUDC would welcome consistency in language used regarding "may wish to advise" and "should alert" NI Water regarding issues or areas of concern
- Page 25 Paragraph 66: MUDC recommends reviewing the reference to a site office/community room which is unlikely to be available at Travellers' Sites.

It is essential that there is consistency and compatibility with the terminology and approach contained within the draft new Model Licence Conditions and associated guidance documents, in particular the draft new Design Guide for Travellers' Sites in Northern Ireland. and the NIFRS Fire Safety Guide for Caravan Site Operators.

Yours sincerely,

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 11 June 2019 in Council Offices, Burn Road, Cookstown**

Members Present

Councillor Buchanan, Chair

Councillors Brown, Burton, Cuthbertson, Graham,
McAleer, McFlynn, McGinley, B McGuigan, S McGuigan,
McNamee, Milne, O'Neill, Totten, Wilson

**Officers in
Attendance**

Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr Lowry, Head of Technical Services
Mr McAdoo, Head of Environmental Services (7.19 pm)
Mrs Patterson, Principal Environmental Health Officer
Mr Scullion, Head of Property Services
Mr Wilkinson, Head of Building Control
Miss Thompson, Democratic Services Officer

The meeting commenced at 7.00 pm

E107/19 Apologies

Councillor Glasgow.

E108/19 Declarations of Interest

The Chair reminded Members of their responsibility with regard to declarations of interest.

E109/19 Chair's Business

The Director of Public Health and Infrastructure advised of correspondence received from Northern Ireland Housing Executive which referred to the Housing Executive's work with Council in identifying suitable sites within the District for Travellers and their attendance at the Council's Traveller Working Group. The correspondence advised that the Housing Executive have appraised the eleven Council sites identified but that all have constraints and are deemed unsuitable. On that basis, the Housing Executive are now trying to establish potential sites in private ownership however it was advised that there is existing capacity at Traveller sites in Belfast, Craigavon and Derry/Londonderry. The Housing Executive confirmed that their resources were limited and there was a difficulty in engaging with the Council Traveller Working Group on an ongoing basis, it was advised that the Housing Executive could no longer attend the working group meetings but agreed to provide two reports a year to the Environment Committee by way of update.

The Director of Public Health and Infrastructure also advised of correspondence received from Department for Infrastructure in relation to the Draft Design Guide for Traveller Sites consultation which would close on 31 July and that the two letters of correspondence would be discussed at the next Traveller Working Group.

Councillor McGinley expressed his shock that the Northern Ireland Housing Executive were withdrawing from the working group, he stated that the working group needed to consider its next steps and also needed to engage with the consultation. Councillor McGinley stated he was the Chair of the working group but that unfortunately the next meeting conflicted with another diary engagement which also affected other Councillors and that he had asked that the next meeting of the Traveller Working Group be rescheduled. The Councillor asked if the response timeframe to the consultation would pose a difficulty.

The Director of Public Health and Infrastructure advised that the timeline for the response to consultation should not prove a difficulty and that it would be possible to bring a draft response to the next Environment Committee meeting.

Councillor McGinley proposed that the next meeting of the Traveller Working Group be rescheduled to discuss the correspondence received from Northern Ireland Housing Executive and response to consultation.

Councillor McNamee seconded Councillor McGinley's proposal.

Resolved That it be recommended to Council to reschedule the next meeting of the Traveller Working Group.

Councillor Wilson asked for update in relation to Travellers located at Hillhead.

The Director of Public Health and Infrastructure advised that Travellers were still located in the layby at Hillhead, that this layby is owned by DfI Roads and that they were working with their own legal teams on the matter. The Director stated he expected to have an update for the next Traveller Working Group.

Councillor Wilson stated he would have expected an update before now and asked officers to get an up to date position and circulate to Members.

Councillor McFlynn asked that the letter from Northern Ireland Housing Executive be circulated to Members.

The Director of Public Health and Infrastructure advised that the letter would be sent out with the papers for the next Traveller Working Group.

Councillor Burton referred to playgroup in Clogher which is relocating to the former Clogher Primary School on a temporary basis, the Councillor stated there was some concern amongst parents in that the public toilets were located at the school and asked that consideration be given to closing the toilets for the morning session of the playgroup (up to 1pm) as this would mean that the gates could be closed and there would be no childcare issues. The Councillor stated that there was alternative toilet provision located in Augher and Fivemiletown and that the parents of children attending the playgroup would like confirmation from Council that the toilets at the former Primary School will remain closed to 1pm for the period in which the playgroup will be located there (approximately one year).

Councillor McAleer concurred with Councillor Burton's comments and that an alternative was needed as soon as possible, this would also help to eliminate spread of infection. The Councillor felt that the toilets at the former Clogher Primary School

should be closed permanently and relocated as there were other suitable locations in Clogher.

The Director of Environment and Property stated that he took on board Members' concerns and referred to possible Service Level Agreement with a shop/filling station in Clogher which would allow the toilets at the former Primary School to be closed. The Director advised that a similar SLA arrangement had worked well in Draperstown. The Director suggested that officers explore the SLA approach with the fallback being to close the toilets at the Primary School between 9am-1pm.

Councillor Burton proposed that officers proceed with investigating the possibility of a Service Level Agreement between Council and other suitable premises in Clogher for the provision of public toilet facilities.

Councillor McAleer seconded Councillor Burton's proposal.

Resolved That it be recommended to Council to investigate the possibility of a Service Level Agreement between Council and other suitable premises in Clogher for the provision of public toilet facilities.

Councillor Cuthbertson referred to ongoing dog fouling problem right across the District and asked that a report be brought back to the next Committee meeting outlining who is authorised to issue fixed penalties with a view to extending the authorisation to park wardens.

Councillor Cuthbertson advised he had recently been invited by Dungannon Ladies Bowling Club to open the premises at Drumcoo for the season, the Councillor stated that there were a number of issues relating to damage to the building, graffiti, rubbish and broken glass. The Councillor advised that the Bowling Club had informed him of children in school uniform outside the premises who were smoking/using vapes and that persons had also gained access to the roof of the building. Councillor Cuthbertson advised that the Bowling Club have expressed concern in relation to the security of the building and that whilst there are CCTV cameras in place it was not known whether these cameras were in operation. The Councillor stated that the bowling green attracts visitors from all over Northern Ireland and asked officers to make contact with the Bowling Club as a matter of urgency.

Mr McAdoo entered the meeting at 7.19 pm.

Councillor Milne stated that additional officers who can issue fixed penalties would be beneficial, the Councillor stated he would also like to know how many fixed penalty notices had been issued in the last year.

The Director of Public Health and Infrastructure advised that report in relation to authorising officers and number of fixed penalty notices issued would be provided for September meeting.

Councillor Cuthbertson stated that the summer was a crucial period and felt there should be increased patrols and cleansing taking place over the next couple of months.

Councillor B McGuigan referred to previous discussion in which additional bins were requested for the Draperstown area, the Councillor stated that the infrastructure was now in place and therefore there was no excuse for dog walkers not to use the bins.

Councillor McAleer felt that an advertising campaign highlighting that ordinary bins can be used to dispose of dog foul (if bagged) would be useful as there was a lack of knowledge in the public in this regard.

Councillor Burton stated that the Eco Park in Aughnacloy had recently suffered from a lot of anti social behaviour, that a seat was broken, there was broken glass and the life saving device at the pond had gone missing. Councillor Burton also referred to the pilot in Aughnacloy and asked for an update in how successful the watching eyes campaign had been.

Councillor Wilson asked what criteria is used when allocating bins, the Councillor referred to previous request for bins at Lomond Heights in Cookstown and stated that one bin had been provided which was totally inadequate for the area whilst Fountain Road in the town had three bins. Councillor Wilson felt there was no uniformity in relation to the provision of bins.

The Director of Environment and Property agreed that there was no consistency in relation to bin provision as there were currently three different policies in place. The Director advised that work was ongoing in bringing forward a policy for Mid Ulster Council and a report would be brought to Committee in due course.

Councillor Wilson asked that a further bin be situated at either end of Lomond Heights in the interim.

Councillor Cuthbertson advised that he had been driving on the A4 at 9am that morning and every bin along the road was overflowing.

Matters for Decision

E110/19 DfI Roads Proposal to Mid Ulster District Council – Proposed 30MPH Speed Limit – Gulladuff Road, Bellaghy

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed 30MPH speed limit at Gulladuff Road, Bellaghy.

Proposed by Councillor S McGuigan
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 30MPH speed limit at Gulladuff Road, Bellaghy.

**E111/19 DfI Roads Proposal to Mid Ulster District Council – Proposed
40MPH Speed Limit – Moneymore Road, Magherafelt**

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed 40MPH speed limit at Moneymore Road, Magherafelt.

Proposed by Councillor S McGuigan
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 40MPH speed limit at Moneymore Road, Magherafelt.

**E112/19 DfI Roads Proposal to Mid Ulster District Council – Proposed
Provision of a Disabled Persons' Parking Bay at Jockey Lane,
Moy**

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed provision of a Disabled Persons' Parking Bay at Jockey Lane, Moy.

Proposed by Councillor S McGuigan
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed provision of a Disabled Persons' Parking Bay at Jockey Lane, Moy.

**E113/19 DfI Roads Proposal to Mid Ulster District Council – Proposed
Revocation of a Disabled Persons' Parking Bay – Moore Street,
Aughnacloy**

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed revocation of a Disabled Persons' Parking Bay at Moore Street, Aughnacloy.

In response to Councillor Burton's question the Director of Environment and Property advised that a disabled persons' parking bay can be removed when the applicant has moved away from the area/died.

Proposed by Councillor S McGuigan
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed revocation of a Disabled Persons' Parking Bay at Moore Street, Aughnacloy.

E114/19 DfI Roads Proposal to Mid Ulster District Council – Proposed No Waiting At Any Time – Market Square, Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed no waiting at any time at Market Square, Dungannon.

Councillor Cuthbertson referred to the map submitted from DfI Roads which he felt was not accurate and that it was unclear where the no waiting at any time is to be located.

The Director of Environment and Property advised that the location can be clarified.

Proposed by Councillor S McGuigan
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed no waiting at any time at Market Square, Dungannon, subject to amended plan indicating the location of No Waiting At Any Time.

E115/19 DfI Roads Proposal to Mid Ulster District Council – Proposed Limited Waiting At Any Time at Thomas Street, Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed limited waiting at any time at Thomas Street, Dungannon.

Proposed by Councillor S McGuigan
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed limited waiting at any time at Thomas Street, Dungannon.

E116/19 Environmental Services Service Improvement Plan 2019/20

Members noted previously circulated report which detailed Environmental Services Service Improvement Plan for 2019/20.

E117/19 Landfill Closure and Aftercare Financial Provision

The Head of Environmental Services presented previously circulated report which provided update on the closure and aftercare arrangements for the Council's landfill sites and to seek approval for revised Local Authority Deed Arrangements.

Proposed by Councillor S McGuigan
Seconded by Councillor Milne and

Resolved That it be recommended to Council to approve the revised Local Authority Deed Agreements (as circulated at appendix to report) and financial provision of £3,500,168 for the three landfill sites.

E118/19 Dual Language Signage Surveys

The Head of Building Control presented previously circulated report which advised on the results of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage nameplate requests.

Councillor McNamee proposed the report recommendations.

Councillor McGinley seconded Councillor McNamee's proposal.

Councillor Cuthbertson proposed that Council do not proceed with the erection of signage.

Councillor Brown seconded Councillor Cuthbertson's proposal.

Councillor McNamee stated that Dual Language signage was within Council policy and the report should be for information.

The Head of Building Control advised that the surveys under consideration were approved under the old policy and have therefore been presented tonight under the old policy ie. for decision. The officer advised that this would be the last batch of surveys being brought under the old policy.

Members voted on Councillor Cuthbertson's proposal –

For – 6

Against – 9

Resolved That it be recommended to Council to agree the application of Dual Language Nameplates in Irish for –

- The Orchard, Draperstown
- Back Lower Road, Dungannon
- Regency Drive, Magherafelt
- Dalriada Park, Dungannon
- Wellbrook Avenue, Dungannon
- Carrycastle Road, Aughnacloy
- Chapel Street, Cookstown
- Glen Gardens, Maghera
- Killymoon Street, Cookstown
- Tirnaskea Road, Pomeroy
- Gortsraheen Road, Pomeroy
- Loughview Close, Stewartstown

Councillor McNamee asked if any Dual Language signage had been damaged over the election period. The Councillor asked for a report on the number of Dual Language signs damaged, the type of sign (gateway, road, street) being damaged and detail of hotspots in which signs are being repeatedly damaged.

The Director of Environment and Property advised that some Dual Language signs were damaged over the election period and that some of these signs are being continually damaged. The Director advised that Council are trying to take action to catch the perpetrators of the damage.

Councillor Burton referred to the number of signs damaged across the District and that people do not seem to have any regard for road nameplate signage. The Councillor felt that the damaged signage was a liability and that if a review was being undertaken it should consider all road name signage in the District.

Councillor McFlynn referred to Dual Language signage erected in the Loup area in which a number of nameplates have since been defaced or removed. The Councillor stated that the signage had been erected in rural areas and that emergency services rely on this signage.

Councillor Cuthbertson advised that he had previously forwarded detail of a number of broken road name signs to the Director of Environment and Property.

Councillor McNamee stated he understood what Councillor Burton was asking for and that it was a bigger piece of work but that he wanted statistics in relation to damage to Dual Language signage in order to forward to Police.

Councillor Burton stated that road name signs are vital in rural areas and emergency services depend on same. Councillor Burton proposed that if a report was being brought back detailing the damage and location of signage it needed to include all signage not just Dual Language exclusively.

Councillor Cuthbertson seconded Councillor Burton's proposal.

Councillor McNamee proposed a report be brought back to Committee detailing the number of Dual Language signs damaged and where located.

Councillor McGinley seconded Councillor McNamee's proposal.

Councillor Burton stated she did not understand why Dual Language signage was more important.

Councillor B McGuigan stated that a number of road name signs are often damaged through poor driving etc but that Dual Language signage was being deliberately damaged because of its nature.

The Director of Environment and Property stated that a review could be undertaken in two stages with a report on damage to Dual Language being brought back first and a report detailing all road name signage at a later date.

In response to comment from Councillor McFlynn the Director of Environment and Property advised that operatives pick up damaged signage when out strimming/cutting grass.

Resolved That it be recommended to Council –

- 1 That a report be brought back to the Environment Committee detailing the number of Dual Language signs damaged, the type of sign (gateway, road, street) being damaged and detail of hotspots where signs are being repeatedly damaged.
- 2 That a report be brought back to the Environment Committee detailing the location and number of road name signs damaged across the District

E119/19 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report regarding the naming of new residential housing developments within Mid Ulster.

Site off Aghareany Road, Donaghmore

Proposed by Councillor Burton
Seconded by Councillor Graham and

Resolved That it be recommended to Council to name development off Aghareany Road, Donaghmore as Aghareany Court.

Site off Ballyronan Road, Magherafelt

Proposed by Councillor Totten
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to name development off Ballyronan Road, Magherafelt as Ronan Valley Business Park.

Site off Main Street, Castlecaulfield

Proposed by Councillor McGinley
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to name development off Main Street, Castlecaulfield as Old Forge Lane.

Site off Aghareany Road, Donaghmore

Proposed by Councillor McGinley
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to name development off Aghareany Road, Donaghmore as Larden Meadow.

E120/19 Service Level Agreement for provision of Structural Engineering Services

The Head of Building Control presented previously circulated report which sought approval to sign a Service Level Agreement between Mid Ulster District Council and Fermanagh and Omagh District Council for the provision of specialist structural engineering services for the Mid Ulster Building Control Service.

Proposed by Councillor McFlynn
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to approve the signing of the Service Level Agreement between Mid Ulster District Council and Fermanagh and Omagh District Council for the provision of specialist

structural engineering services for the Mid Ulster Building Control Service.

E121/19 Regulatory Information and Management System (RIAMS)

The Principal Environmental Health Officer presented previously circulated report which sought approval to continue with the Regulatory Information and Management System for the Environmental Health Service for Mid Ulster District Council for a further three year period through RH Environmental Ltd.

Councillor S McGuigan asked if anyone else provides this type of software.

The Director of Public Health an Infrastructure advised that this was a specialised piece of software to assist the professional officer team.

Proposed by Councillor McFlynn
Seconded by Councillor Burton and

Resolved That it be recommended to Council to approve the signing of licence agreements with RH Environmental for three years at £5,610 for the first year.

E122/19 The Roads Miscellaneous Provisions Act (NI) 2010

The Principal Environmental Health Officer presented previously circulated report which sought determination on four applications for Road Closure Orders in connection with special events that are being held in July 2019.

Councillor Cuthbertson asked who was responsible for ensuring groups follow procedure in relation to traffic management.

The Principal Environmental Health Officer advised that the applicant has to prove they have a traffic management company in place on their application. The officer advised that Council have no legal remit to ensure procedure is followed.

Councillor Cuthbertson asked if a group did not follow procedure this year whether Council have any grounds to refuse an application next year.

The Principal Environmental Health Officer advised that if a group do not follow procedure and then make a further application their previous conduct would be taken into consideration.

Councillor S McGuigan asked if this Council was one of the few adhering to this legislation as he had been advised that other Councils do not. The Councillor asked if this Council was putting groups through something which was not necessary, and at a cost, as the type of events being arranged are mainly for the community or a charity. Councillor S McGuigan advised that there are groups that have gone through the process and those that have not and that insurances are accepted for both.

The Director of Public Health and Infrastructure advised that he could not answer for other Councils and that the legislation was foisted upon Council who had no option to make any changes to it.

Councillor S McGuigan stated that the situation needed to be reviewed as Members are receiving negative feedback in relation to the application of the legislation.

The Director of Public Health and Infrastructure stated a working group could be set up to which stakeholders ie. Police and DFI Roads could be invited. The working group could review how the legislation is currently being applied along with any potential for a change to Council's remit with a report being brought back to the Environment Committee.

Councillor S McGuigan proposed that a working group be set up to review the application of The Roads Miscellaneous Provisions Act (NI) 2010.

Councillor Wilson stated that whilst he recognised that officers have been very helpful to groups with completion of application forms he would support Councillor S McGuigan's comments that there seemed to be a difference across the Council areas in interpreting this legislation and it was important to have a review involving all stakeholders to the process.

Councillor McAleer felt that it was because Stormont was not functioning that there was nowhere to take this legislation back to have it amended.

Councillor S McGuigan stated he understood how the legislation came about but the difficulty seemed to be in its interpretation across Councils.

The Principal Environmental Health Officer stated she sat on the SOLACE working group and could confirm that other Councils were administering the legislation however there may be differences across the areas in how it is being policed.

Councillor Wilson seconded Councillor S McGuigan's proposal.

- Resolved** That it be recommended to Council –
- 1 That each Road Closure Order outlined in Sections 3.2 to 3.5 of the report be made in line with DfI guidance, subject to applicants providing any outstanding documentation; no objections being received during the consultation process and DfI consent being granted.
 - 2 To set up a working group to review the application of The Roads Miscellaneous Provisions Act (NI) 2010 with a report being brought back to the Environment Committee.

Matters for Information

E123/19 Minutes of Environment Committee held on 1 April 2019

Members noted minutes of Environment Committee held on 1 April 2019.

Councillor McNamee referred to previous discussion in which a contractor carried out works on behalf of NI Water in Cookstown and left some footpaths in a substandard state, the Councillor advised that a number of people have tripped as a result of the way the footpaths have been left. Councillor McNamee stated that the matter has been raised with the contractor but that the remedial works remain outstanding.

The Director of Public Health and Infrastructure stated that officers were aware of the issue and advised that the contractor started the works when Council still held the licence for Public Realm work, as this licence had now been handed back to DfI Roads the Director agreed to raise the matter formally with DfI Roads who now have the legal responsibility.

Councillor Burton referred to previous discussion at Environment Committee on 12 March 2019 in relation to need for footpath at Eglish and other locations and Council's general power of competence. The Councillor stated that there was supposed to be a follow up in relation to these discussions and she asked that this happen as some had been in the process for a long time.

The Director of Environment and Property advised that a meeting had been organised with DfI Roads for this Friday to discuss footpaths in Eglish and Maghera specifically and that Members had been advised of this meeting. In relation to general power of competence, the Director advised that arrangements were being put in place to organise a workshop for Members in the next week to ten days.

E124/19 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for October to December 2018

Members noted previously circulated report which provided update on Council performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for Quarter 3 of 2018/19, October to December 2018.

Councillor McGinley commended staff and residents on Council again maintaining the highest household waste recycling rate, the Councillor stated that everyone needs to keep pushing in order to improve further.

Councillor Burton felt that the recycling officers that go out to schools provide a vital role and that the students often help to bring the message home to parents/grandparents. The Councillor also referred to the Eco Speak competition in which students put a lot of effort into their ideas.

Councillor McGinley stated he had been at the Eco Speak competition before and that it would be useful for the topics being discussed and presentations made by students to be circulated to Members as there are many good ideas being brought forward.

E125/19 Recycling Centre Improvement Works

Members noted previously circulated report which provided update on improvement works to a number of Recycling Centre facilities.

E126/19 Revised Policy Guide on Exhumations

Members noted previously circulated report which provided update on the revised Department for Communities Policy guidance for Exhumations in Council owned burial grounds.

E127/19 Access at Polepatrick Cemetery and Park

Members noted previously circulated report which provided update on access arrangements at Polepatrick Cemetery and Park.

E128/19 Property Services Service Improvement Plan 2019/20

Members noted previously circulated report which detailed Property Services Service Improvement Plan for 2019/20.

E129/19 Building Control Workload

Members noted previously circulated report which provided update on the workload analysis for Building Control.

E130/19 Entertainment Licensing Applications

Members noted previously circulated report which provided update on Entertainment Licensing Applications across the Mid Ulster District.

E131/19 Dual Language Signage Requests

Members noted previously circulated report which advised of requests for Dual Language Signage from residents on streets/roads in the District.

E132/19 Building Control Service Improvement Plan 2019/20

Members noted previously circulated report which detailed Building Control Service Improvement Plan for 2019/20.

E133/19 Making Links to Promote Health and Wellbeing

Members noted previously circulated report which highlighted the Mid Ulster Community Pharmacy Partnership event 'Making Links to Promote Health and Wellbeing' which took place on 26 March 2019.

E134/19 Environmental Health Service Improvement Plan 2019/20

Members noted previously circulated report which detailed the Environmental Health Service Improvement Plan for 2019/20.

E135/19 Entertainment Licencing Correspondence

Members noted previously circulated report which outlined response received from the Department for Communities Permanent Secretary in relation to correspondence regarding legislative change for Entertainment Licencing.

E136/19 Technical Services Service Improvement Plan 2019/20

Members noted previously circulated report which detailed the Technical Services Service Improvement Plan for 2019/20.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor McGinley and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E137/19 to E143/19.

Matters for Decision

- E137/19 Collection and treatment of Recycling Centre residual waste
- E138/19 Contract for Tullyvar Landfill Site Phase 4 Capping Works
- E139/19 Update in relation to the legacy agreement on vehicle tracking system
- E140/19 Tender report for the appointment of Vehicle Suppliers

Matters for Information

- E141/19 Confidential Minutes of Environment Committee held on 1 April 2019
- E142/19 Off Street Car Parking Update 2018-2019
- E143/19 Capital Projects Update

E144/19 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.30 pm.

CHAIR _____

DATE _____

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| Report on | Big Spring Clean 2019 |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | Mark McAdoo, Head of Environmental Services |
| Contact Officer | Mark McAdoo, Head of Environmental Services |

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| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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|------------|--|
| 1.0 | Purpose of Report |
| 1.1 | To update members on the Annual Big Spring Clean Campaign and clean-up activities. |
| 2.0 | Background |
| 2.1 | <p>Keep Northern Ireland Beautiful (KNIB) promotes the annual Big Spring Clean, which is Northern Ireland's biggest volunteer clean up. The Big Spring Clean supports local community clean-ups across all 11 council areas in Northern Ireland. It is open to schools, community groups and businesses wishing to rid their streets of litter/rubbish.</p> <p>The aims of Big Spring Clean 2019 were as follows:</p> <ul style="list-style-type: none"> • To raise awareness of the problems that litter causes in our local area in a fun and practical way. • To reduce litter in Mid Ulster through increased understanding and awareness. • To improve the quality of our local environment by physically removing litter from our local, schools, parks, roadsides and public places. |
| 3.0 | Main Report |
| 3.1 | <p>The Spring Clean activities supported by Council were scheduled to coincide with and complement the annual "Big Spring Clean" Campaign run by Keep Northern Ireland Beautiful. Whilst the Big Spring Clean focused on the month of April, clean ups took place from March right through to June, as schools, community groups and individuals all did their part in helping to tidy up their local area and environment. A total of 58 local clean ups were supported by Environmental Services, 39 schools and 19 community groups as listed below, involving hundreds of volunteers who collected hundreds of bags of rubbish. Encouragingly this was a significant increase in the number of events supported compared to 2018 which saw 36 clean ups take place across Mid Ulster.</p> |

Ballyronan Marina Beach Clean
 St Patricks Primary School, The Loup
 Grange Road, Cookstown Clean Up
 Stewartstown & District Village Forum - Drumcairn Forest Clean Up

Cookstown High School
 South West College, Cookstown
 Coagh Primary School
 Derrychrin Primary School
 First Cookstown (Derryloran) Guides Unit – Clean up following
 Cookstown 100
 Orritor Primary School
 St Peters Primary School, Moortown
 Holy Trinity Primary School, Cookstown
 Take-A-Bow Archery Club – Clean up following Cookstown pipe band
 contest
 St Patricks Primary School, Moneymore
 Ballinderry Clean Up
 Moortown Clean Up
 Integrated College, Dungannon
 Holy Family Primary School, Aughamullan
 Caledon in Bloom
 St Patricks Academy, Dungannon
 Aughnacloy Primary School
 St Mary's Primary School, Aughnacloy
 St John's Primary School, Moy
 Eglis Cross Community Group
 St Patrick's Primary School, Donaghmore
 Augher Central Primary School
 10th Tyrone Killeshill Scouts
 St Mary's Primary School, Fivemiletown
 Donaghmore Horticultural Community
 St Columb's Primary School, Cullion
 Spires Integrated Primary School
 Culnady Primary School
 St Brigid's Primary School, Mayogall
 St. Mary's Primary School, Draperstown
 St. Colm's High School, Draperstown
 Castledawson Primary School
 Knocknagin Primary School, Desertmartin
 St John Bosco's Primary School, Ballynease
 Magherafelt Primary School
 St Mary's Grammar School, Magherafelt
 Kilronan School, Magherafelt
 Tobermore Primary School
 Desertmartin Primary School, Dromore
 St John's Primary School, Swatragh
 Maghera Primary School
 St Mary's Primary School, Glenview
 Crossroads Primary School, Drumnagarner

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|------------|--|
| | <p>St. Columba's Primary School, Straw St. Eoghan's Primary School, Moneyneena Gaelscoil na Speirini, Straw Swatragh GAA Desertmartin GAA Bann Valley Community Association Carntogher Community Association Moneymore Community Association Granaghan Community Association Slievegallion and Lissan Community Groups</p> <p>In most instances in order to help facilitate the clean ups the Council loaned the groups litter pickers, provided bags and/or removed the rubbish for collection. Another important point to highlight is that this year a number of new community clean up events were held in areas not previously participating over the last few years showing that more and more residents are taking local action to combat the blight of litter.</p> <p>Clean ups ranged in size from individual schools and small groups of concerned residents living in specific areas cleaning an area close to them, to large community events such as the Big "Screen" Clean which involved almost 100 volunteers from Men's Shed, STEPS, Balinascreen GAA, Draperstown Celtic FC, Balinascreen Scouts and four local schools collecting over 200 bags of rubbish from throughout the whole parish areas.</p> |
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: The cost of supplying refuse bags and disposing of the waste/litter collected. |
| | Human: Some officer time in coordinating the various activities across the District |
| | Risk Management: All groups taking part were advised to conduct their own risk assessments and to ensure that all persons taking part were equipped with the appropriate PPE (the Council had no responsibility or liability for any incident arising) |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: The opportunity to participate in a clean-up was open to all throughout Mid Ulster District. |
| | Rural Needs Implications: Clean ups are especially welcome in rural areas where littering is a particular problem. |

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| 5.0 | Recommendation(s) |
| 5.1 | Members are asked to note the content of this report and success of Big Spring Clean. |
| 6.0 | Documents Attached & References |
| 6.1 | Photographs of 2019 Big Spring Clean events supported by Mid Ulster District Council. |







NO PY TIPPING
UNDER LOST
SURVEILLANCE

LIVE
HERE
LOVE
HERE

ELFAS
LUBRICANTS

Warning
CCTV in
operation

HOLY FAMILY P.S

AUGHAMULLAN



| | |
|--------------------------|---|
| Report on | Tullyvar Joint Committee Update |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | Mark McAdoo, Head of Environmental Services |
| Contact Officer | Mark McAdoo, Head of Environmental Services |

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| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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|------------|---|
| 1.0 | Purpose of Report |
| 1.1 | To provide members with an update on the business of the Tullyvar Joint Committee. |
| 2.0 | Background |
| 2.1 | Tullyvar Joint Committee is a formal Committee initially established in 1992 under the former constituent Councils of Dungannon & South Tyrone Borough Council and Omagh District Council under Section 19 of Local Government Act (NI) 1972. Five Councillor/ representatives from Mid Ulster and Fermanagh & Omagh Councils now serve on the Joint Committee which is supported by senior Officers from each of the two Councils. |
| 3.0 | Main Report |
| 3.1 | The last meeting of the Joint Committee was held on 12 th June 2019. A copy of the associated agenda and a copy of the latest Committee report/papers including minutes of the previous meeting held on 13 th February 2019 are attached for members' information. |
| 3.2 | The next Joint Committee meeting is scheduled for 9 th October 2019. It was agreed previously that the frequency of meetings be reduced from bi-monthly to quarterly. |
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: None |
| | Human: None |

| | |
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| | Risk Management: None |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: N/A |
| | Rural Needs Implications: N/A |
| 5.0 | Recommendation(s) |
| 5.1 | Members are asked to note the content of this report and associated papers. |
| 6.0 | Documents Attached & References |
| 6.1 | Latest papers for Tullyvar Joint Committee. |

5th June 2019



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

To: Councillor Gildernew)
Councillor Graham)
Councillor McAleer)
Councillor McGuigan) Mid Ulster District Council
Councillor Robinson)

Mr A Cassells

Councillor Clarke)
Councillor Fitzgerald)
Councillor Garrity)
Councillor Rainey) Fermanagh & Omagh District
Councillor Thompson)

Mr B Hegarty

Dear Sir/Madam

Re: Tullyvar Landfill Site Joint Committee Meeting

A meeting of the Management Committee for the development of Tullyvar Landfill Disposal Site will be held in the Office at Tullyvar Landfill Site on **Wednesday 12th June 2019 at 10.30am.**

1. Confirmation of Minutes of Meeting held on Wednesday 13th February 2019 (copy herewith)
2. Matters Arising from the Minutes
3. Financial Matters
 - 3.1 Statement of Payments dated December 2018 Specials; December 18 - January 19 and February 19 - March 19 (copies herewith)
4. Update from Head of Environmental Services/Site Manager's Report
5. Any Other Business

6. Date of Next Meeting
- Wednesday 9th October 2019 at 10.30am

Yours faithfully

Andrew Cassells

Director of Environment & Property

Copy: A Tohill
K O'Gara
M McAdoo
A McIlwrath
K McGowan

**MINUTES OF TULLYVAR JOINT COMMITTEE MEETING HELD ON WEDNESDAY
13th FEBRUARY 2019 AT 10.30AM AT TULLYVAR LANDFILL SITE**

PRESENT:

- MID ULSTER:** Councillor McGuigan (Chair)
Councillor Robinson
- FERMANAGH & OMAGH:** Councillors Clarke & Thompson
- OFFICERS:** A Cassells, M McAdoo, J McCullagh, K McGowan &
A McIlwrath
- APOLOGIES:** Councillors Fitzgerald, McAleer, McGinley & Mulligan
Messrs Hegarty & O’Gara

Meeting commenced at 10.30am

1. CONFIRMATION OF MINUTES – 14th NOVEMBER 2018

The above minutes were adopted.

Proposed by Councillor Thompson
Seconded by Councillor Robinson and agreed.

2. MATTERS ARISING

2.1 Solar Panels

A Cassells advised Members that Consultants Taggart’s had provided a preliminary report on the feasibility of solar panels for Tullyvar. It was confirmed that Officers would review the report to clarify some aspects and would intend to present a detailed report to the next meeting of the Joint Committee.

3. FINANCIAL MATTERS

The Statement of Payments for the months of October and November 2018 were presented for approval.

Proposed by Councillor Thompson
Seconded by Councillor McGuigan and agreed.

TVJC 1

4. UPDATE REPORT FROM SITE MANAGER

The Site Manager's Report was presented, copy attached as appendix one, reference being made to the undernoted:

4.1 Site Operational Update

Following query from Councillor Robinson on the disposal of obsolete plant and equipment, the Site Manager advised some plant (Deutz tractor, dump trailer and gaitor) would be auctioned off next year with a view to having little or no moveable plant on site within the next two years.

4.2 2019/20 Budget

A Cassells advised that the site had ceased accepting waste from end of 2018 onwards, however, there would be no financial burden on both Councils in the short-term as the gas generation income would offset operational costs. It was noted that there remained 650,000 cubic metres of void space that could be developed should it be required in the future.

Following query from Councillor Robinson, it was confirmed that the site no longer accepted commercial waste. Councillor Robinson sought clarification on where silage wrap/farm plastics could be taken and asked that consideration be given to a skip or alternative arrangements.

J McCullagh advised that Fermanagh & Omagh were encountering severe difficulties in sourcing an outlet for the collection and disposal of farm plastics. He advised that current costs were approximately £90/tonne. It was confirmed that a report had been presented to F&O Council. Councillor Thompson indicated that it was a UK wide problem, referencing the recent Country-File programme with carried a piece relating to the issue.

Following discussion it was agreed that Officers would investigate options.

Proposed by Councillor Robinson
Seconded by Councillor Thompson and agreed.

4.3 Phase 4 Capping

Members agreed to proceed with the Phase 4 Capping based on the pre-tender estimate of £450,000. It was noted that monies for the project had been provisioned for within the site's restoration and aftercare fund. Actual costs and appointed contractor details will be presented to the next Joint Committee meeting.

Proposed by Councillor Clarke
Seconded by Councillor Robinson and agreed.

5.0 DATE OF NEXT MEETING

It was agreed to convene the next meeting on **Wednesday 12th June 2019 at 10.30am at Tullyvar Landfill Site.**

Meeting ended at 10.50am

TULLYVAR JOINT COMMITTEE – 13th FEBRUARY 2019**SITE MANAGER'S REPORT****1. Site Operational Update**

During December and January approx. 75 tonnes of leachate per week was discharged to Cookstown Sewage Treatment Works. This is lower than normal for this time of year due to use of the sites Integrated Constructed Wetlands (ICW) which has reduced the need for tankering. However, following the recent rainfall tankering is expected to increase over the next few months before reducing again over the summer.

The electricity generation plant is currently operating at approx. 480kW (60% Capacity). This is lower than normal as some wells have been temporarily disconnected to facilitate site regrading works. These wells will be reconnected within the next week.

2. Site Mothballing

Works are currently ongoing to mothball the site and prepare for Phase 4 Capping, these works include:

- Regrading of Cell 1 to achieve the final contours.
- Regrading of the soil stockpile area to reduce erosion.
- Comprehensive site clean-up and disposal of obsolete equipment.
- Regrading of the quarry rock face / Cell 4 to prepare for either lining or restoration.

Other works to be completed over the next year include:

- Installation of a drainage line from the base of Cell 4 to the settlement & discharge point.
- Minor site landscaping works and fencing repairs.
- Alterations to the site leachate treatment plant to increase automation and reduce the time officers need to spend on-site.
- Re-positioning of the gas ring main to allow for Phase 4 Capping (works to be carried out by Renewable Power Systems).

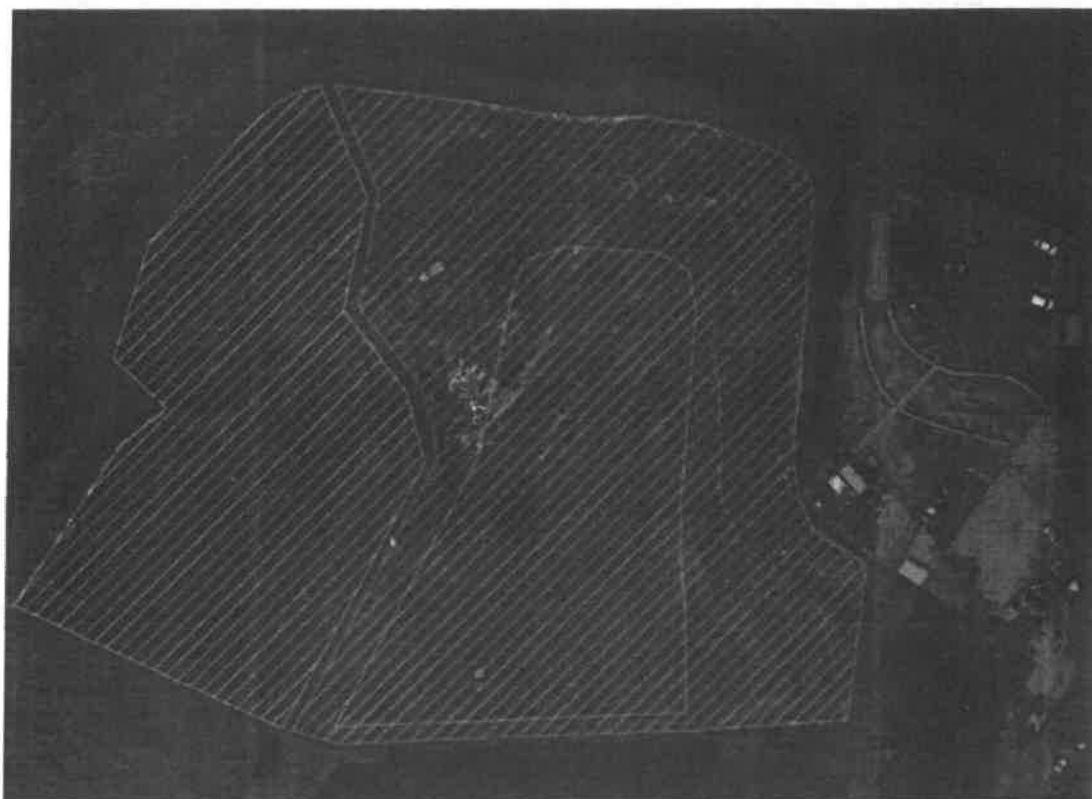
3. 2019 / 20 Budget

A budget has been prepared by Officers for the 2019/20 period, the projected operational expenditure for the coming financial year is £280,854, a decrease of approx. 40% to reflect the winding down of site operations. The major costs in the next financial year are £74,880 for leachate haulage (reflecting the decreased volumes generated post capping and increased use of the sites ICW), salaries and wages of £36,051, fees of £25,000 and equipment / materials for site mothballing works of £20,904. All costs are generally lower than the previous year due to reductions in site operations, with further reductions expected in the 2020/21 period once the site has been fully mothballed.

Site income for the year is predicted to be £402,700 due to a predicted electricity generation royalty of £401,000. This gives a surplus for the year of £121,846 which will be added to the sites reserves.

4. Phase 4 Capping

It is envisaged that the Phase 4 Capping shall be carried out in the Summer / Autumn of 2019 to allow for the required preliminary works and sufficient settlement of the waste mass. These works shall leave the site ready for a protracted mothballing period while also ready for the lining of Cell 4 or final restoration if this is required in the future. The areas proposed are shown on the drawing below. The total area to be capped measures approx. 16,800m², with approx. 10,550m² as final capping and restoration (Green & Blue Areas) and the remainder as an interim cap (Yellow Area). The area marked in blue comprises a further set of wetlands to boost the on-site leachate treatment capacity. It is envisaged that once all of the wetlands become established the site will be able to discontinue leachate tankering.



Carrying out the final capping and restoration as soon as possible after the rapid phase of settlement has completed will have major benefits in terms of leachate reduction and visual impact. The interim cap while serving a similar purpose to the final cap is designed to be cheaper to install, utilise leftover geotextiles from the previous capping operation while still being able to be upgraded to a permanent cap with minimal additional works should Cell 4 not be developed. The proposed project schedule is set out below:

| | |
|---------------------------------|-----------------|
| Completion of Tender Documents: | April 2019 |
| Procurement: | May / June 2019 |
| Start on Site: | July 2019 |
| Contract Complete: | October 2019 |

Approval is therefore sought to proceed with the project, based on the pre-tender estimate cost of £450,000. The monies for this project are already provisioned for in the sites restoration and aftercare fund. Actual tender costs and appointed contractors shall be reported to the next Joint Committee Meeting.

TULLYVAR TREASURERS ADVICE LISTING

December 18 - Specials

| CHEQUE NO | SUPPLIER NAME | £ |
|-----------|------------------------------------|-----------------|
| 829 | EB NI | 349.07 |
| 830 | HM CUSTOMS & EXCISE - LANDFILL TAX | 5,613.43 |
| | | <u>5,962.50</u> |

TULLYVAR TREASURERS ADVICE LISTING

December 18 - January 19

| CHEQUE NO | SUPPLIER NAME | £ |
|------------------|-----------------------|-----------|
| 831 | CENTRAL CHEMICALS | 936.00 |
| 832 | JB PLANT | 1,287.98 |
| 833 | BRIAN KEYS TRACTORS | 877.73 |
| 834 | MCCORD MACHINERY | 297.60 |
| 835 | MCHUGH CRANE | 360.00 |
| 836 | MCALEER & SONS | 1,084.67 |
| 837 | REA BROS | 358.91 |
| 838 | ROAD SAFETY CONTRACTS | 2,647.99 |
| 839 | RENEWABLE POWER NI | 4,007.08 |
| 840 | WYG | 6,459.46 |
| 841 | COOTES | 241.48 |
| 842 | CAV KELLY | 699.36 |
| 843 | MUDC | 3,300.00 |
| 844 | EPL HIRE | 110.40 |
| 845 | HAMILTON CONTRACTS | 27,881.00 |
| 846 | AQUILA | 360.00 |

50,909.66

TULLYVAR TREASURERS ADVICE LISTING

February 19 - March 19

| CHEQUE NO | SUPPLIER NAME | £ |
|-----------|------------------------------|-------------------------|
| 847 | CALVERT OFFICE EQUIPMENT | 31.48 |
| 848 | JB PLANT | 274.00 |
| 849 | AA HYDRAULICS | 27.00 |
| 850 | ATLAS COMMS | 239.90 |
| 851 | GALAXY FACILITIES MANAGEMENT | 5,385.60 |
| 852 | LCC OIL | 562.26 |
| 853 | MCHUGH CRANE HIRE | 288.00 |
| 854 | MCALEER & SONS | 338.93 |
| 855 | REA BROS | 236.40 |
| 856 | ROAD SAFETY CONTRACTS | 5,191.57 |
| 857 | RENEWABLE POWER NI | 5,221.67 |
| 858 | WYG | 1,908.95 |
| 859 | COOTES | 653.07 |
| 860 | CONTRACT SVCS DGN LTD | 270.00 |
| 861 | CAV KELLY | 329.35 |
| 862 | MUDC | 30,319.25 |
| 863 | NI WATER | 2,030.49 |
| 864 | DRILLING & PUMPING SUPPLIES | 12,251.40 |
| 865 | GMC GRAPHICS | 72.00 |
| 866 | HAMILTON CONTRACTS | 33,352.22 |
| 867 | AQUILA | 1,192.50 |
| 868 | FP MCCANN | 5,907.07 |
| 869 | GLOBEWEIGH | 454.80 <i>Cancelled</i> |
| | | 106,537.91 |

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| Report on | Council Dual Language Signage Damage |
| Date of Meeting | 1st July 2019 |
| Reporting Officer | Terry Scullion, Head of Property Services |
| Contact Officer | Cormac McGinley, Building Maintenance Officer |

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| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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| 1.0 | Purpose of Report |
| 1.1 | To provide members with an update on the ongoing repairs and costs associated with damage to Council Dual Language Signage since April 2018. |
| 2.0 | Background |
| 2.1 | Members were previously updated in April 2018 on damage and repair or replacement costs to Council installed dual language signage. |
| 2.2 | A further update was requested at the June 2019 Environment Committee. This will include the number of dual language signs damaged, the type of sign (gateway, road, street) being damaged, frequency and location. |
| 2.3 | A further report will be brought to the September Committee on the English only signs following analysis of survey data taken from the grass cutting of nameplate signage in late May/early June. |
| 3.0 | Main Report |
| 3.1 | Property services have repaired and replaced damaged or defaced council signage since April '18. In house maintenance staff have removed graffiti which has made the signs illegible, re-installed signs which have been taken from the ground and replaced signs which have been removed or damaged beyond repair. |
| 3.2 | In total there have been 62 separate incidents of vandalism on council signage within this period, April '18 to June '19 which continue to be reported to the PSNI. |
| 3.3 | A full breakdown of the repairs with costings is included in appendix 1. Details include date, location, type of signage, details of the incident and the costings relating to the repairs carried out. |

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| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | <p>Financial: Approximately £9,312 has been incurred since April '18 to June '19 on repairing or replacing vandalised council signage located on road sides.</p> |
| | <p>Human: Within existing resources and third party suppliers.</p> |
| | <p>Risk Management: To facilitate the replacement or clearing of nameplates, so far as resources permit, for residents and emergency services.</p> |
| 4.2 | Screening & Impact Assessments |
| | <p>Equality & Good Relations Implications: None.</p> |
| | <p>Rural Needs Implications: None.</p> |
| 5.0 | Recommendation(s) |
| 5.1 | Members are requested to note the content of this report. |
| 6.0 | Documents Attached & References |
| 6.1 | Appendix 1 – Inventory of Council bilingual signage repairs (April '18 to June '19) |

Appendix 1

Inventory of Council Signage Repairs – April '18 to June '19

| Nr | Date | Location | Sign Type | Details | Cost |
|----|----------|----------------------------|---------------------|---|------|
| 1 | 10/05/18 | Battleford Road | Boundary sign | Defaced - graffiti removed | £60 |
| 2 | 11/05/18 | Annaghroe Road, Caledon | Boundary sign | Defaced - graffiti removed | £60 |
| 3 | 21/05/18 | Killyliss Road, Eglish | Road name plate | Sign damaged with a blow torch - replacement sign required | £247 |
| 4 | 21/05/18 | Annaghroe Road, Caledon | Boundary sign | Sign damaged with a blow torch - replacement sign required | £502 |
| 5 | 26/06/18 | Coolhill Cemetery Sign | Cemetery name plate | Defaced - graffiti removed | £60 |
| 6 | 26/06/18 | Killyliss Road | Road name plate | Sign legs broken and sign removed - Replacement sign required | £247 |
| 7 | 11/07/18 | Omagh Road | Boundary sign | Defaced - graffiti removed | £60 |
| 8 | 17/07/18 | Coolhill Cemetery | Cemetery name plate | Sign removed - Replacement sign req'd | £180 |
| 9 | 17/07/18 | Cottagequinn Cemetery | Cemetery name plate | Sign removed - Replacement sign req'd | £180 |
| 10 | 18/07/18 | Whitebridge Road | Road name plate | Sign removed - Replacement sign req'd | £247 |
| 11 | 28/07/18 | Forthill Cemetery | Cemetery name plate | Defaced - graffiti removed | £60 |
| 12 | 01/08/18 | Battleford Road | Boundary sign | Defaced - graffiti removed | £60 |
| 13 | 02/08/18 | Drumcoo Cemetery | Cemetery name plate | Defaced - graffiti removed | £60 |
| 14 | 28/08/18 | Annaghroe Road, Caledon | Boundary sign | Sign removed - Replacement sign req'd | £502 |
| 15 | 28/08/18 | Castlevew Heights | Road name plate | Defaced - graffiti removed | £60 |
| 16 | 28/08/18 | Killyliss Road | Road name plate | Defaced - graffiti removed | £60 |
| 17 | 29/08/18 | Coolhill Cemetery | Cemetery name plate | Defaced - graffiti removed | £60 |
| 18 | 25/09/18 | Cottagequinn Cemetery | Cemetery name plate | Defaced - graffiti removed | £60 |
| 19 | 25/10/18 | Killyliss Road, | Road name plate | Irish part of nameplate removed - Replacement sign Required | £247 |
| 20 | 07/11/18 | Colebrook Rd, Fivemiletown | Boundary sign | Defaced - graffiti removed | £60 |
| 21 | 29/11/18 | Tamnamore | Boundary sign | Sign drove over with a tractor/teleporter - Replacement sign & posts required | £850 |
| 22 | 29/11/18 | Aughnacloy | Boundary sign | Sign hit by lorry - replacement sign & posts required | £850 |

| Nr | Date | Location | Sign Type | Details | Cost |
|----|----------|-------------------------|---------------------|--|------|
| 23 | 14/12/18 | Battleford Road | Boundary sign | Defaced - graffiti removed | £60 |
| 24 | 18/12/18 | Killylea Road, Caledon | Boundary sign | Defaced - graffiti removed | £60 |
| 25 | 07/01/19 | Cottagequinn Cemetery | Cemetery name plate | Sign removed - Replacement sign req'd | £180 |
| 26 | 21/02/19 | Ballinderry Bridge Road | Road name plate | Defaced - graffiti removed | £60 |
| 27 | 22/02/19 | Ballymulligan Road | Road name plate | Defaced - graffiti removed | £60 |
| 28 | 25/02/19 | Ballyriff Road | Road name plate | Defaced - graffiti removed | £60 |
| 29 | 27/02/19 | Ballyriff Road (x2) | Road name plate | Sign up rooted - to be re-installed | £200 |
| 30 | 27/02/19 | Barrack Road | Road name plate | Sign up rooted - to be re-installed | £100 |
| 31 | 27/02/19 | Rogully Road | Road name plate | Signs up rooted - to be re-installed | £100 |
| 32 | 28/02/19 | Gulladuff Hill | Road name plate | Sign up rooted - to be re-installed | £100 |
| 33 | 28/02/19 | Ballinderry Bridge Road | Road name plate | Defaced - graffiti removed | £60 |
| 34 | 28/02/19 | Scotts Road (x2) | Road name plate | Signs up rooted - to be re-installed | £200 |
| 35 | 28/02/19 | Mayogall Road | Road name plate | Signs up rooted - to be re-installed | £100 |
| 36 | 04/03/19 | Rogully Road | Road name plate | Sign removed - Replacement sign req'd | £180 |
| 37 | 04/03/19 | Gulladuff Hill | Road name plate | Defaced - graffiti removed | £60 |
| 38 | 04/03/19 | Tullyreavy Road | Road name plate | Sign removed - Replacement sign req'd | £180 |
| 39 | 05/03/18 | Gulladuff Hill | Road name plate | Defaced - graffiti removed | £60 |
| 40 | 05/03/19 | Scotts Road | Road name plate | Defaced - graffiti removed | £60 |
| 41 | 06/03/19 | Hillhead Road (x2) | Road name plate | Signs removed - Replacement sign req'd | £360 |
| 42 | 07/03/19 | Scotts Road | Road name plate | Signs removed - Replacement sign req'd | £180 |
| 43 | 07/03/19 | Ballyeglish Road | Road name plate | Defaced - graffiti removed | £60 |
| 44 | 15/03/19 | Gulladuff Hill | Road name plate | Defaced - graffiti removed | £60 |
| 45 | 15/03/19 | Brough Road | Road name plate | Defaced - graffiti removed | £60 |
| 46 | 19/03/19 | Gulladuff Hill | Road name plate | Signs up rooted - to be re-installed | £100 |
| 47 | 22/03/19 | Gulladuff Hill | Road name plate | Signs up rooted - to be re-installed | £100 |
| 48 | 04/04/19 | Gulladuff Hill | Road name plate | Sign up rooted - to be re-installed | £100 |
| 49 | 09/04/19 | Brough Road (x2) | Road name plate | Defaced - graffiti removed | £120 |

| Nr | Date | Location | Sign Type | Details | Cost |
|--------------------------------------|-------------|----------------------------|---------------------|--|---------------|
| 50 | 09/04/19 | Gulladuff Hill | Road name plate | Sign removed – Replacement sign required | £180 |
| 51 | 16/04/19 | Colebrook Rd, Fivemiletown | Boundary sign | Defaced - New Sign Required | £60 |
| 52 | 16/04/19 | Claby Road, Fivemiletown | Boundary sign | Defaced - graffiti removed | £60 |
| 53 | 16/04/19 | Cottagequinn Cemetery | Cemetery name plate | Defaced - graffiti removed | £60 |
| 54 | 18/04/19 | Ballinderry Bridge Road | Road name plate | Sign removed - Replacement sign req'd | £180 |
| 55 | 24/04/19 | Ballyeglish Road | Road name plate | Sign removed - Replacement sign req'd | £180 |
| 56 | 09/05/19 | Broagh Road | Road name plate | Defaced - graffiti removed | £60 |
| 57 | 10/05/19 | Ballyriff Road | Road name plate | Defaced - graffiti removed | £60 |
| 58 | 10/05/19 | Ballyeglish Road | Road name plate | Defaced - graffiti removed | £60 |
| 59 | 29/05/19 | Ballyriff Road | Road name plate | Leg cut in 2 - new sign required | £180 |
| 60 | 07/06/19 | Ballyeglish Road | Road name plate | Legs cut in 2 and sign removed | £180 |
| 61 | 07/06/19 | Hillhead Road | Road name plate | Legs cut in 2 and sign removed | £180 |
| 62 | 10/06/19 | Gulladuff Hill | Road name plate | Defaced using a blow torch - new name plate required | £80 |
| TOTAL Repair/Replacement Cost | | | | | £9,312 |

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| Report on | Disposal/Sale of Assets - Fleet and Plant |
| Date of Meeting | 1st July 2019 |
| Reporting Officer | Terry Scullion, Head of Property Services |
| Contact Officer | Paddy Conlon, Building & Assets Manager, and Sarah O'Neill, Transport Manager |

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| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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| 1.0 | Purpose of Report |
| 1.1 | To inform members of the disposal/sale of surplus fleet, plant and other miscellaneous items from Mid Ulster District Council. |
| 2.0 | Background |
| 2.1 | In line with fleet, plant and equipment replacement, the removal of obsolete items at each depot are disposed of throughout the year. Items are transferred for sale at the earliest practical opportunity to avoid the unnecessary build-up of redundant items and ensure good housekeeping at respective depots. |
| 2.2 | As previously agreed these items are disposed of within the district at zero commission or cost to Council. |
| 3.0 | Main Report |
| 3.1 | <p>A range of vehicles, plant and other miscellaneous assets were disposed of at Mid Ulster Auctions during the period November 2018 to June 2019.</p> <p>The following is the approx. number/type of disposals in that period:</p> <ul style="list-style-type: none"> • 1 No. medium panel van • 1 No. refuse collection vehicle • 2 No. pit jacks • 2 No. yard shunters • Tyres and rims • Various building maintenance items (e.g. cladding, assorted metal, beams, plates, lifting equipment attachments and platforms, etc) <p>Reserved prices for all sale items was established pre-sale. They were guided by the experience of the respective auction house and previous market prices obtained for asset disposal of similar items.</p> |

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| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: The total amount of income raised from the sale of surplus assets during the period from November 2018 to June 2019 was £8,528. |
| | Human: Officer time in coordinating the assets for disposal. |
| | Risk Management: None. |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: None. |
| | Rural Needs Implications None. |
| 5.0 | Recommendation(s) |
| 5.1 | Members are asked to note the contents of this report. |
| 6.0 | Documents Attached & References |
| 6.1 | None |

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| Report on | Review of the Delivery Mechanism of the Affordable Warmth Scheme |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | Fiona McClements, Head of Environmental Health |

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| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | x |

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| 1.0 | Purpose of Report |
| 1.1 | To inform Members of the report received from Business Consultancy Services (BSC) on the review of the delivery mechanism of the Affordable Warmth Scheme produced December 2018 with the report findings presented to Council management on 8 th March 2019. |
| 1.2 | To update Members on the funding available from the Department for Communities for delivery of Council's role in Affordable Warmth Scheme for 2019/20. |
| 2.0 | Background |
| 2.1 | <p>Business Consultancy Services Report</p> <p>The Affordable Warmth Scheme (AWS) is the Department for Communities (DfC) main tool for tackling the effects of fuel poverty in Northern Ireland and works in partnership with Northern Ireland Housing Executive and all 11 Councils to deliver the scheme. The scheme targets owner-occupiers and households who rent from a private landlord investing to improve energy efficiency within low income vulnerable households.</p> <p>DfC provides addresses to local Councils detailing the areas of highest fuel poverty within each local Council area. A household that has been identified in an area where fuel poverty is prevalent may then receive a visit from local Council Officers to assess eligibility for energy efficiency measures.</p> <p>Councils are currently funded on a unit cost basis per referral to the Northern Ireland Housing Executive. Business Consultancy Services (BCS) were asked by DfC to conduct a review on the end of the first 3 years of the scheme in order to inform on the delivery of future versions of the scheme. The report covers the operation of the scheme for the period up to March 2018.</p> |
| 2.2 | <p>Funding 2019/2020</p> <p>The correspondence attached at Appendix 3 to this report provides details of the Affordable Warmth funding arrangements for Councils in 2019/2020.</p> |

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| 3.0 | Main Report |
| 3.1 | The BSC approach focused on and explored deeper the overall objectives for the scheme – customer journey, quality assurance, process variations, value add on of councils and communication of the scheme. |
| 3.2 | With the current delivery model, the review identified potential issues and suggested recommendations revolving around improving the customer journey for vulnerable householders, ensuring the quality assurance processes are sufficient, alignment of processes and improving feedback and communication between organisations/partners within the scheme. |
| 3.3 | <p>Recommendations made based on analysis of effectiveness and value of the findings with evidential support were as follows:</p> <ul style="list-style-type: none"> • The scheme should lower its targets in relation to NIHE surveys and number of households supported to reflect its current budget and the cost of works per household. • The managing agent should assess the energy efficiency improvements of works undertaken throughout the course of the scheme. • Householders should be provided with a single point of contact throughout the process. • The scheme should arrange for contractors to undertake the required work. • The scheme should have an approved list of contractors to deliver the required works. • A single process should be developed and agreed with councils, along with a defined quarterly reporting framework to monitor activity and demand. • As part of the reporting framework, local Councils should capture the work they undertake prior to a referral to NIHE. • A standard, structured feedback system should be implemented across the scheme, including regular feedback to councils on the outcomes of referrals and feedback to University of Ulster on the accuracy of targeted addresses. • In its future versions, the Scheme should consider moving to a single delivery agent to manage the Scheme. |
| 3.4 | Upon assessment of delivery model options and in order to address the issues identified above the review team believes that the most effective delivery model is a scheme managed and delivered by a single delivery agent. |
| 3.5 | <p>Funding 2019/2020</p> <p>The correspondence attached at Appendix 3 to this report provides details of the Affordable Warmth funding arrangements for Councils in 2019/2020. The Department has confirmed that the capital budget for the Affordable Warmth Scheme in 2019/2020 is £12 million and that the average spend per household has risen to £4,500. The reduced budget and higher average spend per household means that the Department will need few referrals from Councils in 2019/2020. Each Council will be paid £41,256 for a total of 216 referrals, equating to 18 per month. The Department have advised that this will be kept under review as the</p> |

| | |
|------------|---|
| | year progresses. This is a reduction in funding from last year, when Mid Ulster received £68,780 for a total of 337 referrals. |
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: Programme funded by DfC |
| | Human: Under review |
| | Risk Management: N/A |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: None |
| | Rural Needs Implications: None |
| 5.0 | Recommendation(s) |
| 5.1 | That Members note the report conducted by Business Consultancy Services on behalf of the Department for Communities regarding Affordable Warmth programme and the recommendations it contains on future delivery of these schemes . |
| 5.2 | Members to note the reduced funding and associated number of referrals for the Affordable Warmth Scheme for 2019/2020 |
| 6.0 | Documents Attached & References |
| 6.1 | Report by Business Consultancy Services on the Review of the Delivery Mechanism of the Affordable Warmth Scheme dated December 2018. |
| 6.2 | Affordable Warmth Scheme Energy Efficiency Measures for reference. |
| 6.3 | Correspondence from Department For Communities dated 4 th April 2019. |



Business Consultancy Services

Review of the Delivery Mechanism of the Affordable Warmth Scheme

Status: Final report (Draft) V0.4

Date: December 2018



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DOCUMENT SUMMARY

Revision History

| Revision | Date | Author | Designation | Changes |
|----------|---------------|----------------|-----------------|---|
| 0.1 | Sept 2018 | Mark Gilliland | Project Manager | Initial drafting |
| 0.2 | October 2018 | Mark Gilliland | Project Manager | Updating of initial draft |
| 0.3 | December 2018 | Mark Gilliland | Project Manager | Amendments based on Liz Semple feedback |
| 0.4 | December 2018 | Mark Gilliland | Project Manager | Amendment of report template, formatting and further feedback from Liz Semple |

Approvals

| Name | Designation | Date |
|------|-------------|------|
| | | |

Distribution List

| Designation | Date |
|-------------|------|
| | |

1. EXECUTIVE SUMMARY

1.1 Background and Context

The Affordable Warmth Scheme (AWS) is the Department for Communities (DfC) main tool for mitigating the effects of fuel poverty in Northern Ireland. The Department works in partnership with the Northern Ireland Housing Executive and all 11 Local Councils to deliver the Scheme. Since April 2015 the Department has invested more than £51m improving the energy efficiency of over 12,000 low income vulnerable households. The scheme targets owner occupiers and households who rent their home from a private landlord.

Business Consultancy Services were asked by DfC to conduct this review upon the end of the first three years of the Scheme in order to inform the delivery of future iterations of the Scheme.

1.2 Terms of Reference

The terms of reference for this review were agreed with DfC:

- Examine and consider the current delivery model in terms of its effectiveness and costs;
- Consider alternative delivery models;
- Consider the value for money of the current arrangement;
- Examine the current unit cost formula for Local Council funding and its adequacy.

This report covers the operation of the scheme for the period up to March 2018.

1.3 Project Approach

- The approach and activities undertaken by the Review Team included:
- Face to face interviews with DfC, NIHE Central Team and 11 councils;
- Telephone interviews with stakeholders;
- Benchmarking exercise with comparator schemes in UK and Ireland;
- Analysis of all evidence and information;
- Development of findings and recommendations;
- Validation of findings;
- Consideration of alternative delivery models;
- Development of this report, to include all findings and recommendations.

1.4 Findings

This review identified a number of considerations for the current delivery model, which revolve around improving the customer journey for vulnerable householders, ensuring quality assurance processes are sufficient, alignment of processes and improving feedback and communication between organisations within the Scheme. Recommendations are summarised in Section 1.5 below.

Upon assessment of delivery model options, the Review Team believes that the most effective delivery model is a Scheme managed and delivered by a single delivery agent.

Establishing the value for money of the Scheme created difficulties due to the unique targeted approach that AWS uses. However, consideration should be given to greater flexibility and improved feedback between councils and UU in order to maximise the impact of targeted lists.

With regards to the unit costing methodology, it is the opinion of the Review Team that the current calculations do not sufficiently account for the work by councils prior to a visit or referral. The Review Team has requested further information from councils in order to provide a suggested unit costing methodology. However, due to the time constraints of this report, the Review Team has not received sufficient information to provide an accurate estimate. As such, these calculations will be presented to the client separately from this report.

1.5 Summary of Recommendations

Based on the analysis of effectiveness and value, the following recommendations are made. Further detail and evidence supporting the recommendations are contained in the relevant sections of this report,

| No: | Subject of recommendation | Recommendation | Location |
|-----|---------------------------------|---|----------|
| 1 | Objectives and targets | The Scheme should lower its targets in relation to NIHE surveys and number of households supported to reflect its current budget and the cost of works per household. | 14 |
| 2 | Objectives and targets | The managing agent should assess the energy efficiency improvements of works undertaken throughout the course of the Scheme. | 14 |
| 3 | Customer journey | Householders should be provided with a single point of contact throughout the process | 15 |
| 4 | Customer journey | The Scheme should arrange for contractors to undertake the required work | 15 |
| 5 | Quality assurance | The Scheme should have an approved list of contractors to deliver the required works. | 16 |
| 6 | Process alignment | A single process should be developed and agreed with Councils, along with a defined quarterly reporting framework to monitor activity and demand. | 17 |
| 7 | Input of councils | As part of the reporting framework, local councils should capture the work it undertakes prior to a referral to NIHE | 17 |
| 8 | Communication within the scheme | A standard, structured feedback system should be implemented across the Scheme, including regular | 19 |

| | | | |
|---|----------------------------------|--|----|
| | | feedback to councils on the outcomes of referrals and feedback to UU on the accuracy of targeted addresses. | |
| 9 | Consideration of delivery models | In its future iterations, the Scheme should consider moving to a single delivery agent to manage the Scheme. | 25 |

1.6 Acknowledgements

The authors of this report wish to express their thanks to the members of staff within the local councils, NIHE and DfC and external organisations consulted for their valuable contribution to the completion of this report.

2. INTRODUCTION

2.1 Background

The Affordable Warmth Scheme (AWS) is DfC's main tool for mitigating the effects of fuel poverty in Northern Ireland. The Department works in partnership with the Housing Executive and all 11 Local Councils to deliver the Scheme. Since April 2015 the Department has invested more than £51m improving the energy efficiency of over 12,000 low income vulnerable households. The scheme targets owner occupiers and households who rent their home from a private landlord.

The Department provides addresses to Local Councils detailing the main fuel poverty concentrations within each Local Council area. If a household has been identified as being in an area where fuel poverty is prevalent then they may receive a visit from Local Council staff to assess eligibility for energy efficiency measures such as insulation.

Local Councils are currently funded on a unit cost basis per referral to the Housing Executive. The original business case agreed in July 2014 outlines the objectives of the scheme:

- To deliver 11,000 surveys annually;
- To deliver energy efficiency measures to 9,000 low income households annually;
- To assist some 22,500 households in severe/extreme fuel poverty over the course of the scheme;
- To achieve an average of 15% energy efficiency gain in homes where insulation and/or heating measures have been installed.

2.2 Terms of Reference

In June 2018, DfC and BCS agreed the following Terms of Reference for the project:

- Examine and consider the current delivery model in terms of its effectiveness and costs;
- Consider alternative delivery models;
- Consider the value for money of the current arrangement;
- Examine the current unit cost formula for Local Council funding and its adequacy.

2.3 Project Approach

The approach and activities for the review were agreed with DfC:

- Face to face interviews with DfC, NIHE Central Team and 11 councils;
- Telephone interviews with stakeholders;
- Benchmarking exercise with comparator schemes in UK and Ireland;
- Analysis of all evidence and information;
- Development of findings and recommendations;
- Validation of findings;
- Consideration of alternative delivery models;

3. BACKGROUND

3.1 Warm Homes Scheme

The AWS was preceded by The Warm Homes Scheme which was first established in 2001 and was funded by the then Department for Social Development (DSD), its purpose was to improve domestic energy efficiency and therefore, reduce energy consumption in eligible private housing. The scheme was the Department's primary tool for tackling fuel poverty in Northern Ireland. The scheme had an annual target of installing energy efficiency improvements in at least 9,000 homes and consistently met that target. The Warm Homes Scheme provided a range of measures to help make homes warmer, healthier and more energy efficient. Between 2001 and 2014 the scheme helped to improve the energy efficiency of almost 120,000 homes and invested over £150 million in energy efficiency measures. The scheme achieved an average energy efficiency gain of 15% in the households assisted by the scheme as recorded by Reduced Data Standard Assessment Procedure.

Northern Ireland's first independent review of Fuel Poverty "Defining Fuel Poverty in Northern Ireland" (Liddell, Morris, McKenzie and Rae) was published in May 2011. It reported that, in order to attain World Health Organisation (WHO) levels of warmth and comfort, more than 33,000 homes in Northern Ireland needed to spend more than a quarter of their income on heating and lighting their homes. The findings of that independent review led to a number of pilot schemes

3.2 Affordable Warmth Pilots

Affordable Warmth Pilot 1

The then Department commissioned the University of Ulster to explore mechanism for targeting assistance towards the 33,000 households most affected by fuel poverty. From April 2012 until March 2013 the Department developed and delivered an Affordable Warmth Pilot (AWP1) working in partnership with 19 local councils and using information provided by the University of Ulster to target 125 households in each council area to test if they were entitled to help from the Warm Homes Scheme. 2,145 households were targeted and surveyed by the 19 councils and were assessed in terms of their actual levels of fuel poverty and their eligibility for the Department's Warm Homes Scheme. Households which met the Warm Homes Scheme qualification criteria had the energy efficiency improvement measures delivered by the Warm Homes Scheme contractors. Households which did not qualify for the Warm Homes Scheme were entitled to loft insulation and a boiler service which was delivered by a contractor of the householders' choice or arranged by the Housing Executive.

The Tackling Fuel Poverty in Northern Ireland 2013¹ report evaluated the success of the first Affordable Warmth Pilot (AWP1). The combination of low energy efficiency in the building fabric and low income make them more likely to be experiencing severe fuel poverty than any other group. They comprised, therefore, the primary target for assistance under the Warm

¹ <http://www.ofmdfmi.gov.uk/de/tackling-fuel-poverty-in-ni-liddell-lagdon.pdf>

Homes scheme. Whilst the Northern Ireland regional fuel poverty rate at the time was 42%, the targeting tool identified areas in NI which averaged 78% fuel poverty prevalence.

Affordable Warmth Pilot 2

The second Affordable Warmth Pilot (AWP2) tested how the energy efficiency measures can be delivered and the operational delivery using local installers to carry out the work. In AWP2 energy efficiency measures were delivered by the councils working with the householder, the Housing Executive and private installers. This tested an alternative to the Warm Homes Scheme delivery and provided an evidence base on which to make decisions about future delivery of the Department's energy efficiency and fuel poverty schemes.

3.3 Affordable Warmth Scheme overview

After business case approval in 2014, the current AWS commenced in April 2015. The Scheme targets owner occupiers and households who rent their home from a private landlord. To qualify for the Scheme the annual household income must be less than £20,000. If someone rents from a private landlord, then the landlord is required to make a contribution of 50% towards the total cost of the energy efficiency improvements to their property.

Using the detailed address lists developed by University of Ulster from the AWS algorithm, local council staff contact the householder; the householder is asked to make an appointment to have an initial survey completed.

- The Scheme also makes provision for vulnerable households not on the targeted list to self-refer into the Scheme. This exception allows for vulnerable households where there is for example a health related issue to be included within the Scheme.
- When the local council surveyor makes contact with the householder they complete a questionnaire and obtain evidence of householder annual income (for example recent payslips, copy of bank statement showing benefit payments). Local Council officials copy this information and pass it together with the completed survey to the NIHE.
- On receipt of the completed survey, the NIHE central team perform quality checks before assigning it to a local Grants Office.
- An NIHE technical officer will undertake a technical inspection of the house. Where the householder is unsure of an installer the Technical Officer will provide the householder with a list of installers for them to select an installer. (The NIHE will not recommend an installer).
- Once works are completed, a Building Control officer inspects the works and provides confirmation that the work meets Building Control standards allowing the NIHE to issue a payment in respect of the measures installed.
- Following receipt of a Building Control certificate the NIHE undertakes a 10% check on the measures installed.
- A NIHE Case Officer processes payments (NIHE senior officer performs a 10% post payment check).

The table below sets out the number of households receiving works by council area between April 2015-March 2018. 12,270 households have received works to a value of around £50m. These works relate to loft and cavity wall insulation, boilers, heating provision and windows.

Table 2: AWS Objectives set out in the 2014 Business Case

| Council Area | Number of Households by Council Area | Grant payable for associated cost of works (£) | Average cost per household (£) |
|-------------------------------|---|---|---------------------------------------|
| Antrim & Newtownabbey | 901 | 3,011,757 | 3,343 |
| Mid & East Antrim | 944 | 3,450,384 | 3,655 |
| Armagh, Banbridge & Craigavon | 1,225 | 5,563,533 | 4,542 |
| Belfast | 1,380 | 4,749,865 | 3,442 |
| Causeway Coast & Glens | 1,216 | 5,332,997 | 4,386 |
| Derry & Strabane | 1,241 | 5,139,117 | 4,141 |
| Fermanagh & Omagh | 921 | 4,130,806 | 4,485 |
| Mid Ulster | 1,193 | 5,402,342 | 4,528 |
| Newry, Mourne & Down | 1,234 | 5,680,347 | 4,603 |
| North Down & Ards | 1,008 | 3,697,337 | 3,668 |
| Lisburn & Castlereagh | 1,007 | 3,720,846 | 3,695 |
| | 12,270 | 49,879,331 | 4,065 |

4. ANALYSIS OF EVIDENCE AND FINDINGS

For ease of navigation this section of the report is split into four key areas with analysis, findings, conclusions and recommendations for each area:

- 4.1 Examine and consider the current delivery model in terms of its effectiveness and costs;
- 4.2 Consideration of alternative delivery models;
- 4.3 Consideration of the value for money of the current arrangement;
- 4.4 Examine the current unit cost formula for Local Council funding and its adequacy.

4.1 Effectiveness of the Current Delivery Model

As per the Terms of Reference for this assignment, this section examines the current delivery model in terms of its effectiveness and costs. To meet the Terms of Reference of this assignment, BCS considered the following sources were the most suitable to inform the findings and recommendations.

- Performance of the Scheme against its stated objectives;
- Consultation with each of Local Council, DfC, NIHE and other stakeholders;
- Review of the process undertaken at each part of the delivery model and consideration of its effectiveness

In addition, this section will also draw upon the results of the Affordable Warmth Customer Satisfaction Survey undertaken by the NIHE Research Unit in 2017.

4.1.1 Overview of Findings – Effectiveness of the Current Delivery Model

Based upon the sources above, the Review Team identified a number of potential issues within the current delivery model, most notably:

- i. The Scheme did not achieve its stated objectives;
- ii. The model does not provide enough support to the householder;
- iii. There are risks around the quality assurance of the works undertaken;
- iv. There are variations in processes delivered by Councils;
- v. The value-added work of the councils is not captured;
- vi. There are some concerns around communication and feedback between organisations within the process.

4.1.2 Detail of Findings – Effectiveness of the Current Delivery Model

Further detail of the findings for this area is broken down into the following six themes with supporting evidence and conclusions for each.

- A. Objectives of the scheme
- B. Customer journey
- C. Quality Assurance
- D. Process variations
- E. Value add of Councils
- F. Communication of scheme

A. Objectives of the scheme

The benefits realisation section of the Scheme's business case sets out the key measurable objectives set out for the periods 2015/16 – 2017/18 (As detailed in table 1 below).

Table 2: AWS Objectives set out in the 2014 Business Case

| Objective / Target | Target met (Y/N) | Outcome achieved |
|---|------------------|--|
| 1) 11,000 surveys undertaken annually by NIHE | N | An average of 5,171 surveys undertaken by NIHE. |
| 2) Deliver energy efficiency measures to 9,000 low income households | N | An average of 4,097 homes improved annually. |
| 3) An average energy efficiency gain of 15% in homes where insulation and/or heating measures have been installed | Y | An average of 17% increase in the Standard Assessment Procedure (SAP) rating of the dwellings supported. |

The table shows that objectives 1 and 2 were not met during the period 2015/16 – 2017/18, with the Scheme achieving 47% and 46% of the target numbers. With respect to objective 3, a retrospective analysis of the energy efficiency improvements was undertaken by the Energy Savings Trust (EST) during 2018. The EST report cited the particular value of the whole-house, multi-measure approach had a significant impact on the SAP rating increase per household.

The reasons for not reaching Objectives 1 and 2 are twofold:

- **The average expenditure per household was higher than initially budgeted** – the targets set out in the business case were based on an expectation of around £1,400 per household supported, which has proved to be an unrealistic estimate. As the Scheme has taken a whole-house approach to works required, the number of homes that can be supported is constrained by the budget available. As set out in section 3,

the average cost per household supported was £4,065, nearly treble the initial expected expenditure.

- **Referrals to NIHE were limited by reduced Council quotas** – as a result of the increased expenditure and due to NIHE capacity, referrals to NIHE were limited by reduced monthly referral quotas to Councils.

As a result of these constraints, it is the opinion of the Review Team that the initial targets set were set unrealistically high and do not reflect the cost and effort of a whole-house approach. Any future iteration of the Scheme must either re-assess these objectives or the overall delivery of the Scheme, considering the following options:

| | Option | Detail |
|---|---|---|
| 1 | Amend the budget to account for the higher average cost per household – | This would require an increase in budget of roughly £19.9m per annum to complete works for 9,000 homes and, as such, is unlikely to gain approval. |
| 2 | Review the whole-house approach to focus on works that provide the greatest value for money | Consideration could be given to limiting the cost of works per household to an average of £1,400 per house. This would require a move away from the whole-house approach and consider the works that provide the greatest energy efficiency. However this would move the Scheme away from its intended ethos by limiting the support it can provide to those who need it. |
| 3 | Review objectives 1 and 2 above to account for the budgetary constraints and the actual cost of works per household | Based on the current constraints, consideration should be given to reducing the targets for houses supported and the associated target of NIHE surveys. This would offer a more realistic objective against which to measure the effectiveness of the Scheme. |

Recommendation 1: The Scheme should lower its targets in relation to NIHE surveys and number of households supported to reflect its current budget and the cost of works per household.

While the report shows that the Objective 3 of a 15% increase in SAP rating was achieved, this increase was not monitored during the course of the Scheme. As such, it was not possible to have assurance over the impact of the works undertaken throughout the Scheme. It is the opinion of the Review Team that the energy efficiency improvements should be assessed upon completion of the works. This will allow the managing agent to address any issues that may arise promptly.

Recommendation 2: The managing agent should assess the energy efficiency improvements of works undertaken throughout the course of the Scheme.

B. Customer Journey – findings, conclusions and recommendations

Throughout the course of the consultation exercise, the potential vulnerability of householders has been highlighted. Bearing this in mind, the delivery model should provide as much support to the householder throughout the process.

Upon a review of the current model, it is the opinion of the Review Team that the “customer journey” should be developed to provide more support to the householder.

Multiple points of contact

The householder must deal with at least three points of contact throughout the process, namely Local Council, NIHE and at least one contractor. It may also be the case that the householder is required to organise building control, creating an additional contact point. This can create confusion for a vulnerable customer as to who to contact. Councils in particular commented that they receive a substantial number of queries about the status of applications, even if they have been submitted to NIHE, suggesting householders are not clear on the distinction between councils and NIHE in the delivery model. A solution to avoid this potential confusion would be to provide the householder with a single point of contact throughout the process.

Within the current model, this single point of contact would either sit within the councils or within the NIHE. However, current systems do not allow NIHE to see potential applications before the referral stage, while councils are not aware of the position of applications after they have been taken over by NIHE. As such, this recommendation would require an IT solution to allow councils and NIHE to share some information about all applicants in the process.

Responsibility placed on the customer

The responsibility of arranging contractors lies with the householder. This is notably different to the comparator schemes set out in Section 5, where all works are arranged by the managing agent. When considering that an applicant may be eligible for a number of measures, the householder can be required to contact installers, agree works and manage the sequencing of the works. At the same time, householders are not provided with a list of recommended or approved contractors. It is the opinion of the Review Team that this places unnecessary pressure on the customer. As with the previous Warm Homes Scheme and comparator schemes, the Scheme should arrange for contractors to undertake the required work. The AWS Customer Satisfaction Survey supports this view, with 70% of relevant respondents stating that they would have preferred that the NIHE managed the process on their behalf.

Recommendation 3: Householders should be provided with a single point of contact throughout the process.

Recommendation 4: The Scheme should arrange for contractors to undertake the required work

C. Quality Assurance - findings, conclusions and recommendations

As stated above, there are no installers contracted to service the Scheme, nor is there a list of approved contractors to assist the householder's decision. This creates the following risks:

- NIHE currently quality assures 10% of all works undertaken. Without a finite list, the Scheme has a large number of contractors undertaking a small number of jobs. With such a wide range of contractors, it is likely that NIHE does not quality assure the work of the majority of these contractors, therefore creating obvious risks around quality.
- With a large number of contractors undertaking a small number of jobs, the scheme has limited recourse to enforce any remedial work required. The comparator review of schemes in UK and Ireland shows that these schemes currently have a system of recourse where works are of an unacceptable standard.

While the AWS Satisfaction Survey showed no concerns with the quality of work undertaken, it is the opinion of the Review Team that the current arrangement creates an unreasonable risk around the quality assurance process. A smaller number of contractors would ensure that a sample of works undertaken by all contractors could be quality assured, as well as allowing the Scheme to withhold future payment to enforce any remedial work required. As such, the Review Team recommends an approved list of contractors (arranged either in terms of functionality or geography) to deliver the required works.

Recommendation 5: The Scheme should have an approved list of contractors to deliver the required works.

D. Process Variations - findings, conclusions and recommendations

The Review Team identified significant variations in processes delivered by councils. Key differences identified were:

- Variations in councils' focus on targeted households. Through consultations with councils, it was clear that some councils focussed on using the list of properties provided by University of Ulster and targeting these addresses, while others relied on self-referral phone calls to meet their quotas. In order to meet their "80/20" target (80% of referrals should be for targeted properties), a number of councils included any self-referral within targeted postcode areas as a "targeted" referral.
- Variations in how Councils prioritise households for referral to NIHE. A number of councils had created their own prioritisation matrices to determine which properties were submitted to NIHE each month. Many of these prioritisation matrices did not match the guidance set out within the AWS process guide, with most councils prioritising heating rather than

insulation. These variations result in an inequity of service across council areas.

- Differences in how Councils support homeowners, placing additional burden on NIHE at times. In particular, there are stark differences in how councils collect relevant information from householders for submission to NIHE, with some councils providing hands-on support to complete applications and delivering them to NIHE, while others require the householder to complete and send to NIHE themselves. This can cause delays in the process while NIHE request outstanding documentation from householders. NIHE statistics show that 16% (675) of all council referrals required a letter for outstanding documentation from NIHE in 2017/18, with over half of these letters sent to two council areas. The number of these letters varied substantially by council area, ranging from 6 in 2017/18 within one council area to 200 in another.

Recommendation 6: A single process should be developed and agreed with Councils, along with a defined quarterly reporting framework to monitor activity and demand.

E. Value-add of councils - findings, conclusions and recommendations

The rationale for council involvement is clear in that councils provide a unique local knowledge and have networks available in order to maximise uptake of the Scheme. Consultation with each Council highlights their commitment to the Scheme and the amount of work that goes into support local residents, with councils stating that they make up to three household visits for each referral to NIHE. Currently, there is limited information captured by the Scheme about the range of activities undertaken by councils, nor about the level of engagement required to encourage take-up.

As will be discussed in Section 7, significant effort is required for each referral to NIHE with multiple visits to households often required to undertake multiple visits to support applicants. However, this added-value of councils is not captured anywhere by councils, nor is it requested as part of a return by NIHE or the Department. It is the opinion of the Review Team that councils should capture and report on the following:

- i. The number of visits undertaken to households, including follow-up visits required;
- ii. The number of self-referral phonecalls received;

Recommendation 7: As part of the reporting framework, local councils should capture the work it undertakes prior to a referral to NIHE

F. Communication within the Scheme - findings, conclusions and recommendations

Through consultation with councils, it was clear that the level of interaction between councils and NIHE Grants Offices varied across council areas. Councils commented that they would like to see more formalised feedback around the outcomes of the referrals they make to NIHE. The following points were raised:

Councils were at times frustrated to around delays in hearing reasons for cancellations. In particular, councils believed they could support in getting in touch with householders who had failed to respond to NIHE after referral, having already developed a relationship with the client. While cancellation numbers due to a lack of response have decreased substantially in 2016/17 and 2017/18, they still account for 27% of all cancellations in 2017/18. Councils also commented that, with early communication about cancellations, they may be in a position to submit another referral to replace the cancellation.

As the first contact to the client, councils commented that they often receive requests for updates on the status of applications. Once a referral is made to NIHE, councils do not have an understanding of expected timelines and must contact NIHE for an update. Feedback on the quality and timeliness of these updates was variable across council areas.

In addition, the Review Team saw limited evidence of any structured feedback to University of Ulster about the quality or accuracy of the addresses provided to councils for targeting.

While improvements have been made in the level of communication between NIHE and councils, it is the opinion of the Review Team that a more formalised approach to feedback on outcomes of council referrals. This would serve two purposes:

- Using the relationships they have developed with the client, councils may be able to address any difficulties or concerns generating cancellations after referrals.
- Regular feedback will allow councils to keep householders up to date with the status of works and likely timelines if regular estimates are provided.

At the same time, it seems prudent that there should be regular feedback to UU on the accuracy and quality of lists provided to councils for targeting. This would ensure lists could be adjusted based on feedback where required in order to make targeting as effective as possible.

Recommendation 8: A standard, structured feedback system should be implemented across the Scheme, including regular feedback to councils on the outcomes of referrals and feedback to UU on the accuracy of targeted addresses.

4.2 Consideration of Alternative Delivery Models

This consideration of alternative models will draw from the following sources:

- Comparison with other schemes targeting fuel poverty in the UK and Ireland;
- Consideration of potential weaknesses identified with the current delivery model in Section 4 of this report and the ability of each option to mitigate against the risks presented by these weaknesses. These risks are set out Section 4.1 are summarised in Section 4.2.2 below.

4.2.1 Comparison with other schemes

The Review Team undertook a comparison exercise with other schemes targeting fuel poverty in the UK and Ireland. The detail of comparator schemes in Scotland, Wales and the Republic of Ireland is set out within Appendix 2.

It should be stated that the AWS appears to be a unique scheme in relation to its emphasis on a targeted approach, with the comparator schemes relying on marketing the support available and relying on applications. This is a stark difference and, as such, some aspects of these delivery models may not be suitable to a targeted model. However, the following themes were considered relevant across the comparators:

- While the range of measures available varied slightly, all schemes also follow a “whole-house” approach in relation to the works that are required. Figures around cost of works were difficult to obtain, however the average value of works undertaken in Scotland was £4,500.
- As with AWS, all schemes implement measures at no cost to the householder.
- All schemes have a minimum eligibility requirements based on an assessment of welfare payments or benefits.
- As stated above, all schemes rely on householders to apply for the scheme and market the support to generate demand.
- All schemes appoint a contractor in some form and are responsible for arranging all measures.
- All schemes provide a single point of contact for the customer.

4.2.2 Delivery model options

In assessing each delivery model, the Review Team has taken account of the potential limitations of the current delivery model as set out in Section 4 of this report. These risks are summarised as follows:

- i. The customer journey is not suitable for a vulnerable householder, with multiple contact points required throughout the process;
- ii. Quality assurance cannot be guaranteed for all contractors;
- iii. There are a number of process variations across council areas;
- iv. Communication between different organisations within the process is limited at times;
- v. There is a potential inequity in distribution across councils.

The following 6 options have been identified by the Review Team as potential delivery models for AWS.

| | |
|---|--|
| | |
| 1 | Retain current delivery mechanism; |
| 2 | Current arrangements with a “cluster” model of around 4 councils each; |
| 3 | Remove the call handling function from councils; |
| 4 | Decentralise Scheme for councils to manage; |
| 5 | Wholly delivered by NIHE; |
| 6 | Outsourced to a delivery agent |

The table below sets out a consideration of each model, showing the potential impact on each of the issues identified in Section 4.2.

Table 3: Consideration of delivery models

| Description | i. Customer Journey | i. Quality Assurance | i. Process Variations | i. Communication between process points | i. Inequity of distribution | Cost implications |
|--|--|---|--|---|--|---|
| 1. Retain current delivery mechanism | Continued as is | | | | | |
| 2. Current arrangements with a “cluster” model of four councils each | - Multiple contact points for the householder | - Current arrangements would not mitigate concerns over quality assurance | - Fewer process variations and process alignment would be more straightforward | - Current concerns around communication would still exist | - A clustered approach could allow councils to prioritise across a larger population, allowing a greater focus on areas of greatest need | - A clustered approach should create some efficiency through economies of scale - There would be some minor up-front costs in order to share information across councils |
| 3. Remove the call handling | - A dedicated call handling function could act as a single | - Current arrangements would remain and would not | - Some reduced variations from an aligned call handling | - Current concerns around communication would still exist | - Current arrangement would remain and would | - Taking the call handling function from councils |

| Description | i. Customer Journey | i. Quality Assurance | i. Process Variations | r. Communication between process points | r. Inequity of distribution | Cost implications |
|---|--|--|--|---|---|--|
| function from councils | point of contact for a householder throughout the process - A householder would still be required to arrange and coordinate installations | mitigate concerns over quality assurance | function, however the key variations would remain later in the process | | not mitigate concerns around inequity | would reduce the cost of delivery for each councils, while savings could be made through economies of scale |
| 4. Decentralise Scheme for councils to manage | - A decentralised scheme would provide a single point of contact within the Council - This could be set up with end-to-end support | - Depending on how it is delivered by each council, a model could be created to ensure greater quality assurance through reduced number of contractors | - This option would exacerbate the current concerns with process variation | - This option would mitigate the issues with communication between process points | - This option would not mitigate concerns around inequity | - A decentralised scheme would be a particularly costly method to deliver the Scheme, with multiple organisations involved across all aspects of the process |

| Description | i. Customer Journey | i. Quality Assurance | i. Process Variations | r. Communication between process points | r. Inequity of distribution | Cost implications |
|-----------------------------------|--|---|---|---|---|-------------------|
| 5. Wholly delivered by NIHE | <ul style="list-style-type: none"> - This would provide a single point of contact for the householder - If NIHE were to continue with current policy, the householder would still be required to arrange contractors | <ul style="list-style-type: none"> - If NIHE were to continue with current policy of not having a list of approved contractors, concerns around quality assurance would not be addressed | <ul style="list-style-type: none"> - This option would remove process variations | <ul style="list-style-type: none"> - This option would mitigate the issues with communication between process points | <ul style="list-style-type: none"> - This option would potentially mitigate concerns around inequity | |
| 6. Outsourced to a delivery agent | <ul style="list-style-type: none"> - This would provide a single point of contact for the householder - An outsourced approach should ensure the end-to-end process is provided by the Scheme | <ul style="list-style-type: none"> - Provided the delivery agent provides the work themselves or sub-contracts the work to a finite number of installers, concerns around quality assurance would be mitigated | <ul style="list-style-type: none"> - This option would remove process variations | <ul style="list-style-type: none"> - This option would mitigate the issues with communication between process points | <ul style="list-style-type: none"> - This option would potentially mitigate concerns around inequity | |

Delivery Method Preferred Option

It is the opinion of the Review Team that the most effective delivery model would be a Scheme managed by a single organisation, with responsibility for all aspects of the process. This would address the findings set out within the previous section, namely:

- This would remove any variation in process and provide a single service to all council areas;
- This would offer a single point of contact to the homeowner throughout the process;
- The organisation could manage contractors and ensure an effective quality assurance process;
- This would mitigate any issues with feedback and communication across the process.

In addition, the same time, a single organisation could deliver significant economies of scale.

Recommendation 9: In its future iterations, the Scheme should consider moving to a single delivery agent to manage the Scheme.

4.3 Consideration of the value for money of the current delivery model

In attempting to ascertain the value for money of the current delivery model, the Review Team encountered the following challenges:

- i. Due to the commercial confidentiality, comparator schemes were not in a position to share their overall delivery costs. As such, it has not been possible to undertake a direct comparison to establish value for money;
- ii. During this review, it became clear that the AWS is a particularly unique scheme. The targeted approach undertaken by this scheme is not replicated in UK and Ireland, nor was it delivered in this manner in any previous fuel poverty schemes in Northern Ireland. As other schemes rely on marketing and self-referrals, it is probable that they are more cost-effective than a targeted scheme that relies on a number of home visits and direct contacts to generate demand. It is therefore difficult to comment definitively on value for money without this direct comparison.

However, based on consultations with councils, there were suggestions that the accuracy of the targeted addresses given was variable. As such, a number of councils felt that they were spending significant time and resource on visits and calls that have no outcomes. At the same time, it was clear that some councils had exhausted their targeted lists and were re-targeting households, which has proved to be an ineffective process. Since March 2018, we understand that additional targeted lists have been provided which may have mitigated some of these concerns. However, as stated in Section 4.1, consideration should be given to more frequent feedback to University of Ulster to ensure accuracy of targeted lists. Consideration should also be given to more frequent updates of lists once a council has exhausted the list once.

4.4 Current unit costing formula

Local Councils are currently funded on a unit cost basis per referral to Housing Executive. Local Councils have argued that the funding they get from the Department to deliver their part of the scheme is inadequate and have offered an increased unit cost for use on the Scheme.

As set out in Section 4.1, the time and resource undertaken by councils is not captured as part of any reporting framework. As such, there is a lack of understanding of the true cost of the work undertaken by Councils. In particular, the volume and time spent on each visit, as well as the volume of phone calls are not captured. As a result of this, time and cost of targeted activities against self-referral activities cannot be captured also.

In order to provide a suggested unit cost, BCS requested volume, timing and costing information from councils. At the time of writing, BCS has not received a sufficient response to undertake this calculations. As such, the unit costing analysis will follow this document as a separate deliverable upon receipt of all council information returns.

Update for January 2019

In October 2018, councils were requested to provide the following information:

- Total number of visits per year and the total number of properties associated with these visits. If possible, split between targeted and "self-referral";
- Total number of calls made or received per year and the total number of properties associated with these calls. If possible, split between targeted and "self-referral";
- A breakdown of the average time taken per call / visit and the grade of staff normally used for these activities;
- If possible, a summary of the "in-kind" financial contribution from your Council. This is essentially those resources / investment in the scheme over and above the current funding from DfC.

The calculations were undertaken in two parts:

- 1) **Variable costs** – this relates to the costs that can be directly attributable to a an individual referral, taking into account of staff time involved in visiting households and answering calls.
- 2) **Fixed costs** – this relates to those costs not directly attributable to individual referrals. The fixed costs take into account a range of costs provided by councils, including:
 - Staff costs outside of those staff who answer calls and undertake visits;
 - IT costs;
 - Printing and postage costs;
 - Insurance and rates;
 - Subsistence.

The calculations were applied to an assumed referral rate of 673 referrals per Council per year, as set out in the recent 5 year business case. Based on the calculations, it is estimated that Councils should receive £105,000 per annum in order to achieve this referral rate.

The table below shows the suggested funding for differing referral rates, along with the unit cost. The table shows a decreasing unit cost as referral rates increase. This is due to the “fixed” element of the costs being allocated across a greater number of referrals.

Table 4: Suggested funding per referral rate for Councils

| Number of referrals | Total cost | Cost per referral |
|---------------------|-------------|-------------------|
| 300 | £66,876.37 | £222.92 |
| 400 | £74,501.83 | £186.25 |
| 500 | £85,353.89 | £170.71 |
| 600 | £96,205.94 | £160.34 |
| 700 | £107,058.00 | £152.94 |

5. SUMMARY OF THE REVIEW

The Affordable Warmth Scheme was established in April 2015 and has successfully provided energy efficiency improvements to low income households in its first three years.

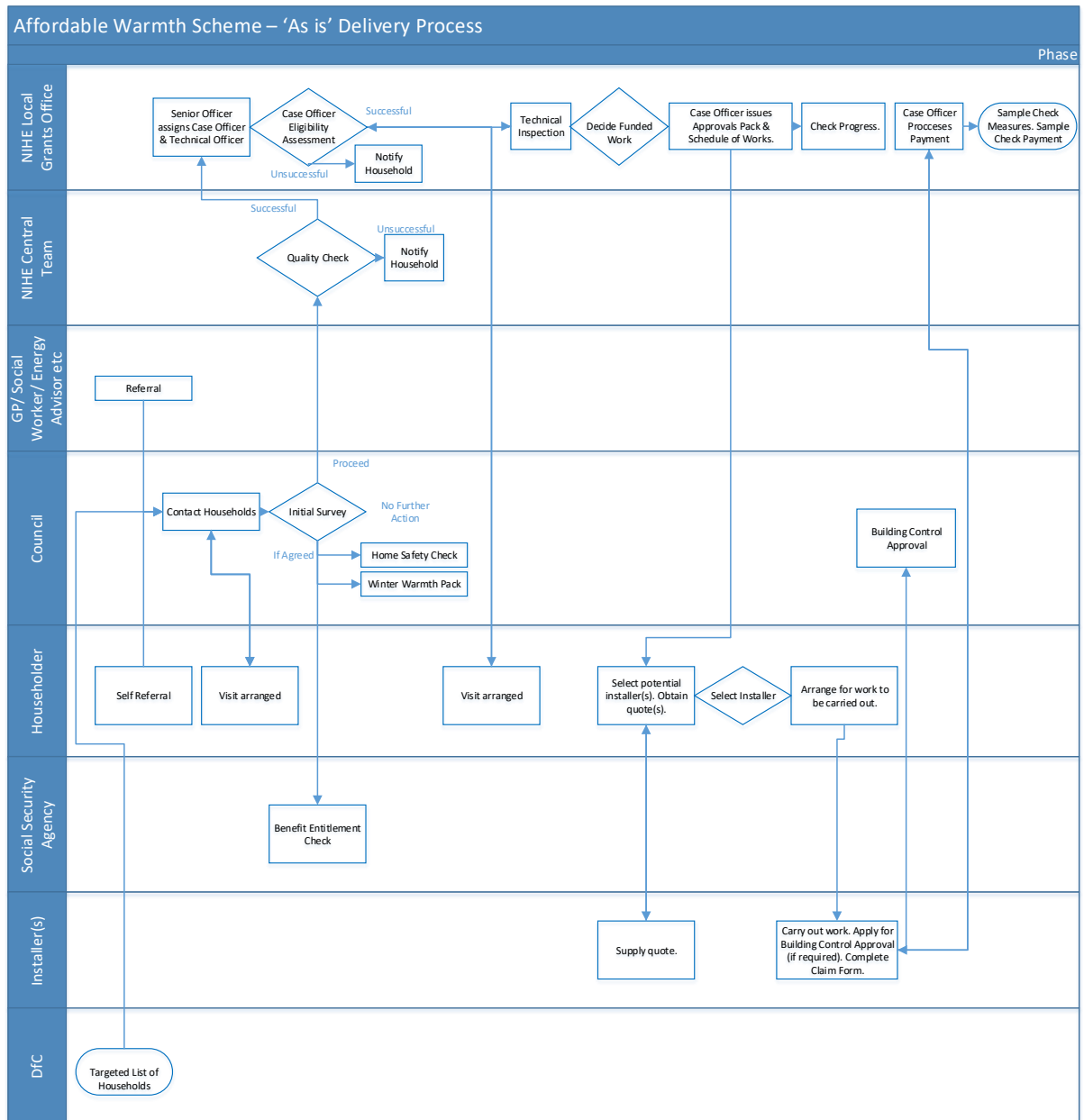
This review has looked at the current delivery model and has identified a number of potential issues or key process risks. These issues identified and the associated recommendations revolve around improving the customer journey for vulnerable householders, ensuring quality assurance processes are sufficient, alignment of processes and improving feedback and communication between organisations within the Scheme.

Upon assessment of delivery model options, the Review Team believes that, in order to address the issues identified above, the most effective delivery model is a Scheme managed and delivered by a single delivery agent.

Establishing the value for money of the Scheme created difficulties due to the unique targeted approach that AWS uses. However, consideration should be given to greater flexibility and improved feedback between councils and UU in order to maximise the impact of targeted lists.

It is the perspective of the Review Team that the implementation of the recommendations set out in this report will improve the Scheme's ability to deliver its objectives and to support those in fuel poverty, as well provided greater coordination throughout the Scheme.

APPENDIX I: AWS DELIVERY PROCESS



APPENDIX II: COMPARATORS SUMMARY

| Geography | Scotland | Wales | RoI |
|------------------------|--|---|--|
| Responsible Department | <ul style="list-style-type: none"> Scheme under jurisdiction of the Directorate for Housing and Social Justice | <ul style="list-style-type: none"> Scheme under jurisdiction of the Cabinet Secretary for Energy, Planning & Rural Affairs | <ul style="list-style-type: none"> Scheme under jurisdiction of the Department of Communications, Climate Action and environment Scheme is partly financed by Ireland's EU Structural Funds Programme cofounded by the Irish Govt and EU |
| Scheme | Warmer Homes Scotland | Welsh Government Warm Homes Programme – includes Arbed and NEST | Better Energy Warmer Homes |
| Overview of Scheme | <ul style="list-style-type: none"> The scheme was opened on 1st September 2015 Scheme designed to tackle fuel poverty across Scotland by providing home energy efficiency measures to households who are living in, or at risk of living in, fuel poverty Scheme provides measures including insulation, heating and micro-generation to those households who are at most in need of help to heat their homes | <ul style="list-style-type: none"> NEST scheme – provides householders living in Wales with access to free advice and support to help them reduce their energy bills Scheme in operation since 2015 and closed on 31 March 2018 – unclear as to replacement scheme if any | <ul style="list-style-type: none"> Scheme provides free energy efficiency upgrades for eligible homes Aim of the scheme is to make eligible homes warmer, healthier and cheaper to run |
| Scheme offer | <ul style="list-style-type: none"> Variety of energy efficiency upgrades are available under the scheme – no standard package is in place Measures can include (not exhaustive): | <ul style="list-style-type: none"> Scheme offer is designed for individual properties – no standard package is in place Measures can include: | <ul style="list-style-type: none"> Variety of energy efficiency upgrades are available under the scheme |

| Geography | Scotland | Wales | Rol |
|--------------------------|---|--|---|
| | <ul style="list-style-type: none"> ○ Boiler replacement (biomass, gas, gas & oil fired condensing) ○ CO detector ○ Insulation (attic, floor, cavity, external / internal / hybrid wall) ○ Draught proofing ○ Mechanical ventilation ○ Hot water systems ○ Flexible thermal linings | <ul style="list-style-type: none"> ○ New gas boiler ○ Central heating system ○ Insulation ○ Newer technologies such as air source heat pumps ○ Windows / doors are not included | <ul style="list-style-type: none"> ● Upgrades will depend on factors including age, size, type & condition of property ● Surveyor will determine which upgrades can be installed and funded ● Measures can include: <ul style="list-style-type: none"> ○ Insulation (attic, cavity wall, external / internal wall) ○ Lagging jackets ○ Draught proofing ○ Energy efficient lighting ○ Heating upgrades (central heating, heating controls) ○ Ventilation ○ Window replacements |
| Overall aim of scheme | <ul style="list-style-type: none"> ● Every householder in Scotland eligible for the scheme ● If householder meets eligibility criteria they will be able to avail of a package of energy efficiency improvements at No Cost to the householder | <ul style="list-style-type: none"> ● Every householder in Wales eligible for Nest advice & support ● Applications only accepted for residential properties – property cannot have been used for business purposes 12 mths prior to the application ● If householder meets eligibility criteria they will be able to avail of a package of energy efficiency improvements at No Cost to the householder ● No age criteria is applied | <ul style="list-style-type: none"> ● Every householder in Rol eligible for the scheme ● If householder meets eligibility criteria they will be able to avail of a package of energy efficiency improvements at No Cost to the householder |
| Eligibility requirements | <ul style="list-style-type: none"> ● Homeowners or the tenants of a private-sector landlord ● Live in the home as their main residence; | <ul style="list-style-type: none"> ● Own their own home or rent from a private landlord ● Individual or someone they live with receives a means tested benefit | <ul style="list-style-type: none"> ● Own and live in their own home ● Home must be principal / main private residence ● Home located in Rol |

| Geography | Scotland | Wales | Rol |
|-----------|---|---|--|
| | <ul style="list-style-type: none"> • Have lived there for at least 12 months (unless in receipt of a DS1500 certificate); • Not have received support for energy efficiency measures through Warmer Homes Scotland or HEEPS ABS funding in the last five years • Live in home with an energy rating of 64 or lower and which has a floor area of 230m2 or less • Live in a home that meets the tolerable living standard set out in the Housing (Scotland) Act 2006 or, where the home does not meet the tolerable living standards • Meet one of the following conditions: <ul style="list-style-type: none"> ○ Pensionable age, have no working heating system and be in receipt of a passport benefit eg. Universal Credit, Working Tax Credit, Housing Benefit, Personal Independence Payment ○ Aged over 75 and in receipt of a passport benefit ○ Pregnant and/or have a child under 16 and in receipt of a passport benefit ○ Have a disability and be in receipt of any level of Personal Independent Payment (PIP) | <ul style="list-style-type: none"> • Home is energy inefficient and expensive to heat (equivalent to an E, F or G energy efficiency rating) • Meet one of the following conditions: <ul style="list-style-type: none"> ○ Child tax credit (income below £16,105 per yr) ○ Council tax reduction (exemption & discount do not qualify on their own) ○ Housing Benefit ○ Income Based Jobseeker's Allowance ○ Income Related Employment & Support Allowance ○ Income Support ○ Pension Credit ○ Universal Credit ○ Working Tax Credit (income below £16,105 per yr) | <ul style="list-style-type: none"> • Home built and occupied before 01/01/2006 • Receipt in one of the following welfare payments: <ul style="list-style-type: none"> ○ Fuel allowance ○ Job Seekers Allowance for over 6 mths and have a child under 7 yrs old ○ Working Family Payment ○ One Parent Family Payment ○ Domiciliary Care Allowance ○ Carers Allowance and live with the person that is being cared for • Householder must not have participated in or received the benefit of works to their house under the scheme in the part |

| Geography | Scotland | Wales | RoI |
|--|--|---|---|
| | <ul style="list-style-type: none"> ○ Have a disability and be in receipt of high rate Disability Living Allowance (DLA) (care or mobility component) ○ Have a disability and be in receipt of low/medium rate Disability Living Allowance (DLA) (care or mobility component) and be in receipt of an income-related benefit ○ A carer in receipt of Carers Allowance; ○ Injured or disabled serving in the Armed Forces and be in receipt of Armed Forces Independence Payment/War Disablement Pension ○ Have an injury or disability from an accident or disease caused by work and be in receipt of Industrial Injuries Disablement Benefit | | |
| What approach is adopted in operating the scheme | <ul style="list-style-type: none"> ● Scheme is marketed and individuals / households apply | <ul style="list-style-type: none"> ● Scheme is marketed and individuals / households apply ● Nest scheme works in partnership with local authorities, health boards, charities and community organisations to help reach households | <ul style="list-style-type: none"> ● Scheme is marketed and individuals / households apply |
| Targets / KPI's | <ul style="list-style-type: none"> ● KPI's include: <ul style="list-style-type: none"> ○ Referral To Completion time (65 days) ○ Right First Time, high quality Installations ○ Customer Satisfaction - high levels of Customer satisfaction and low levels of complaint. | <ul style="list-style-type: none"> ● 2015-16 Nest scheme received £25.5m and improved 6,162 homes ● No further info available from publicly available sources eg. internet | <ul style="list-style-type: none"> ● Approx. 135,000 homes have availed of support ● No further info available from publicly available sources eg. internet |

| Geography | Scotland | Wales | RoI |
|-------------------|--|--|--|
| | <ul style="list-style-type: none"> ○ Sliding scale of payment is made based on performance in relation to the above eg. no payment if performance is ● KPIs are linked to the performance element of the management fee eg. sliding scale of payment is made. No payment made for performance less than 85% in relation to referral to completion time of 65 days ● Service Level Agreements also in place covering areas such as complaints, inspections, remedial work, response to telephone calls and priority customers | | |
| Scheme management | <ul style="list-style-type: none"> ● Scheme is managed by Warmworks Scotland LLP - a managing agent that was procured through an open procurement process. ● Warmworks deliver all aspects of the customer journey once they receive the referral from Home Energy Scotland (HES). This includes confirming eligibility, carrying out surveys, carrying out installations and carrying out post installations inspections to ensure the quality of the work is up to the standard expected under the contract. ● HES are the sole referral agent for the contract. HES are responsible for the provision of and advice and referral | <ul style="list-style-type: none"> ● Scheme operated for Welsh Government by British Gas ● Energy Saving Trust sub contracts to British Gas to provide the 'front end' assessment service ● Small / medium sized enterprises across Wales are sub contracted by Nest to install agreed energy efficiency measures | <ul style="list-style-type: none"> ● Scheme operated / administered by SEAI ● SEAI assigns a contractor to complete works on individual homes – contractors are drawn from a select list appointed by SEAI ● Contractor is responsible for completion of works recommended by an initial surveyor ● Eligible householders and contractor enter into a written contract clearly identifying and agreeing scope of works |

| Geography | Scotland | Wales | RoI |
|-----------------------|---|--|--|
| | <p>service and any marketing required for the scheme</p> <ul style="list-style-type: none"> • Pennington Choices are responsible for the quality assurance auditing of the scheme. | | |
| Works Value | <ul style="list-style-type: none"> • Average value of works undertaken is £4,500. • Actual spend varies widely as each household is offered a bespoke package of measures based on needs of the property, the available fuel sources and the circumstances of the household • Expected that this figure will rise with increasing costs and introduction of some more costly energy efficient measures such as ground source heat pumps to the scheme | <ul style="list-style-type: none"> • 2015-16 Nest scheme received £25.5m and improved 6,162 homes | <ul style="list-style-type: none"> • Approx. 135,000 homes have availed of support |
| Scheme Administration | <ul style="list-style-type: none"> • Scottish Government has a team of 3 staff who are responsible for managing the delivery of Warmer Homes Scotland. The Grades are C1, B3 and B2. • Each member of the team feeds in to the overall Fuel Poverty and HEEPS work streams however, their main focus is the delivery of Warmer Homes Scotland • They are responsible for all aspects of delivery of the scheme including: <ul style="list-style-type: none"> ○ Dealing with Ministerial Correspondence | <ul style="list-style-type: none"> • No further info available | <ul style="list-style-type: none"> • Scheme operated / administered by SEAI • SEAI assigns a contractor to complete works on individual homes – contractors are drawn from a select list appointed by SEAI • Contractor is responsible for completion of works recommended by an initial surveyor • Eligible householders and contractor enter into a written contract clearly identifying and agreeing scope of works |

| Geography | Scotland | Wales | RoI |
|-------------------------------------|---|--|--|
| | <ul style="list-style-type: none"> ○ Managing all aspects of the delivery of the contract including financial management ○ Managing all aspects of the delivery of the Quality Assurance contract including financial management ○ Producing and annual review of the scheme ○ Dealing with the policy issues that arise from the operation of the scheme and the strategic direction of the scheme. ● An individual at C2 level oversees the above work as part of their wider remit to manage fuel poverty policy and the wider HEEPS programme. | | |
| Scheme Costs | <ul style="list-style-type: none"> ● Total spend to end of September 2018 – approx. £76.2 million. ● 2015/16 (part year from Sept) – approx. £7.6 million ● 2016/17 – approx. £30.8 million ● 2017/18 – approx. £29.5 million | <ul style="list-style-type: none"> ● 2015-16 Nest scheme received £25.5m and improved 6,162 homes | <ul style="list-style-type: none"> ● Approx. 135,000 homes have availed of support |
| Overall administration Costs | <ul style="list-style-type: none"> ● Administration costs are included in the management fee paid to Warmworks and are commercially sensitive so cannot be released separately | <ul style="list-style-type: none"> ● No info available | <ul style="list-style-type: none"> ● No info available |
| Contractor list | <ul style="list-style-type: none"> ● Contractor list this is operated by the managing agent, Warmworks Scotland LLP. | <ul style="list-style-type: none"> ● No info available | <ul style="list-style-type: none"> ● SEAI assigns a contractor to complete works on individual homes – contractors are drawn from a select list appointed by SEAI |

| Geography | Scotland | Wales | RoI |
|------------------|--|---|--|
| | <ul style="list-style-type: none"> • Currently 21 contractors are in place throughout Scotland. • Warmworks operate their own performance management system that is linked to the inspections the Scottish Government require. • The Scottish Government ensure the quality required is delivered via Pennington Choices inspections. | | <ul style="list-style-type: none"> • Contractor is responsible for completion of works recommended by an initial surveyor • Eligible householders and contractor enter into a written contract clearly identifying and agreeing scope of works |
| Previous schemes | <ul style="list-style-type: none"> • Previous scheme was Energy Assistance Scheme – this closed at end of March 2015 • In designing Warmer Homes Scotland, the Scottish Government carried out numerous consultation and stakeholder engagement events to get the widest range of views possible to feed in to the design of the new scheme. | <ul style="list-style-type: none"> • No further info available | <ul style="list-style-type: none"> • No further info available |

APPENDIX III: REASONS FOR CANCELLATION AFTER REFERRAL TO NIHE

| Cancellations and Reasons | | | | | | |
|---------------------------------------|------------|--------------|--------------|------------|-------------|--------------|
| Cancellation Reasons | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 YTD | Total |
| All Scheme Measures Present | 113 | 618 | 151 | 122 | 92 | 1,096 |
| Allowance Insufficient | 0 | 1 | 4 | 1 | 1 | 7 |
| Applicant Deceased | 3 | 41 | 28 | 34 | 10 | 116 |
| Applicant Ineligible | 12 | 59 | 13 | 9 | 8 | 101 |
| Application Form Not Returned | 0 | 224 | 29 | 15 | 86 | 354 |
| Boiler Ineligible | 2 | 8 | 13 | 8 | 3 | 34 |
| Boiler Replaced without NIHE Approval | 0 | 0 | 0 | 1 | 3 | 4 |
| Change of Circumstances | 4 | 50 | 15 | 16 | 6 | 91 |
| Could Not get Installer | 0 | 1 | 2 | 1 | 0 | 4 |
| Current Boiler Working Sufficiently | 0 | 1 | 1 | 1 | 1 | 4 |
| Documentation not Complete | 0 | 64 | 11 | 47 | 57 | 179 |
| Duplicate Record or Application | 2 | 10 | 10 | 16 | 5 | 43 |
| Failure to Respond | 8 | 1,042 | 767 | 249 | 309 | 2,375 |
| House For Sale/Sold | 0 | 7 | 14 | 17 | 3 | 41 |
| Income over £19,999.00 | 232 | 1,491 | 226 | 103 | 48 | 2,100 |
| Ineligible Tenure | 20 | 18 | 4 | 7 | 1 | 50 |
| Landlord Does Not Wish to Proceed | 3 | 103 | 33 | 9 | 2 | 150 |
| Landlord not Registered with DSD | 0 | 152 | 0 | 0 | 0 | 152 |
| No Access | 0 | 8 | 5 | 5 | 1 | 19 |
| No Reason Recorded | 6 | 197 | 129 | 48 | 87 | 467 |
| Other Funding Applied For | 2 | 16 | 14 | 11 | 1 | 44 |
| Private Tenant Vacated Property | 3 | 33 | 10 | 8 | 7 | 61 |
| Property Not Occupied | 2 | 23 | 10 | 7 | 8 | 50 |
| Resident not interested | 70 | 359 | 124 | 58 | 24 | 635 |
| Technically not viable | 6 | 13 | 8 | 4 | 3 | 34 |
| Too much disruption | 0 | 50 | 21 | 15 | 5 | 91 |
| Unable to contact Landlord | 7 | 7 | 0 | 0 | 0 | 14 |
| Unsuitable Property | 5 | 32 | 8 | 6 | 2 | 53 |
| Work not Commenced | 0 | 0 | 106 | 82 | 57 | 245 |
| Work not Completed | 0 | 1 | 16 | 12 | 4 | 33 |
| TOTAL PER YEAR | 500 | 4,629 | 1,772 | 912 | 834 | 8,647 |



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AFFORDABLE WARMTH SCHEME-Energy Efficiency Measures Available

| | |
|---|---|
| Priority 1: Insulation, Ventilation, Draught Proofing | |
| Installation or topping up of Loft Insulation to 275mm | Roof/Loft/Eaves ventilation |
| Provision of hot water cylinder jacket | Draught proofing of doors/windows |
| Installation of cavity wall insulation | Removal and replacement of ineffective cavity wall insulation |
| Priority 2: Heating | |
| Provision of natural gas or oil central heating where no central heating exists | Conversion of solid fuel/LPG/economy 7 to natural gas or oil |
| Conversion of economy 7 to high efficiency electrical storage system | Boiler replacement/system upgrade for householders over 65, or who have a child under 16 years of age, or who receive disability living allowance and where an existing central heating boiler is at least 15 years old |
| Priority 3: Windows | |
| Replacement of single glazed windows | Repair or replacement of double glazed windows that are defective |
| Priority 4: Solid Walls | |
| Provision of solid wall (internal/external) insulation | |

Further information is available at the link below:

<https://www.midulstercouncil.org/Community/Affordable-Warmth>



Council Senior Officials

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4 April 2019

AFFORDABLE WARMTH SCHEME FUNDING 2019/2020

Dear Senior Officials,

The capital budget for the Affordable Warmth Scheme for 2019/2020 has been confirmed as £12m. The average spend per household has now risen to £4,500.

The reduced budget and the higher average spend per household means that we will need fewer referrals from Councils in 2019/2020. Each Council will be paid £41,256 for a total 216 referrals, 18 per month, over the year.

This referral rate will be kept under review as the year progresses.

I hope this is helpful in allowing you to plan and manage the scheme over the year.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Oliver McHugh".

Oliver McHugh

| | |
|--------------------------|--|
| Report on | Animal Welfare |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | Fiona McClements, Head of Environmental Health |

| | | |
|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

| 1.0 | Purpose of Report | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-----------------------------------|---|--------------------------------|------------|----------------|------------|-------------------------------|------|------|-----|---------------------------------|-----|-----|----|-----------------------------|------|------|-----|------------------------------|------|------|-----|-----------------------------------|-----|----|---|----------------------------------|-----|---|---|
| 1.1 | To provide an update to Members on the levels of activity in the Animal Welfare function within Mid Ulster District Council area and beyond over the last financial year. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2.0 | Background | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2.1 | <p>From 1st April 2018 until 31st March 2019 the Western Region for Animal Welfare functions, of which MUDC is a part, have received 1426 animal welfare calls and carried out 2006 inspection visits, 665 of which were carried out in the Mid Ulster District Council area. It was noted that there was 67 calls received in Mid Ulster District area that were not Animal Welfare Cases and were referred to other agencies.</p> <p>In the last financial year councils in NI have received 6267 animal welfare calls, carried out 9441 inspection visits and served 149 Improvement Notices.</p> <table><tr><th>Period 01/04/2018 – 31/03/2019</th><th>NI</th><th>Western Region</th><th>Mid Ulster</th></tr><tr><td>No. of Calls received to date</td><td>6267</td><td>1426</td><td>430</td></tr><tr><td>No. of Referrals other agencies</td><td>951</td><td>303</td><td>67</td></tr><tr><td>No. of Animal welfare cases</td><td>5316</td><td>1123</td><td>363</td></tr><tr><td>No. of AWO Inspection visits</td><td>9441</td><td>2006</td><td>665</td></tr><tr><td>No. Of Improvement Notices served</td><td>149</td><td>26</td><td>6</td></tr><tr><td>No of cases where Animals Seized</td><td>127</td><td>9</td><td>3</td></tr></table> | Period 01/04/2018 – 31/03/2019 | NI | Western Region | Mid Ulster | No. of Calls received to date | 6267 | 1426 | 430 | No. of Referrals other agencies | 951 | 303 | 67 | No. of Animal welfare cases | 5316 | 1123 | 363 | No. of AWO Inspection visits | 9441 | 2006 | 665 | No. Of Improvement Notices served | 149 | 26 | 6 | No of cases where Animals Seized | 127 | 9 | 3 |
| Period 01/04/2018 – 31/03/2019 | NI | Western Region | Mid Ulster | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No. of Calls received to date | 6267 | 1426 | 430 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No. of Referrals other agencies | 951 | 303 | 67 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No. of Animal welfare cases | 5316 | 1123 | 363 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No. of AWO Inspection visits | 9441 | 2006 | 665 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No. Of Improvement Notices served | 149 | 26 | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No of cases where Animals Seized | 127 | 9 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3.0 | Main Report | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3.1 | <p>Enforcement of the Welfare of Animals Act (NI) 2001</p> <p>Enforcement of the Welfare of Animals Act (NI) 2001 is carried out as per the Animal Welfare Enforcement Guidelines. Files with recommendations for legal action are prepared by the lead Council and forwarded to Mid-Ulster District Council for decision making purposes.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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|-----|--|
| 3.2 | Communication with Public An Animal Welfare website has been set up within the NI Direct website (www.nidirect.gov.uk/animal-welfare) to include all relevant information for the public in relation to Animal Welfare. |
| 3.3 | Western Region Animal Welfare Forum (AWF) As per the Service Level Agreements between Fermanagh & Omagh District Council, Derry City & Strabane District Council and Mid Ulster District Council, an Animal Welfare Forum meeting takes place between the Animal Welfare Manager and the Head of Service from councils. The AWF provides sub-regional liaison and ensures consistency and efficient working practice across the councils within the Western Region. The contact details for the Western Region are: This region covers Fermanagh and Omagh District Council; Derry City and Strabane District Council; and Mid Ulster District Council. <ul style="list-style-type: none"> • Phone: 028 8225 6226 (same contact no for Out of Hours) • email: animalwelfare@fermanaghomagh.gov.uk • Fermanagh and Omagh website: Welfare of Animals(external link opens in a new window / tab) • Derry City and Strabane website: Welfare of Animals(external link opens in a new window / tab) • Mid Ulster website: Animal Welfare |
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications Financial: The service is fully funded by DAERA. Human: Animal Welfare staff are employed by Fermanagh & Omagh District Council. Risk Management: N/a |
| 4.2 | Screening & Impact Assessments Equality & Good Relations Implications: N/a Rural Needs Implications: N/a |
| 5.0 | Recommendation(s) |
| 5.1 | Members are asked to note update report in relation to Animal Welfare. |
| 6.0 | Documents Attached & References |
| | Appendix 1 - NI Direct Website details |



[Home](#) > [Leisure, home and community](#) > [Animal welfare and pets](#)

Animal welfare

Owning and caring for an animal can be a source of great enjoyment. It is also a big responsibility. Find out how to take care of animals and what to do if you are concerned about an animal's welfare.

Caring for animals

If you own or are responsible for an animal, you must make sure that all of its needs are met, including:

- a suitable environment
- a suitable diet
- the opportunity to exhibit normal behaviour patterns
- being housed with, or apart from, other animals
- being protected from pain, suffering, injury and disease

The following tips and advice will help you to take care of your pet's needs and also highlights the rules that you need to be aware of in Northern Ireland:

- [Cats](#)
- [Dogs](#)
- [Horses](#)
- [Keeping chickens](#)
- [Rabbits](#)
- [Pet hygiene](#)

If you fail to meet your pet's welfare needs or cause unnecessary suffering, you could be prosecuted.

Parents or guardians of children under 16 are responsible for any animal that child owns or is in charge of. If you can't take care of your animal at any time, you must make arrangements for someone else to look after it.

The Department of Agriculture, Environment and Rural Affairs (DAERA) has produced codes of practice to help you understand your animal's needs.

- [Farmed and non-farmed animal welfare](#) 

If you are unsure about any aspect of taking care of an animal, you should seek advice from an expert. You can find your local veterinary practice using the link below.

- [Find a vet](#) 

If you're concerned about an animal's welfare

If you are concerned that animals, including pets and farmed animals, are not being taken care of properly by their owners, you can report it. You can also report concerns about the welfare of wild animals, wildlife crime or criminal activity involving animals, such as dog fighting.

The organisation responsible depends on the type of animal involved and in some cases, the nature of the welfare issue. Find out who to contact below.

On this page

- [Caring for animals](#)
- [If you're concerned about an animal's welfare](#)
- [After you report a welfare concern](#)
- [More useful links](#)

Animal welfare and pets

- [Animal welfare](#)
- [Birds](#)
- [Cats](#)
- [Dogs](#)
- [Horses](#)
- [Keeping chickens](#)
- [Pet hygiene](#)

Show 3 more



Pets and non-farmed animals – local councils

Contact your local council if you are concerned about the welfare of domestic pets, including horses, and non-farmed animals:

- [Animal welfare - local councils](#)

Farmed animals – DAERA

Contact DAERA if you are concerned about the welfare of farmed animals or animals kept in riding establishments, boarding kennels, pet shops or zoos.

- [Department of Agriculture, Environment and Rural Affairs](#)

Weekends – contact your local private veterinary practice or police station who will pass the information to a DAERA officer:

- [Find a vet](#) 
- contact [Police Service of Northern Ireland \(PSNI\)](#)

Wild animals and criminal activity involving animals - PSNI

Contact the [PSNI](#) if you are concerned about the welfare of wild animals or suspect wildlife crime, for example:

- badger baiting
- bird of prey persecution
- destroying or disturbing bat roosts
- release into the wild of a non-native species
- trapping wildlife illegally
- trade in endangered species
- poisoning of birds
- deer poaching




Also contact the PSNI if an animal (other than a wild animal) is wandering on the road or if an animal is being used for other criminal related activity, for example, dog fighting.

- [Police Service of Northern Ireland](#)

After you report a welfare concern

Officers investigating complaints can take a range of actions including giving advice, issuing verbal and written warnings, issuing improvement notices, taking animals into their possession and prosecution.

More useful links

- [Animal welfare and pets](#), includes tips on caring for dogs, cats, chickens, horses
- [Advice on buying a pet](#) 
- [Animal welfare and wildlife crime](#) 
- [Pet Advertising Advisory Group](#)  - if you've bought an animal from a classified advert or website that has turned out to be a poorly or problem pet or are concerned about a pet being advertised for sale, find out how to report it

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Related sites

[gov.uk](#)



[Home](#) › [Contacts](#)

Animal welfare - local councils

Contact your local council if you are concerned about the welfare of domestic pets, including horses, and non-farmed animals.

Belfast City Council

- phone: 028 9027 0431
- email: animalwelfare@belfastcity.gov.uk
- website: [Report an animal welfare issue](#)

Eastern region

This region covers Lisburn and Castlereagh City Council; and Ards and North Down District Council.

- phone: 028 9049 4567
- email: animalwelfare@castlereagh.gov.uk
- Lisburn and Castlereagh website: [Welfare of animals](#)
- Ards and North Down website: [Animal welfare](#)

Northern region

This region covers Mid and East Antrim District Council; Causeway Coast and Glens District Council; and Antrim and Newtownabbey Borough Council.

- phone: 028 2563 3134
- email: animal.welfare@midandeantrim.gov.uk
- Mid and East Antrim website: [Animal Welfare](#)
- Causeway Coast and Glens website: [Animal Welfare](#)
- Antrim and Newtownabbey website: [Animal Welfare](#)

Southern region

This region covers Armagh City, Banbridge and Craigavon Borough Council; and Newry, Mourne and Down District Council.

- phone: 028 3751 5800
- email: animalwelfare@armaghbanbridgecraigavon.gov.uk
- Armagh City, Banbridge and Craigavon website: [Animal Welfare](#)
- Newry, Mourne and Down website: [Animal Welfare](#)

Western region

This region covers Fermanagh and Omagh District Council; Derry City and Strabane District Council; and Mid Ulster District Council.

- phone: 028 8225 6226
- email: animalwelfare@fermanaghomagh.gov.uk
- Fermanagh and Omagh website: [Welfare of Animals](#)
- Derry City and Strabane website: [Welfare of Animals](#)
- Mid Ulster website: [Animal Welfare](#)

In this section

- [Contacts A to Z](#)
- [Government departments in Northern Ireland](#)
- [Local councils in Northern Ireland](#)

Office hours and emergencies

Note that all emails sent to the above email addresses will only be responded to during office hours: Monday to Friday, 9.00 am to 5.00 pm (excluding public and bank holidays).

For emergency welfare cases out-of-hours, call the numbers above and you will be directed to the out-of-hours service.

Farmed animals

If you are concerned about the welfare of farmed animals or animals kept in riding establishments, boarding kennels, pet shops or zoos, contact the [Department of Agriculture, Environment and Rural Affairs](#).

If it is an emergency outside normal office hours contact, your local vet or the PSNI:

- [Find a vet](#)
- [Police Service of Northern Ireland](#)

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| | |
|--------------------------|--|
| Report on | Sunbed Test Purchasing Exercise |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | Fiona McClements, Head of Environmental Health |

| | | |
|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

| | |
|------------|--|
| 1.0 | Purpose of Report |
| 1.1 | To inform Members of the outcome of a sunbed test purchase exercise which was carried out on Saturday 9 th March 2019 under the Sunbeds Act (Northern Ireland) 2011. |
| 2.0 | Background |
| 2.1 | The Sunbeds Act (Northern Ireland) 2011 came into effect in May 2012. The Act was introduced because of the growing evidence of the health risks associated with sunbed use, including skin cancer, with young people at particular risk. |
| 2.2 | District Council Environmental Health Departments have a statutory duty to enforce the provisions of the Act. |
| 2.3 | Regulation 1 of the Act prohibits the use/sale and/or hire of sunbeds to persons under the age of 18. The Public Health Agency has set a target for all premises operating sunbeds to be subject to test purchasing at least once every two years. |
| 2.4 | Test purchase exercises using child volunteers under the age of 18 are considered an appropriate means of assessing the level of compliance with Regulation 1. |
| 2.5 | Members will be aware from previous reports to Committee on this area of work that any test purchase exercises in relation to the Sunbed Act are undertaken in accordance with the most up to date guidance produced in by the Northern Ireland Sunbed Working Group (NISWG). |
| 3.0 | Main Report |
| 3.1 | Within the Mid Ulster District Council area all sunbed premises owners were informed by letter of their responsibilities under the provisions of the Act. Those premises selected to be part of the test purchase exercise were visited by officers in advance of the exercise to inform them of their legal obligations in relation to age restrictions and that such a test purchase exercise would be taking place within the next 12 months. |
| 3.2 | A test purchasing exercise for sunbeds involves sending a young person under the age of 18 years into a sunbed premises to ask to purchase a sunbed session. On |

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| | this particular occasion a 15 year old child was used and the young person received training prior to the test purchase exercise. |
| 3.3 | For the purposes of the test purchase exercise a total of 12 sunbed premises were visited. 9 premises refused a sale to the child volunteer, 1 premise made a sale and 2 premises were closed at the time of the exercise. |
| 3.4 | A fixed penalty notice was served on the owner of the premises who made the sale and the fine of £250 was duly paid. |
| 3.5 | It is proposed to undertake a further test purchase exercise later in the year to capture those sunbed premises that were not part of the above exercise or were closed at the time of the exercise. |
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: Officer time |
| | Human: Officer time |
| | Risk Management: N/A |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: N/A |
| | Rural Needs Implications: N/A |
| 5.0 | Recommendation(s) |
| 5.1 | That the Committee Members note the outcome of the sunbed test purchase exercise. |
| 6.0 | Documents Attached & References |
| | N/a |

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|--------------------------|--|
| Report on | Dog Fouling and Litter |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | Fiona McClements, Head of Environmental Health |

| | | |
|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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| 1.0 | Purpose of Report |
| 1.1 | The purpose of this report is to update Members on the issues of littering and dog fouling in the District and the steps that the Environmental Health Service have taken in response to these. |
| 2.0 | Background |
| 2.1 | Under the Litter (Northern Ireland) Order 1994 , it is a criminal offence to drop litter and fail to pick it up. Anyone caught littering can be issued with a fixed penalty notice of £80 (£50 if paid early). The fine must be paid within 14 days to avoid prosecution. The maximum fine, if convicted in court for a litter offence, is £2,500. Common litter items include fast-food packaging, sweet wrappers, drinks cans, bottles and cigarette butts. |
| 2.2 | The Environmental Health Service also receives complaints about dog foul not being picked up. While most dog owners are responsible individuals, there are still some people who do not clean up after their pets. Anyone who fails to clear up after their dog can be issued with a Fixed Penalty Notice of £50. All waste bins in the Mid Ulster area can accept dog foul. |
| 3.0 | Main Report |
| 3.1 | <p>Environmental Health staff are authorised under the Litter (NI) Order 1994. As such all these staff are able to issue Fixed Penalty Notices and through the legal process bring charges against offenders should there be a non- payment of these Notices.</p> <p>For a fixed penalty notice to be issued for an offence, there must be appropriate and sufficient compelling evidence (to the standard applying in criminal law, i.e. beyond a reasonable doubt) to enable the successful prosecution of that offence in court, should a fixed penalty notice go unpaid. Evidence about the incident should include, but is not limited to, an eyewitness report from a Council officer or member of the public, CCTV footage or photographs.</p> <p>However, littering and dog fouling offences are difficult offences to serve notices on and to prosecute. The reason for this is that most people will not litter or will pick up their dog foul if they believe other people can see them. In addition,</p> |

Enforcement Officers do not have any powers to stop people they have observed littering or fouling. Enforcement normally requires one of the following situations:

1. If the person who has allowed the littering or fouling to occur provides their name or address to the authorised officer, further action can be taken.
2. If the person allowing the littering or fouling is observed getting into a vehicle after the offence or if they are observed throwing litter from the vehicle they can be traced through the vehicle details (subject to certain terms and conditions).
3. If the person allowing the littering or fouling can be connected to a residential premises, further action may be taken.

For the 2018/19 financial year, there were a total of 9 Fixed Penalty Notices issued for Littering and 5 issued for Dog Fouling by the Environmental Health Service.

In addition, during the 2018/19 financial year the Environmental Health Service undertook the following actions.

1. Additional monitoring was undertaken in those areas identified as being most associated with areas of dog fouling and littering. This monitoring was designed to help gauge the prevalence of the problem and was largely undertaken by student Environmental Health Officer's. This information was recorded on an app that plotted the locations visited along with information on dog fouling and littering signage in these areas. This has helped build up information on the amount of littering and fouling and also on the type of signage and its condition in these areas.
2. Leaflet drops took place in areas identified as being particularly problematical for dog fouling. The leaflet warns dog owners about the issue of dog fouling and the potential fines that can be imposed for failing to remove dog foul.
3. Out of Hours Litter Monitoring was undertaken on a number of occasions. This involved officers monitoring town center locations and areas near fast food outlets for littering from vehicles. Additional Out of Hours monitoring was undertaken in the Aughnacloy and Castledawson areas over the course of two weeks in March. A total of 9 visits were made by officers to these areas early in the morning before work or in the evening from around 6pm to 9pm. No dogs were observed fouling but a total of 16 dog walkers were approached and spoken to regarding this issue. All walkers were offered dog foul bags which can be attached to a dogs lead and contain about 20 bags. Most of the walkers were supportive of the initiative and had bags with them. They also gave examples of what locations were particularly problematical. However, they were unable to provide substantive information for who's dogs may be responsible for the fouling.
4. A number of 'watching eyes' signs were erected in Aughnacloy and Castledawson, areas that were receiving numerous complaints about dog fouling. The posters build on the fact the dog fouling has become

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| | <p>stigmatized. When people consequently feel like they are being watched, they are more likely to pick up the dog foul. The signs had been commented on by members of the public and some local press.</p> <ol style="list-style-type: none"> Enforcement Officers gave 'Responsible Dog Ownership' talks to local primary schools, part of which concentrates on dog fouling and littering. A total of 12 schools were visited in the financial year including schools in the areas identified above. Environmental Health encourage people who are concerned about littering and dog fouling problems to contact the Enforcement Officers regarding these issues. An information page on Litter and the Law has been put on the Council website. https://www.midulstercouncil.org/Services/Litter Littering or dog fouling can be reported online via the 'Report It' section of the 'Binovation App', or at Environmentalhealth@midulstercouncil.org. Following cross departmental meetings, a pilot exercise has been initiated with some Environmental Services staff having been provided with books to keep in their vehicles to record relevant information about any litter offences they observe involving vehicles. Details are then passed to the Environmental Health Team for follow up. Dashcams have been purchased and are being rolled out for the enforcement officers' vans for the recording of evidence. Live Here Love Here Billboard messages on litter and dog fouling have been installed as follows : <p>March 2019 – Dog fouling message billboard – Aughnacloy March 2019 – Litter message- Billboard – King street, Magherafelt August 2018 – Litter message Billboard –Thomas St, Dungannon August 2018 – Litter message Billboard – Garden street, Magherafelt August 2018 – Litter message – revolving poster at Oldtown street, Cookstown</p> Live Here Love Here (LHLH) Small Grants scheme applications have now closed and a panel will meet in June to judge approximately 50 applications from within the Mid Ulster area. Litter signage developed by Council Communications department has been displayed on Council refuse vehicles |
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: LHLH contribution. Signage costs are contained within the Environmental Health Service budget. |

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| | Human: The issue of monitoring for these offences is resource intensive. |
| | Risk Management: N/a |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: N/a |
| | Rural Needs Implications: N/a |
| 5.0 | Recommendation(s) |
| 5.1 | Members note the work being carried out in relation to Litter across the district. |
| 6.0 | Documents Attached & References |
| 6.1 | Dog Fouling leaflets to homes in fouling area. |
| 6.2 | 'Watching Eyes' signage. |
| 6.3 | Copy of Littering Form issued to Environmental Services Staff. |



Attention All Dog Owners

Following complaints about dog fouling, this area is being monitored by our staff on a regular basis.

Remember, it is an offence to allow your dog to foul in a public place.

Bag it and bin it – or face a £50 fine!



Environmental Health, Mid Ulster District Council
Tel: 03000 132 132
E: environmentalhealth@midulstercouncil.org
www.midulstercouncil.org/dogs

Thoughtless litterers

We're watching you!



 Use a bin or face
a fine of **£80**

KEEP
NORTHERN
IRELAND
BEAUTIFUL



Alleged Litter Offence Referral Form

The Litter (Northern Ireland) Order 1994

If you observe litter being deposited from a vehicle, please record:

Vehicle Registration Number:

Car Make and Model:

Colour of car:

Date of incident:

Time of incident:

Location of incident:

Was the vehicle moving? ☐ or parked? ☐

Was the litter deposited by the driver? ☐ or a passenger? ☐

Description of person who deposited litter ☐ male ☐ female (distinguishing features).....

.....

What litter was deposited (e.g. cigarette end, food wrapper).....

Please describe what you witnessed providing as much detail as possible including where you were located in relation to the incident:.....

.....

.....

Your name.....

Contact details:.....

Your signature:.....

Date:.....

Please send this form to environmentalhealth@midulstercouncil.org for follow-up investigation by an officer from Environmental Health. Although most Fixed Penalties are paid, in the event of non-payment you may be required to be part of prosecution proceedings. An officer will be in contact with you to obtain a witness statement.

Please tick to indicate you are willing to appear in court, if necessary. ☐

| | |
|--------------------------|---|
| Report on | Building Control Workload |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | William Wilkinson, Head of Building Control |

| | | |
|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

| | | | |
|------------|---|----------------------|---------------------------------|
| 1.0 | Purpose of Report | | |
| 1.1 | To provide Members with an update on the workload analysis for Building Control across Mid-Ulster District Council. | | |
| 2.0 | Background | | |
| 2.1 | <p>Building Control applications are received in three different forms:-</p> <ul style="list-style-type: none"> a Full Applications - submitted with detailed working drawings. b Building Notices - minor work not usually requiring detailed plans, e.g. provision of insulation to roof space, etc. c Regularisation Applications – where work has been carried out without an approval, an application must be submitted for retrospective approval. | | |
| 3.0 | Main Report | | |
| 3.1 | Workload Analysis | June 2019 | Accumulative 2019/20 |
| | Total number of Applications | 154 | 372 |
| | Full plans applications received | 76 | 177 |
| | Building Notices applications received | 57 | 134 |
| | Regularisation applications received | 21 | 61 |
| | Estimated value of works submitted | £14,238,218 | £42,031,923 |
| | Number of inspections carried out by Building Control Officers | 758 | 2096 |

| | | | |
|------------|---|-----|-----|
| | Commencements | 153 | 441 |
| | Domestic Dwellings | 45 | 141 |
| | Domestic alterations and Extensions | 91 | 256 |
| | Non-Domestic work | 17 | 44 |
| | Completions | 147 | 405 |
| | Domestic Dwellings | 53 | 166 |
| | Domestic alterations and Extensions | 86 | 209 |
| | Non-Domestic work | 8 | 30 |
| | Property Certificates Received | 217 | 507 |
| 4.0 | Other Considerations | | |
| 4.1 | Financial, Human Resources & Risk Implications | | |
| | Financial: Within Current Resources | | |
| | Human: Within Current Resources | | |
| | Risk Management: None | | |
| 4.2 | Screening & Impact Assessments | | |
| | Equality & Good Relations Implications: None | | |
| | Rural Needs Implications: None | | |
| 5.0 | Recommendation(s) | | |
| 5.1 | Members are requested to note the content of this report. | | |
| 6.0 | Documents Attached & References | | |
| 6.1 | Appendix 1 - List of significant applications received by Building Control. | | |

Significant Developments - June 2019

| Applicant | Location of Development | Details of Development | Estimated value of development |
|------------------------|--|---|---------------------------------------|
| Macklin Care Homes Ltd | 9 Ballyheifer Road, Magherafelt. | Internal Alterations to Existing Nursing Home B.C. fee - £8,320 | £1,822,500 |
| Oakleaf Homes Ltd | Lough Drive, Magherafelt. | Erection of 20no. Dwellings (Ave Floor Area 120m2) B.C. fee - £4,189 | £1,473,200 |
| BMI Group | Unit 20, Granville Industrial Estate, Dungannon. | Erection of Factory & Offices (Floor Area 1,410m2) B.C. fee - £6,175 | £1,210,000 |
| McAllister Builders | Off Gallion Heights, Moneymore, | Erection of 7no. Dwellings (Ave Floor Area 165m2) B.C. fee - £1,784 | £711,200 |
| KE Holdings | Kilcronagh Business Park, Cookstown | Erection of 11no. Commercial Units (Floor Area 2133m2) B.C. fee - £3,690 | £649,800 |

| | | | |
|----------------------------------|----------------------------------|---|----------|
| Spincraft Ltd | 158 Annagher Road, Coalisland | Extension to Workshop & Store (Floor Area 1065m2) B.C. fee - £3,335 | £578,760 |
| Bulrush Horticultural Limited | 16 New Ferry Road, Bellaghy | Erection of an In-Vessel Composting Facility (Floor Area 924m2) B.C. fee - £3,010 | £513,500 |

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|--------------------------|---|
| Report on | Entertainment Licensing Applications |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | William Wilkinson, Head of Building Control |

| | | |
|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

| | |
|------------|--|
| 1.0 | Purpose of Report |
| 1.1 | To update Members on Entertainment Licensing applications across Mid Ulster District Council. |
| 2.0 | Background |
| 2.1 | The Council has responsibility for licensing places of entertainment in accordance with The Local Government (Miscellaneous Provisions) (NI) Order 1985. |
| 2.2 | Entertainment Licensing applications are received on a continued basis across the District. |
| 2.3 | Statutory consultations are carried out with PSNI and NIFRS for each Entertainment Licence application (grant or renewal) submitted. |
| 3.0 | Main Report |
| 3.1 | As previously agreed a list of applications for all grant/renewal of Entertainment Licences in Mid Ulster District Council is attached (see Appendix 1). The number of applications received on a monthly basis will vary depending on the date of expiry of the current licence. |
| 3.2 | <p>Each application is accompanied by the following documentation:</p> <ol style="list-style-type: none"> 1 A current Fire Risk Assessment detailing the following: <ol style="list-style-type: none"> (a) means of escape from premises (b) management responsibilities for day to day safety aspects (c) details of review on an annual basis <p>The fire risk assessment submitted is audited by the inspecting officer.</p> 2 Electrical certification is required for the following: <ol style="list-style-type: none"> (a) General electrical installation (b) Emergency lighting system (c) Fire alarm system |

| | |
|------------|---|
| 3.3 | 3 Details of current public liability insurance for premises |
| | 4 Copy of public advertisement in local press |
| | <p>Following the application for the Grant/Renewal of an Entertainment Licence being submitted and validated, an inspection is carried out to ensure that the premises are in compliance with all relevant guidance and legislation. Areas which would be inspected are as follows:</p> <ol style="list-style-type: none"> 1. Means of escape from the venue i.e. Final Exit Doors and Easy Opening Devices are satisfactory and escape routes are free from obstruction etc. 2. All floor, wall, and ceiling coverings are in compliance and in good condition 3. All firefighting equipment are correctly positioned and serviced as required 4. The general condition of the premises is satisfactory 5. All management documentation is in place |
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: Within Current Resources |
| | Human: Within Current Resources |
| | Risk Management: None |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: None |
| | Rural Needs Implications: None |
| 5.0 | Recommendation(s) |
| 5.1 | Members are requested to note the content of this report. |
| 6.0 | Documents Attached & References |
| 6.1 | Appendix 1 – Schedule of applications received for the Grant/Renewal of Entertainment Licences. |
| 6.2 | Appendix 2 – Schedule of Entertainment Licence applications that have been granted/renewed. |

Appendix 1

Schedule of applications received for the Grant/Renewal of Entertainment Licences in June 2019

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours proposed | Max No of Patrons |
|-------------------|----------------------------------|-----------------------------------|---------------------------|---|-------------------|
| S Mallon | Killeshil Community Centre | 216 Ballygawley Road Dungannon | 14 Unspecified Days | Monday To Sunday From: 11.00 To: 02.00 | 600 |
| P Quinn | The Marquee @ The Old Rectory | 38 Trewmount Road Dungannon | 14 Unspecified Days | Monday To Thursday From: 13.00 To: 24.00 Friday and Saturday From: 13.00 To: 01.00 Sunday From: 13.00 To: 24.00 | 300 |
| M Marcus | Parkanaur Manor House | 57 Parkanaur Road Dungannon | Annual | Monday to Sunday From: 08.00 To: 01.00 | 100 |

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours proposed | Max No of Patrons |
|--|-------------------------------------|-------------------------------------|---------------------------|---|--------------------------|
| R J Carmichael | The Jungle | 60 Desertmartin Road Magherafelt | 14 Unspecified Days | Monday To Sunday From: 09.00 To: 01.00 | 440 |
| R Paul | Maghera Presbyterian Church Hall | 7 Meeting House Avenue Maghera | 14 Unspecified Days | Monday – Saturday From: 17.00 To: 24.00 | 360 |
| P Worrall | Cohannon Inn | 212 Ballynakelly Road Dungannon | Annual | Monday To Sunday From: 11.00 To: 01.00 | 400 |
| Desertmartin Select Vestry (S Hudson) | Desertmartin Parish Hall | 19 Dromore Road Desertmartin | 14 Unspecified Days | Monday To Sunday From: 12.00 To: 24.00 | 276 |
| R Bloomfield | Killygullib Orange Hall | 1 Tamlaght Road Kilrea | Annual | Friday From: 20.00 To: 01.00 | 288 |
| P Bryson | Bryson's Bar & Restaurant | 28 Union Road Magherafelt | Annual | Monday – Saturday From: 11.30 To: 02.00 Sunday From: 11.30 To: 24.00 | 456 |

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours proposed | Max No of Patrons |
|--------------------------|-------------------------|------------------------------|------------------------|--|--------------------------|
| L Bradley | The Back Door Bar | 31-33 Main Street Maghera | Annual | Monday To Saturday From: 11.30 To: 01.00 Sunday From: 12.30 To: 24.00 | 150 |

Appendix 2

Schedule of applications issued for the Grant/Renewal of Entertainment Licences in June 2019

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours Granted |
|-------------------|--|-------------------------------------|------------------------|--|
| R Forbes | Thirsty J's | 86 Chapel Street Cookstown | Annual | Monday – Saturday From: 11.00 To: 01.00 Sunday From: 12.00 To: 24.00 |
| S Doherty | Fallaghloon AOH Community Hall | 189 Glen Road Maghera | Annual | Monday To Sunday From: 09.00 To: 01.00 |
| K Devlin | Clonoe Community Centre Bar and Lounge | 93 Washingbay Road Coalisland | 14 Unspecified Days | Monday To Thursday From: 11.30 To: 24.00 Friday, Saturday and Sunday From: 11.30 To: 01.30 |

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours Granted |
|--------------------------|---|-----------------------------------|------------------------|--|
| J & L Forbes | LJ's Tavern | 62 Rainey Street Magherafelt | Annual | Monday To Saturday From: 11.30 To: 01.00 Sunday From: 12.30 To: 24.00 |
| H & T McGlone | Mary's Bar | 10 Market Street Magherafelt | Annual | Monday To Saturday From: 11.30 To: 02.00 Sunday From: 12.30 To: 24.00 |
| R McKenna | St Colm's High School | 2 Magherafelt Road Draperstown | 14 Unspecified Days | Monday To Friday From: 09.00 To: 22.00 |
| N McMullan | Castledawson Presbyterian Church Hall | 61 Main Street Castledawson | 14 Unspecified Days | Monday To Saturday From: 10.00 To: 24.00 |

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours Granted |
|--------------------------|----------------------------------|----------------------------------|------------------------|---|
| M & J Hughes | The Gables Bar and Restaurant | 40 Cookstown Road Dungannon | Annual | Monday To Saturday From: 11.00 To: 01.30 Sunday From: 12.00 To: 24.00 |
| J Gildernew | The Brantry Bard Cultural Centre | 65 Carrycastle Road Dungannon | 14 Unspecified Days | Monday, Tuesday and Thursday From: 18.30 To: 23.30 Wednesday From: 18.00 To: 23.30 Friday to Sunday From: 19.00 To: 02.00 |

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours Granted |
|--------------------------|-------------------------------|--------------------------------|------------------------|--|
| D O'Kane | The Taphouse Bar & Restaurant | 37 Main Street Bellaghy | Annual | Monday To Thursday From: 11.30 To: 01.30 Friday To Saturday From: 11.30 To: 02.00 Sunday From: 12.30 To: 24.00 |
| E Donaghy | Donaghy's Bar | 26 William Street Dungannon | Annual | Monday To Saturday From: 11.30 To: 01.00 Sunday From: 12.30 To: 22.30 |
| R Roulston | Ardtara Country House | 8 Gorteade Road Maghera | Annual | Monday To Sunday From: 18.00 To: 01.00 |

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours Granted |
|----------------------------------|-----------------------------|--------------------------------|------------------------|--|
| R Huey | Kildress Parish Hall | 6a Wellbrook Road Cookstown | 14 Unspecified Days | Monday To Friday From: 12.00 To: 01.00 Saturday From: 12.00 To: 24.00 |
| M Scott | Gauger's Inn | 99 Shore Road Magherafelt | 14 Specified Days | Saturday 1 June 2019 From: 17.00 To: 24.30 |
| F McCloskey | St Colm's GAC Social Centre | 6 Corrick Road Draperstown | Annual | Monday To Saturday From: 11.00 To: 01.00 Sunday From: 12.00 To: 24.00 |
| Carntogher Community Association | An Coire | 132a Tirkane Road Maghera | Annual | Monday to Sunday From: 09.00 To: 01.00 |

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours Granted |
|--------------------------|---------------------------------|-----------------------------------|------------------------|--|
| B McAnenly | The Auction Rooms | 24 The Square Moy | Annual | Monday To Sunday From: 11.30 To: 01.00 |
| J McMullan | Robert Emmets GAC | 18 Halfgayne Road Maghera | Annual | Monday To Friday From: 18.00 To: 21.30 Saturday To Sunday From: 18.00 To: 23.30 |
| P Kidd | St Martin's GAC | 51 Longfield Road Desertmartin | Annual | Monday To Sunday From: 10.00 To: 01.00 |
| Rev Laurence Boyle PP | Slatequarry Community Centre | 113 Edendoit Road Pomeroy | 14 Unspecified Days | Monday To Sunday From: 09.00 To: 01.00 |
| D McFarlane | Bush Orange Hall | 98 Bush Road Dungannon | 14 Unspecified Days | Monday To Sunday From: 09.00 To: 24.00 |

| Name of Applicant | Name of Premises | Address of Premises | Type of Licence | Days and Hours Granted |
|--------------------------|-------------------------|--|------------------------|--|
| K McGuigan | The Shamrock Road | 5-7 St. Patricks Street Draperstown | Annual | Monday To Saturday From: 11.30 To: 01.00 Sunday From: 12.00 To: 24.00 |
| E Convery | Watty Grahams GAC | 62 Tirkane Road Maghera | Annual | Monday To Sunday From: 09.00 To: 01.00 |
| W McCracken | Desertcreat Church Hall | 4 Desertcreat Road Cookstown | 14 Unspecified Days | Monday To Sunday From: 08.00 To: 24.00 |

| | |
|--------------------------|---|
| Report on | Dual Language Signage Requests |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | William Wilkinson, Head of Building Control |

| | | |
|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

| | |
|------------|---|
| 1.0 | Purpose of Report |
| 1.1 | To advise Members of requests for Dual Language Signage from residents on the streets/roads in question. |
| 2.0 | Background |
| 2.1 | In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English. |
| 2.2 | The Policy for Dual Language Nameplate Signage – as adopted (See Appendix 1) forms the basis for considering requests expressing the name in a language other than English, to both existing and new streets. |
| 2.3 | In accordance with the Policy as adopted, the Environment Committee will be informed of requests which have been validated and are proceeding to survey. |
| 3.0 | Main Report |
| 3.1 | <p>The Building Control Service within the Public Health and Infrastructure Directorate have received valid letters signed by occupiers of the street in each case requesting signage to be erected in a second language being “Irish” in each case adjacent to the nameplate in English as follows:-</p> <ol style="list-style-type: none"> 1. Redford Park, Dungannon (See Appendix 2) 2. Glebe Mews, Dungannon (See Appendix 3) 3. Mullantain View, Stewartstown (See Appendix 4) 4. Donaghendry Road, Stewartstown (See Appendix 5) 5. Gortgonis Road, Coalisland (See Appendix 6) 6. Annaghnaboe Road, Coalisland (See Appendix 7) 7. Moorlands, Coalisland (See Appendix 8) 8. Washingbay Road, Coalisland (See Appendix 9) 9. Gortmyre, Coalisland(See Appendix 10) 10. School Gardens, Coalisland (See Appendix 11) 11. Moor Gardens, Coalisland (See Appendix 12) 12. Mountjoy Road, Coalisland(See Appendix 13) 13. Derrytresk Road, Coalisland(See Appendix 14) |

| | |
|------------|---|
| | 14. Moor Park, Coalisland(See Appendix 15) 15. Moor Villas, Coalisland(See Appendix 16) 16. Moor Road, Coalisland(See Appendix 17) 17. Dernmore Drive, Coalisland(See Appendix 18) 18. Canal Meadows, Coalisland(See Appendix 19) 19. Glebe Crescent, Dungannon(See Appendix 20) 20. Mourne View, Stewartstown(See Appendix 21) 21. Kildrum, Dungannon(See Appendix 22) 22. Lisnagleer Road, Dungannon(See Appendix 23) 23. Golf View, Cookstown (See Appendix 24) |
| 3.2 | The occupiers signing the requests in each case have been confirmed as residents of their particular street which has been evidenced by their listing on the current Electoral Register as required in accordance with the Policy as adopted (see Appendix 1). |
| 3.3 | The requests which have been validated are proceeding to survey and are currently being processed on a date received basis. |
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: Within Current Resources |
| | Human: Within Current Resources |
| | Risk Management: None |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: None |
| | Rural Needs Implications: None |
| 5.0 | Recommendation(s) |
| 5.1 | That Members note the content of this report |
| 6.0 | Documents Attached & References |
| 6.1 | Appendix 1 – The Policy for Dual Language Nameplate Signage |
| 6.2 | Appendix 2 – Letter received from a resident of Redford Park, Dungannon |
| 6.3 | Appendix 3 – Letter received from a resident of Glebe Mews, Dungannon |
| 6.4 | Appendix 4 – Letter received from a resident of Mullantain View, Stewartstown |

| | |
|------|--|
| 6.5 | Appendix 5 – Letter received from a resident of Donaghendry Road, Stewartstown |
| 6.6 | Appendix 6 – Letter received from a resident of Gortgonis Road, Coalisland |
| 6.7 | Appendix 7 – Letter received from a resident of Annaghnaaboe Road, Coalisland |
| 6.8 | Appendix 8 – Letter received from a resident of Moorlands, Coalisland |
| 6.9 | Appendix 9 – Letter received from a resident of Washingbay Road, Coalisland |
| 6.10 | Appendix 10 – Letter received from a resident of Gortmyre, Coalisland |
| 6.11 | Appendix 11 – Letter received from a resident of School Gardens, Coalisland |
| 6.12 | Appendix 12 – Letter received from a resident of Moor Gardens, Coalisland |
| 6.13 | Appendix 13 – Letter received from a resident of Mountjoy Road, Coalisland |
| 6.14 | Appendix 14 – Letter received from a resident of Derrytresk Road, Coalisland |
| 6.15 | Appendix 15 – Letter received from a resident of Moor Park, Coalisland |
| 6.16 | Appendix 16 – Letter received from a resident of Moor Villas, Coalisland |
| 6.17 | Appendix 17 – Letter received from a resident of Moor Road, Coalisland |
| 6.18 | Appendix 18 – Letter received from a resident of Dernmore Drive, Coalisland |
| 6.19 | Appendix 19 – Letter received from a resident of Canal Meadows, Coalisland |
| 6.20 | Appendix 20 – Letter received from a resident of Glebe Crescent, Dungannon |
| 6.21 | Appendix 21 – Letter received from a resident of Mourne View, Stewartstown |
| 6.22 | Appendix 22 – Letter received from a resident of Kildrum, Dungannon |
| 6.23 | Appendix 23 – Letter received from a resident of Lisnagleer Road, Dungannon |
| 6.24 | Appendix 24 – Letter received from a resident of Golf View, Cookstown |

Policy on Dual Language Nameplate Signage

| Document Control | | | |
|----------------------------|--|----------|------------|
| Policy Owner | Director of Public Health & Infrastructure | | |
| Policy Author | Director of Public Health & Infrastructure | | |
| Version | Version 1 | | |
| | | | |
| Consultation | Senior Management Team | Yes / No | |
| | Trade Unions | Yes / No | |
| Equality Screened by | Principal Building Control Officer | Date | 20/02/2019 |
| Equality Impact Assessment | N/A | Date | |
| Good Relations | N/A | | |
| Approved By | Environment Committee | Date | 12/03/2019 |
| Adopted By | Council | Date | 28/03/2019 |
| | | | |
| Review Date | | By Whom | |
| | | | |
| Circulation | Councillors, Staff | | |
| | | | |
| Document Linkages | | | |

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1.0 **Introduction**

1.1 Mid Ulster District Council resolved that a policy and associated procedures be developed to guide the Council in accordance with the provisions of Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995("the 1995 Order"), referenced in Appendix A to this policy, on;

- (i) Erection of dual language Street signage

2.0 **Policy Aim & Objectives**

2.1 **Policy Aim:** To ensure that requests for the erection of dual language nameplate signage for existing streets are delivered in a fair, equitable and consistent manner.

2.2 **Policy Objectives:**

- To facilitate Mid Ulster District Council in meeting its statutory obligations with regard to local government Street Signage requirements.
- To lay out and facilitate a process whereby residents may request that their street be named in any other language other than English.
- To facilitate a process that considers requests from residents to have their street sign displayed in their chosen language as well as in English.

3.0 **Policy Scope and Legislative Framework**

3.1 This policy relates specifically to the naming of the erection of nameplates expressing the name of the street in a language other than English. The statutory basis for this policy is contained within Article 11 of the 1995 Order.

3.2 This legislation empowers Council to authorise the naming of streets within its respective District. It also provides the Council with a discretionary power to erect dual language street signs or second nameplates in a language other than English via Section 1a and 1b. A copy of the relevant statute is included in Appendix A.

3.3 For purposes of this Policy, the following interpretation/ definitions apply as set out within the 1995 Order:

- Nameplate - defined as a means of 'signifying a name in writing'
- Street - defined as 'any road, square, court, alley, passage or lane'.

4.0 Linkage to Corporate Plan

- 4.1 Referring to Mid Ulster District Council's Corporate Plan 2015-2019, this policy contributes toward the delivery of Corporate Theme 1 *Delivering for Our People*.

5.0 Dual Language Signage Nameplates

- 5.1 The Council will apply this policy when considering applications for dual language signage expressing the name of the street in a language other than English, to both existing and new streets.
- 5.2 The 1995 Order gives the Council a discretionary power to erect dual language signs or second nameplates, adjacent to the nameplate in English. In exercising this discretionary power, the Council must have regard to any views on the matter expressed by the occupiers of premises in that street.
- 5.3 Criteria - General

The Council in making arrangements and providing opportunities for dual language signage within street naming shall;

1. Have regard to any views on the matter expressed by occupiers of the street.
2. For the purposes of the policy, surveys will be issued to all occupiers (the age of 18 or over) of each dwelling where any person resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which is numbered directly off the adjoining street, hereafter referred to as 'property'. Only the views of the occupiers aged 18 or over for each property that is occupied and listed on the Electoral Register at the date of survey will be considered.
3. In relation to properties, the 'occupier' will include the owner and family members or tenants as listed on the current Electoral / Rates Register as residing at that address or tenants in actual possession of the premises, but not employees within such premises at the date of the survey.
4. The naming of the street in a language other than English does not authorise or require its use as, or part of, the address of any person or the description of the land for the purpose of any statutory provision; e.g., Building Control applications.

- 5.4 The provision of dual language Street Names will normally only be considered in the following circumstances:
- In the case of existing streets, where the Council has been petitioned and/or consulted with the occupiers of premises in that street and other persons it deems appropriate, in accordance with these arrangements.
- 5.5 Where an applicant does not have English as their first language, information in relation to this policy can be provided in an alternative language. Applications can be accepted in alternative languages if required by the applicant. Please see Appendix D for details.
- 5.6 Applications for Dual Language Signage will be processed in accordance with the Procedure as outlined in Appendix B
- 6.0 Roles and Responsibilities**
- 6.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 6.2 **Building Control Service:** shall be responsible for implementing arrangements to administer requests to have an existing name of a Street erected in a language other than English;
- 7.0 IMPACT ASSESSMENTS**
- 7.1 **Equality Screening & Impact**
- 7.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 7.2 **Rural Needs Impact**
- 7.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 7.3 **Staff & Financial Resources**
- 7.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented.
- 8.0 Support and Advice**
- 8.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control

9.0 Communication

- 9.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy

10.0 Monitoring and Review Arrangements

- 10.1 Implementation of this policy will be routinely monitored and a formal review undertaken 24 months from its effective commencement date.

Appendix A
Article 11, Local Government (Miscellaneous Provisions) (Northern
Ireland) Order 1995

Street names and numbering of buildings

Powers of councils in relation to street names and numbering of buildings

11.—(1) A council may erect at or near each end, corner or entrance of any street in its district a nameplate showing the name of the street; and a nameplate erected under this paragraph—

- (a) shall express the name of the street in English; and
- (b) may express that name in any other language

(2) A council may, immediately adjacent to a nameplate erected under paragraph (1) which expresses the name of a street in English only, erect a second nameplate expressing the name of the street in a language other than English.

(3) Neither this Article nor anything done by a council thereunder authorises or requires the use of the name of a street expressed in a language other than English as, or as part of—

- (a) the address of any person; or
- (b) the description of any land; for

the purposes of any statutory provision.

(4) In deciding whether and, if so, how to exercise its powers under paragraph (1)(b) or (2) in relation to any street, a council shall have regard to any views on the matter expressed by the occupiers of premises in that street.

(5) Any person who—

- (a) obscures, pulls down or defaces any nameplate erected under paragraph (1) or (2);
- (b) erects in any street any nameplate showing as the name of the street a name different from that in any nameplate erected in the street under paragraph (1) or (2); or
- (c) erects in any street any nameplate purporting to show the name of the street, without the authorisation of the council for the district in which the street is situated,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) Where a council has exercised its powers under paragraph (1) in relation to any street, the occupier of each house or other building in that street shall ensure that that house or building is at all times marked with such number as the council may approve for the purposes of this Article.

(7) Where a person fails to comply with paragraph (6) the council may serve on him a notice requiring him to comply with that paragraph within 7 days from the date of service of the notice.

(8) A person who fails to comply with a notice served on him under paragraph (7) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) Where a person fails to comply with a notice served on him under paragraph (7) in respect of any house or other building, the council may itself do anything which he has failed to do and may recover from that person summarily as a civil debt any expenses thereby reasonably incurred by it.

(10) In this Article—
“nameplate” includes any means of signifying a name in writing; “street” includes any road, square, court, alley, passage or lane.

(11) The power of a council to erect a nameplate under paragraph (1) or (2) includes power—

- (a) to erect it on any building or in such other manner as the council thinks fit; and
- (b) to cause it to be erected by any person authorised in that behalf by the council.

(12) The following statutory provisions shall cease to have effect, namely—

- (a) sections 64 and 65 of the Towns Improvement Clauses Act 1847^{F6};
- (b) in section 38 of the Towns Improvement (Ireland) Act 1854^{F7} the words “naming the streets and numbering the houses and also so much thereof as relates to”;
- (c) section 21 of the Public Health Acts Amendment Act 1907^{F8};
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949^{F9}; and
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings

Appendix B

Dual Language Signage Nameplates: *Procedure*

In deciding whether it should exercise its discretionary powers in relation to erection of dual language nameplates under Article 11 of the 1995 Order, the Council shall only do so after having regard to the views of occupiers of premises which has its frontage immediately adjoining that street.

The procedure for seeking and assessing the views of occupiers and criteria to be applied in deciding whether to erect a dual language nameplate in a language other than English is;

1. A valid letter, signed by an occupier of the street must be made to Council to enable this matter to be considered. Requests should be made to the Building Control Service within the Public Health and Infrastructure Department. A letter of request shall be valid if; it is from an occupier who appears on the Electoral Register as maintained by the Electoral Office for NI; the applicant's address is referenced on the letter and; the individual's name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A letter may be received by email but it must be attached as a file and signed. The Council shall not accept a request made within the body of an email.
2. The Environment Committee will receive notification of submitted requests by way of valid letters as referenced at 1, above. A letter will be deemed to be valid where it is submitted by a minimum of one householder on that street. The Environment Committee will be informed of requests which have been validated and are proceeding to survey.
3. Following validation, the Council will canvass, by post, each occupier within a household as listed on the Electoral Register; seeking their views on the request to erect a dual-language street nameplate. Each household will receive a letter accompanied by survey forms based on the number of occupiers listed on the Electoral Register. The requisite number of survey forms for individuals registered at that address will be forwarded to each household (See Appendix E)
4. The occupiers will be advised of the date by which completed surveys must be returned. Incomplete or illegible survey returns will not be counted. Completed surveys which has been signed and name printed as required, must be returned in the self- addressed envelopes provided for that purpose. Only replies received by the specified date shall be considered.
5. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will be erected

6. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will not be approved or erected
7. In specific circumstances a report may be brought to the Environment Committee to determine an application where there are particular issues requiring the Members consideration
8. If the request is refused by those households surveyed, further requests will not be considered until the expiry of 12 months from the date at which the Environment Committee refuses it.
9. Where a request for Irish Language signage, the Irish Language Section within Department of Culture and Arts and/or an approved translator will provide the translation of the street name. Any other language shall be obtained from an approved translation service the cost of which will be notified to the Environment Committee when receiving the report on the outcome of the survey. The second language will not be used to express the name of the street for statutory purposes.
10. The layout, font and size of lettering of the second language shall be in accordance with that as shown in Appendix C.
11. Following the Council's decision with regards to the request on Dual Language Signage for a particular street/road, the outcome will be published on the Council Website. Where requested, written confirmation of the decision will be forwarded to relevant households.
12. Where agreed, a new dual language nameplate will be erected at the start and finish of the street or road in question and at such points along it as required e.g. at other road junctions, in accordance with any operational requirements as determined by the Property Services Team.

Appendix C Name Plate Layout

AGREED: 11th September 2018 Environment Committee
23rd September 2018 Full Council

Mono-Lingual New Road / Street Signage

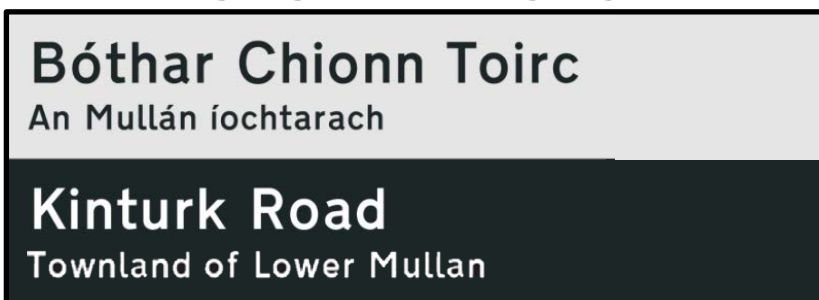


Example signage

Specification

- Name Plate Dimensions: 200mm x length to suit road name
- Background Colour: White
- Font & Colour: Transport Medium; Black
- Road Name font size: Upper case; 70mm Lower case; 50mm
- Townland font size: Upper case; 30mm Lower case; 22mm
- Text Justification: Left hand

Dual Language Street Signage



Example signage

Specification

- Name Plate Dimensions: 460mm x length to suit road name
- Background Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Light Grey Value; C:0 M:0 Y:0 K:10
- Font Type: Transport Medium
- Font Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Standard White
- Road Name font size: Upper case; 63mm Lower case; 50mm
- Townland font size: Upper case; 40mm Lower case; 30mm
- Text Justification: Left hand

Appendix D- Accessibility Statement

The information included in this policy can be made available in alternative formats, such as audio, braille, easy read or large print and may be provided in alternative languages, upon request. Please contact Mid Ulster District Council's Corporate Policy & Equality Officer on 03000 132 132 Ex 24612 or via ann.mcaleer@midulstercouncil.org



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Appendix E

18 February 2019

Our Ref:- «Ref»

The Occupier
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Mid Ulster District Council have received an application to erect street nameplates in ??? in addition to the current name for the street as indicated above.

The Council's Policy on Street Naming & Dual Language Signage outlines that individuals who meet the following criteria are eligible to register their preference on this matter:

A person who resides on the street in question and appears on the Electoral Register as maintained by the Electoral Office for Northern Ireland.

Our records would indicate that you meet the above criteria.

In accordance with these arrangements I would be grateful if you would complete the attached survey form and indicate your preference in this matter. The completed survey form should be returned to these offices in the addressed envelope provided by **Tuesday 19 March 2019**. *Survey forms received after this date will not be considered.*

On completion of this survey Council will provide a determination on this request on the basis of the majority preference as submitted. For approval to be considered, at least 51% of respondents must be in favour of the proposal (i.e. street nameplates being erected in ???, in addition to English for Name of Street/Development).

If you have any queries on the above please contact Willie Wilkinson in the Magherafelt Office by either:

Tel: 03000 132 132 (Ext 22208)

Email: willie.wilkinson@midulstercouncil.org

Yours faithfully

W Wilkinson
Head of Building Control

Enc

Cookstown Office
Bun Buidé
Cookstown
BT80 8DT

Dungannon Office
Lincfield Road
Dungannon
BT17 6LJ

Magherafelt Office
Ballyronan Road
Magherafelt
BT45 6EN

Telephone 03000 132 132
info@midulstercouncil.org
www.midulstercouncil.org



Comhairle Ceannair
Lár Uladh
Mid Ulster
District Council

19 February 2019

Our Ref:- MUDL0078

The Occupier (1)
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Please read the following statements below carefully. Tick your preferred option in the appropriate box, print your name and address and sign the document. Then return this letter which has your reply in the addressed envelope provided by 19 March 2019.

Thank you for your time completing this survey.

Yours faithfully

W Wilkinson

W Wilkinson

Head of Building Control

Options

1. I WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

2. I DO NOT WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

Print Name: _____

Address: _____

Signature: _____

The results of this survey will be available to view on www.midulstercouncil.org but should you wish to receive written correspondence detailing the outcome of the survey please tick this box.

☐

Appendix 2

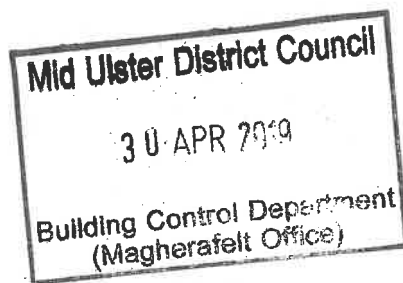
For attention of;

Mr Willie Wilkinson

Mid Ulster District Council

Circular Road

Dungannon



Willie, a chara,

I welcome the recently introduced Irish Language policy of Comhairle Ceantair Lár Uladh. I am interested in surveying my street to ascertain demand for bilingual street signage.

Is Ainm dom / My name is;

Seoladh / Address;

REDFORD PARK
OLD moy ROAD
DUNGANNON

Is mise, le meas

Appendix 3

To whom it may concern we would like OUR SIGNS TO BE BILINGUAL IRISH AND ENGLISH

GLEBE MEWS

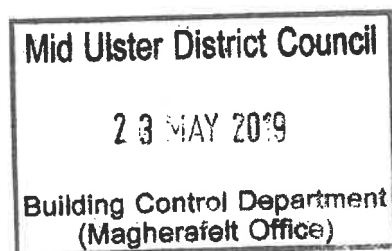
GLEBE PARK

GLEBE CRESCENT

RESIDENTS OF THIS DEVELOPMENT

KIND REGARD

Glebe Mews
Mullaghannon
Bungannon
BT40 8PT



Appendix 4

Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown

Dear Mr Wilkinson,

Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

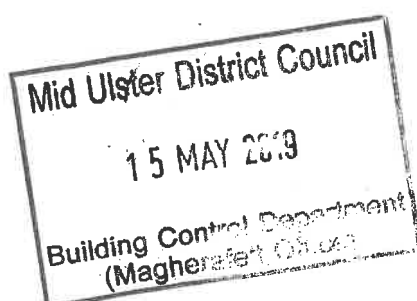
I am writing to ask if you would initiate the Council Procedure for Irish language signage at

Mullantain View Stewarstown

In line with the dual language policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure as agreed by Mid Ulster Council.

Yours sincerely,

*Mullantain View
Stewarstown*



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown

Dear Mr Wilkinson,

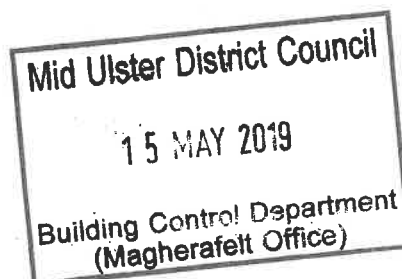
Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to ask if you would initiate the Council Procedure for Irish language signage at
DONAGHENDRY ROAD, DRUMAGULLION, STEWARTSTOWN, CO. TYRONE

In line with the dual language policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure as agreed by Mid Ulster Council.

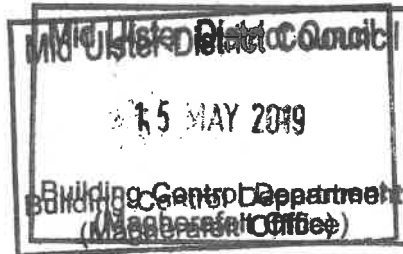
Yours sincerely,

*Donaghendry Rd.
Drumagullion
Stewartstown
Co. Tyrone
BT71 5PW*



Gortgonis Road,
Coalisland
Co. Tyrone
BT714QG

Building Control Service,
Mid Ulster Council
Ballyronan Road
Magherafelt,
BT456EN

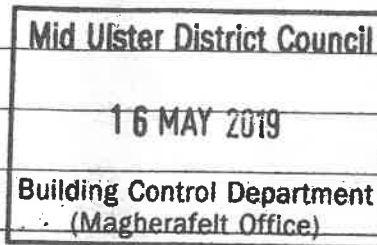


To Willie Wilkinson

This letter is to request for Dual Language Signage with Irish for the road on which I am a resident (Gortgonis Road).

Many thanks,

Building Control Service
Mid Ulster Council
Ballyronan Rd
Magherafelt
BT45 6EN



Annaghmore Rd
Clonee
Co TYRONE
BT 71 4QH

Dear Mid Ulster Council

I am writing this letter to make
a request for dual language signage on my
road i.e. Annaghmore Rd as there is an
Irish school in the area, Gaelscoil Vĩ Neill
of which my children have went to
and other children in the area go to.

Yours Sincerely

Appendix 8

Willie Wilkinson
C/O Mid-Ulster District Council

5th March 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

Moorlands Moor Road, BT71 4SJ

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

20 MAY 2019

Appendix 9

Willie Wilkinson
C/O Mid-Ulster District Council

5th March 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

WASHINGBAY RD
CO. ANISLAND BT71 4PU

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

Willie Wilkinson
C/O Mid-Ulster District Council

7th May 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

GORTMYRE MOOR ROAD, BT714 RS

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

GORTMYRE, MOOR ROAD, CLCWOE
BT714 RS

Willie Wilkinson
C/O Mid-Ulster District Council

7th May 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on, *School Gardens Clonoe. (BT71LTR)*

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

20 MAY 2019

Appendix 12

Willie Wilkinson
C/O Mid-Ulster District Council

7th May 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

MOOR GARDENS
ANNAGHMORE CO. TYRONE. BT71 4QA.

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

20 MAY 2019

Appendix 13

Willie Wilkinson
C/O Mid-Ulster District Council

5th March 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

Mountjoy Rd
Co. Wick BTM SEF
In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

20 MAY 2019

Willie Wilkinson
C/O Mid-Ulster District Council

5th March 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

DERRYTREST ROAD
COMALISLAND
COTYRONG BT71 4QL

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

20 MAY 2019

Appendix 15

Willie Wilkinson
C/O Mid-Ulster District Council

7th May 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on, *Moore Park, Coalisland BT71-44F*

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

Moore Park, Clonoe, Coalisland BT71-44F

Willie Wilkinson
C/O Mid-Ulster District Council

5th March 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

BT71 4PZ
MOON VILLAS ANNAGHMORE CO. AN ULSTER

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

20 MAY 2019

Willie Wilkinson
C/O Mid-Ulster District Council

5th March 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

MOOR RD. COALISLAND BT71 4QB

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

20 MAY 2019

Appendix 18

Willie Wilkinson
C/O Mid-Ulster District Council

7th May 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

clonoe, Co. Tyrone BT71 4SL
Derrmore Drive

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

20 MAY 2019

Willie Wilkinson
C/O Mid-Ulster District Council

5th March 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage, in Irish and English on,

Canal Meadows Gortgonis Rd., Coalisland
BT71 440

In accordance with the Policy I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

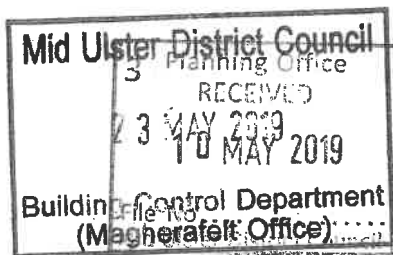
20 MAY 2019

Planning office.
Mid-Ulster district Council
Magherafelt

Ghebe Crescent
Mullaghconnor
Drogheda.

Dear Sir/Madam (to whom it may concern).

The street sign for Ghebe Cres. is on our fence, and is past its sell-by date. As new Bi-lingual signs are already evident in the townland of Mullaghconnor, we would like as would all our Neighbours like a similar sign to that of Cúirt na Gheibe (Ghebe Court).



Concerned Resident.
of Ghebe Crescent.

Mourne View
Carnan
Stewartstown
Co. Tyrone
BT71 5AQ

Willie Wilkinson
Head of Building Control
Mid Ulster District Council
Magherafelt Office
50 Ballyronan Road
Magherafelt
BT45 6EN
Co. Derry

24th May 2019

RE: Dual Language Street Sign at Mourne View Housing Development, Carnan

Dear Willie,

I am writing to suggest the housing development in which I currently live be suggested to the Environment Committee for a dual language street sign in languages English and Irish. At current, the housing development is not identifiable by any sort of street sign, that can be easily seen by other members of the public, and thus I believe would make it an ideal place to benefit from the dual language street sign scheme.

Should you seek to speak with me I can be contacted by email at

Regards



24.05.19.

Kildrum
Galbally
Dungannon
Co. Tyrone
BT70 2NW

Building Control Service
Mid Ulster District Council
Ballyronan Road
Magherafelt
BT45 6EN

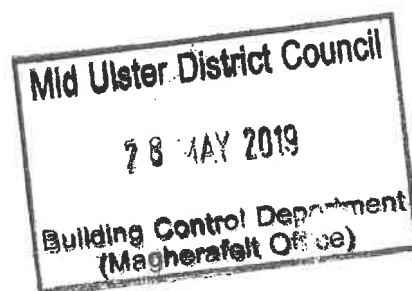
To whom it may concern,

Re: Dual language sign for Kildrum, Galbally

I am writing to request a dual Irish/English language sign to be erected at the entrance to Kildrum, Galbally (based opposite Galbally Community Centre and Galbally GAA Facilities).

I can confirm I am a resident and on the electoral register.

Yours sincerely,

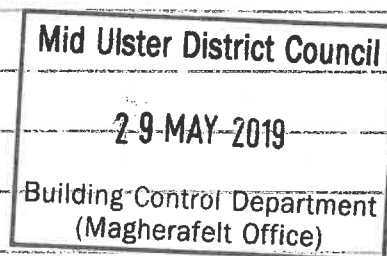


To whom it may concern,

I am writing this letter to request the possible implementing of a dual language sign at my street of residence. I do so with the understanding that if any such Irish Language Sign is to be erected, it must also have the approval of my fellow residents.

My address is as follows;

Lisnagleer Road
Carland
Dungannon
BT70 3LN
N. Ireland



I look forward to hearing back from you in due course.

Regards

Mid Ulster District Council

30 MAY 2019

Building Control Department
(Cookstown Office)Golf View
Cookstown, Co. Tyrone
BT80 8JF
(N. Ireland)

Dear Management at Building Control Services,

I am writing to request bilingual signage, specific to that of the Irish Language on my street. I have read the Mid Ulster District Council's policy regarding Dual Language Signage Nameplates in Article 111 of the Local Government Revised Policy and Procedure. I understand that to form a request a letter must be sent by one occupier of the street whose name appears on the electoral register - I would ask that this letter be considered as such.

My name is . I am an occupier of 'Golf View', Cookstown where I am requesting Irish language signage in addition to existing English language signage. My name is also on the electoral register for the area (as maintained by the Electoral Office for NI). This letter, therefore, fulfills criteria for a petition letter for Irish language signage in Golf View. I would ask that you take the next steps in fulfilling this request which I understand to be letters to occupiers of Golf View.

Kind regards agus míle buíochas.

| | |
|--------------------------|---|
| Report on | Dual Language Signage Surveys |
| Date of Meeting | 1 st July 2019 |
| Reporting Officer | William Wilkinson, Head of Building Control |

| | | |
|---|-----|---|
| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

| | |
|------------|--|
| 1.0 | Purpose of Report |
| 1.1 | To advise Members on the result of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplate requests. |
| 2.0 | Background |
| 2.1 | In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English. |
| 2.2 | The Policy for Street Naming and Dual Language Signage – Section 6.0, as adopted (See Appendix 1) forms the basis for considering requests expressing the name in a language other than English, to both existing and new streets. |
| 2.3 | In accordance with the Policy as adopted, all occupiers as listed on the Electoral Register residing on the streets/roads as noted below were canvassed, by post seeking their views on the request to erect dual-language street nameplates in the Irish Language as requested in each case. |
| 3.0 | Main Report |
| 3.1 | <p>The Building Control Service within the Public Health and Infrastructure Directorate issued occupiers of the undernoted streets, correspondence seeking their views on the request to erect a dual-language street nameplate.</p> <p>Completed surveys were received by the return date and the outcome is as follows in each case:</p> |

3.2

| | |
|--|-----------------------|
| Name of Street | Meadowvale, Dungannon |
| Language Requested | Irish |
| Date Request Validated | 22/03/2019 |
| Survey Request Reported to Environment Committee | 11/06/2019 |
| Surveys Issued | 20/05/2019 |
| Surveys returned by | 17/06/2019 |
| Survey Letters Issued | 116 |
| Survey Letters Returned | 43 |
| Replies in Favour | 40 |
| Replies not in Favour | 2 |
| Invalid | 1 |
| Valid Returns | 42 |
| Percentage in Favour | 95% |

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Meadowvale, Dungannon.

3.3

| | |
|--|-------------------------|
| Name of Street | Altmore View, Dungannon |
| Language Requested | Irish |
| Date Request Validated | 22/03/2019 |
| Survey Request Reported to Environment Committee | 11/06/2019 |
| Surveys Issued | 20/05/2019 |
| Surveys returned by | 17/06/2019 |
| Survey Letters Issued | 18 |
| Survey Letters Returned | 8 |
| Replies in Favour | 8 |
| Replies not in Favour | 0 |
| Invalid | 0 |
| Valid Returns | 8 |
| Percentage in Favour | 100% |

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Altmore View, Dungannon.

3.4

| | |
|---|--------------------------------|
| Name of Street | Dernanaught Road, Dungannon |
| Language Requested | Irish |
| Date Request Validated | 22/03/2019 |
| Survey Request Reported to Environment Committee | 11/06/2019 |
| Surveys Issued | 20/05/2019 |
| Surveys returned by | 17/06/2019 |
| Survey Letters Issued | 68 |
| Survey Letters Returned | 38 |
| Replies in Favour | 38 |
| Replies not in Favour | 0 |
| Invalid | 0 |
| Valid Returns | 38 |
| Percentage in Favour | 100% |

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Dernanaught Road, Dungannon.

3.5

| | |
|---|----------------------------------|
| Name of Street | Sessiadonaghy Road, Dungannon |
| Language Requested | Irish |
| Date Request Validated | 22/03/2019 |
| Survey Request Reported to Environment Committee | 11/06/2019 |
| Surveys Issued | 20/05/2019 |
| Surveys returned by | 17/06/2019 |
| Survey Letters Issued | 39 |
| Survey Letters Returned | 22 |
| Replies in Favour | 22 |
| Replies not in Favour | 0 |
| Invalid | 0 |
| Valid Returns | 22 |
| Percentage in Favour | 100% |

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Sessiadonaghy Road, Dungannon.

3.6

| | |
|--|--------------------------|
| Name of Street | Killucan Road, Cookstown |
| Language Requested | Irish |
| Date Request Validated | 22/03/2019 |
| Survey Request Reported to Environment Committee | 11/06/2019 |
| Surveys Issued | 20/05/2019 |
| Surveys returned by | 17/06/2019 |
| Survey Letters Issued | 86 |
| Survey Letters Returned | 50 |
| Replies in Favour | 48 |
| Replies not in Favour | 2 |
| Invalid | 0 |
| Valid Returns | 50 |
| Percentage in Favour | 96% |

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Killucan Road, Cookstown.

3.7

| | |
|--|-------------------------|
| Name of Street | Kinrush Road, Cookstown |
| Language Requested | Irish |
| Date Request Validated | 09/04/2019 |
| Survey Request Approved by Environment Committee | 11/06/2019 |
| Surveys Issued | 20/05/2019 |
| Surveys returned by | 17/06/2019 |
| Survey Letters Issued | 91 |
| Survey Letters Returned | 34 |
| Replies in Favour | 32 |
| Replies not in Favour | 0 |
| Invalid | 2 |
| Valid Returns | 32 |
| Percentage in Favour | 100% |

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Kinrush Road, Cookstown.

| | |
|------------|---|
| 4.0 | Other Considerations |
| 4.1 | Financial, Human Resources & Risk Implications |
| | Financial: Within Current Resources |
| | Human: Within Current Resources |
| | Risk Management: None |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: None |
| | Rural Needs Implications: None |
| 5.0 | Recommendation(s) |
| 5.1 | <p>1. That Members note the results of the surveys for application of Dual Language Nameplates in Irish for the streets/roads as detailed below.</p> <p>Where more than 51 % of occupiers that respond indicated that they were in favour of the erection of a dual language signage, nameplates will be erected.</p> <ol style="list-style-type: none"> 1. Meadowvale, Dungannon 2. Altmore View, Dungannon 3. Dernanaught Road, Dungannon 4. Sessiadonaghy Road, Dungannon 5. Killucan Road, Cookstown 6. Kinrush Road, Cookstown |
| 6.0 | Documents Attached & References |
| 6.1 | Appendix 1 – Street Naming and Dual Language Signage – Section 6.0 : Dual Language Signage Nameplates Policy |
| 6.2 | Appendix 2 – Dual Language Nameplate Translation for each street/road |

Policy on Dual Language Nameplate Signage

| Document Control | | | |
|----------------------------|--|----------|------------|
| Policy Owner | Director of Public Health & Infrastructure | | |
| Policy Author | Director of Public Health & Infrastructure | | |
| Version | Version 1 | | |
| | | | |
| Consultation | Senior Management Team | Yes / No | |
| | Trade Unions | Yes / No | |
| Equality Screened by | Principal Building Control Officer | Date | 20/02/2019 |
| Equality Impact Assessment | N/A | Date | |
| Good Relations | N/A | | |
| Approved By | Environment Committee | Date | 12/03/2019 |
| Adopted By | Council | Date | 28/03/2019 |
| | | | |
| Review Date | | By Whom | |
| | | | |
| Circulation | Councillors, Staff | | |
| | | | |
| Document Linkages | | | |

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| 2.0 | Policy Aim & Objectives | |
| 3.0 | Policy Scope | |
| 4.0 | Linkage to Corporate Plan | |
| 5.0 | Dual Language Signage Nameplates | |
| 6.0 | Roles & Responsibilities | |
| 7.0 | Impact Assessment <ul style="list-style-type: none"> • Equality Screening & Impact • Staff & Financial Resources | |
| 8.0 | Support & Advice | |
| 9.0 | Communication | |
| 10.0 | Monitoring & Review Arrangements | |

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| A | Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995 | |
| B | Dual Language Signage Nameplates: <i>Procedure</i> | |
| C | Name Plate Layout | |
| D | Accessiblity Statement | |
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1.0 Introduction

1.1 Mid Ulster District Council resolved that a policy and associated procedures be developed to guide the Council in accordance with the provisions of Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995("the 1995 Order"), referenced in Appendix A to this policy, on;

- (i) Erection of dual language Street signage

2.0 Policy Aim & Objectives

2.1 **Policy Aim:** To ensure that requests for the erection of dual language nameplate signage for existing streets are delivered in a fair, equitable and consistent manner.

2.2 Policy Objectives:

- To facilitate Mid Ulster District Council in meeting its statutory obligations with regard to local government Street Signage requirements.
- To lay out and facilitate a process whereby residents may request that their street be named in any other language other than English.
- To facilitate a process that considers requests from residents to have their street sign displayed in their chosen language as well as in English.

3.0 Policy Scope and Legislative Framework

3.1 This policy relates specifically to the naming of the erection of nameplates expressing the name of the street in a language other than English. The statutory basis for this policy is contained within Article 11 of the 1995 Order.

3.2 This legislation empowers Council to authorise the naming of streets within its respective District. It also provides the Council with a discretionary power to erect dual language street signs or second nameplates in a language other than English via Section 1a and 1b. A copy of the relevant statute is included in Appendix A.

3.3 For purposes of this Policy, the following interpretation/ definitions apply as set out within the 1995 Order:

- Nameplate - defined as a means of 'signifying a name in writing'
- Street - defined as 'any road, square, court, alley, passage or lane'.

4.0 Linkage to Corporate Plan

- 4.1 Referring to Mid Ulster District Council's Corporate Plan 2015-2019, this policy contributes toward the delivery of Corporate Theme 1 *Delivering for Our People*.

5.0 Dual Language Signage Nameplates

- 5.1 The Council will apply this policy when considering applications for dual language signage expressing the name of the street in a language other than English, to both existing and new streets.
- 5.2 The 1995 Order gives the Council a discretionary power to erect dual language signs or second nameplates, adjacent to the nameplate in English. In exercising this discretionary power, the Council must have regard to any views on the matter expressed by the occupiers of premises in that street.
- 5.3 Criteria - General

The Council in making arrangements and providing opportunities for dual language signage within street naming shall;

1. Have regard to any views on the matter expressed by occupiers of the street.
2. For the purposes of the policy, surveys will be issued to all occupiers (the age of 18 or over) of each dwelling where any person resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which is numbered directly off the adjoining street, hereafter referred to as 'property'. Only the views of the occupiers aged 18 or over for each property that is occupied and listed on the Electoral Register at the date of survey will be considered.
3. In relation to properties, the 'occupier' will include the owner and family members or tenants as listed on the current Electoral / Rates Register as residing at that address or tenants in actual possession of the premises, but not employees within such premises at the date of the survey.
4. The naming of the street in a language other than English does not authorise or require its use as, or part of, the address of any person or the description of the land for the purpose of any statutory provision; e.g., Building Control applications.

- 5.4 The provision of dual language Street Names will normally only be considered in the following circumstances:
- In the case of existing streets, where the Council has been petitioned and/or consulted with the occupiers of premises in that street and other persons it deems appropriate, in accordance with these arrangements.
- 5.5 Where an applicant does not have English as their first language, information in relation to this policy can be provided in an alternative language. Applications can be accepted in alternative languages if required by the applicant. Please see Appendix D for details.
- 5.6 Applications for Dual Language Signage will be processed in accordance with the Procedure as outlined in Appendix B
- 6.0 Roles and Responsibilities**
- 6.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 6.2 **Building Control Service:** shall be responsible for implementing arrangements to administer requests to have an existing name of a Street erected in a language other than English;
- 7.0 IMPACT ASSESSMENTS**
- 7.1 Equality Screening & Impact**
- 7.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 7.2 Rural Needs Impact**
- 7.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 7.3 Staff & Financial Resources**
- 7.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented.
- 8.0 Support and Advice**
- 8.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control

9.0 Communication

- 9.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy

10.0 Monitoring and Review Arrangements

- 10.1 Implementation of this policy will be routinely monitored and a formal review undertaken 24 months from its effective commencement date.

Appendix A
Article 11, Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995

Street names and numbering of buildings

Powers of councils in relation to street names and numbering of buildings

11.—(1) A council may erect at or near each end, corner or entrance of any street in its district a nameplate showing the name of the street; and a nameplate erected under this paragraph—

- (a) shall express the name of the street in English; and
- (b) may express that name in any other language

(2) A council may, immediately adjacent to a nameplate erected under paragraph (1) which expresses the name of a street in English only, erect a second nameplate expressing the name of the street in a language other than English.

(3) Neither this Article nor anything done by a council thereunder authorises or requires the use of the name of a street expressed in a language other than English as, or as part of—

- (a) the address of any person; or
- (b) the description of any land; for

the purposes of any statutory provision.

(4) In deciding whether and, if so, how to exercise its powers under paragraph (1)(b) or (2) in relation to any street, a council shall have regard to any views on the matter expressed by the occupiers of premises in that street.

(5) Any person who—

- (a) obscures, pulls down or defaces any nameplate erected under paragraph (1) or (2);
- (b) erects in any street any nameplate showing as the name of the street a name different from that in any nameplate erected in the street under paragraph (1) or (2); or
- (c) erects in any street any nameplate purporting to show the name of the street, without the authorisation of the council for the district in which the street is situated,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) Where a council has exercised its powers under paragraph (1) in relation to any street, the occupier of each house or other building in that street shall ensure that that house or building is at all times marked with such number as the council may approve for the purposes of this Article.

(7) Where a person fails to comply with paragraph (6) the council may serve on him a notice requiring him to comply with that paragraph within 7 days from the date of service of the notice.

(8) A person who fails to comply with a notice served on him under paragraph (7) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) Where a person fails to comply with a notice served on him under paragraph (7) in respect of any house or other building, the council may itself do anything which he has failed to do and may recover from that person summarily as a civil debt any expenses thereby reasonably incurred by it.

(10) In this Article—
“nameplate” includes any means of signifying a name in writing; “street” includes any road, square, court, alley, passage or lane.

(11) The power of a council to erect a nameplate under paragraph (1) or (2) includes power—

- (a) to erect it on any building or in such other manner as the council thinks fit; and
- (b) to cause it to be erected by any person authorised in that behalf by the council.

(12) The following statutory provisions shall cease to have effect, namely—

- (a) sections 64 and 65 of the Towns Improvement Clauses Act 1847^{F6};
- (b) in section 38 of the Towns Improvement (Ireland) Act 1854^{F7} the words “naming the streets and numbering the houses and also so much thereof as relates to”;
- (c) section 21 of the Public Health Acts Amendment Act 1907^{F8};
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949^{F9}; and
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings

Appendix B

Dual Language Signage Nameplates: *Procedure*

In deciding whether it should exercise its discretionary powers in relation to erection of dual language nameplates under Article 11 of the 1995 Order, the Council shall only do so after having regard to the views of occupiers of premises which has its frontage immediately adjoining that street.

The procedure for seeking and assessing the views of occupiers and criteria to be applied in deciding whether to erect a dual language nameplate in a language other than English is;

1. A valid letter, signed by an occupier of the street must be made to Council to enable this matter to be considered. Requests should be made to the Building Control Service within the Public Health and Infrastructure Department. A letter of request shall be valid if; it is from an occupier who appears on the Electoral Register as maintained by the Electoral Office for NI; the applicant's address is referenced on the letter and; the individual's name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A letter may be received by email but it must be attached as a file and signed. The Council shall not accept a request made within the body of an email.
2. The Environment Committee will receive notification of submitted requests by way of valid letters as referenced at 1, above. A letter will be deemed to be valid where it is submitted by a minimum of one householder on that street. The Environment Committee will be informed of requests which have been validated and are proceeding to survey.
3. Following validation, the Council will canvass, by post, each occupier within a household as listed on the Electoral Register; seeking their views on the request to erect a dual-language street nameplate. Each household will receive a letter accompanied by survey forms based on the number of occupiers listed on the Electoral Register. The requisite number of survey forms for individuals registered at that address will be forwarded to each household (See Appendix E)
4. The occupiers will be advised of the date by which completed surveys must be returned. Incomplete or illegible survey returns will not be counted. Completed surveys which has been signed and name printed as required, must be returned in the self- addressed envelopes provided for that purpose. Only replies received by the specified date shall be considered.
5. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will be erected

6. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will not be approved or erected
7. In specific circumstances a report may be brought to the Environment Committee to determine an application where there are particular issues requiring the Members consideration
8. If the request is refused by those households surveyed, further requests will not be considered until the expiry of 12 months from the date at which the Environment Committee refuses it.
9. Where a request for Irish Language signage, the Irish Language Section within Department of Culture and Arts and/or an approved translator will provide the translation of the street name. Any other language shall be obtained from an approved translation service the cost of which will be notified to the Environment Committee when receiving the report on the outcome of the survey. The second language will not be used to express the name of the street for statutory purposes.
10. The layout, font and size of lettering of the second language shall be in accordance with that as shown in Appendix C.
11. Following the Council's decision with regards to the request on Dual Language Signage for a particular street/road, the outcome will be published on the Council Website. Where requested, written confirmation of the decision will be forwarded to relevant households.
12. Where agreed, a new dual language nameplate will be erected at the start and finish of the street or road in question and at such points along it as required e.g. at other road junctions, in accordance with any operational requirements as determined by the Property Services Team.

Appendix C Name Plate Layout

AGREED: 11th September 2018 Environment Committee
23rd September 2018 Full Council

Mono-Lingual New Road / Street Signage

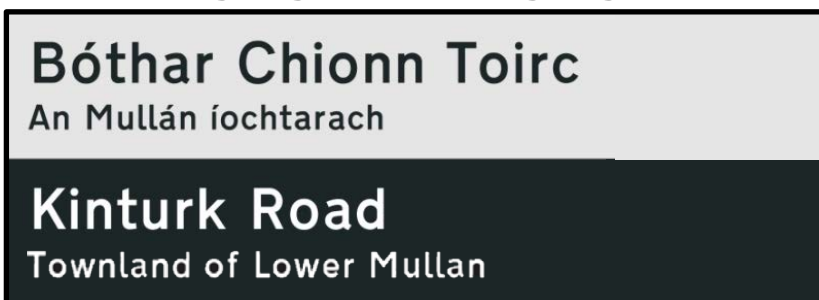


Example signage

Specification

- Name Plate Dimensions: 200mm x length to suit road name
- Background Colour: White
- Font & Colour: Transport Medium; Black
- Road Name font size: Upper case; 70mm Lower case; 50mm
- Townland font size: Upper case; 30mm Lower case; 22mm
- Text Justification: Left hand

Dual Language Street Signage



Example signage

Specification

- Name Plate Dimensions: 460mm x length to suit road name
- Background Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Light Grey Value; C:0 M:0 Y:0 K:10
- Font Type: Transport Medium
- Font Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Standard White
- Road Name font size: Upper case; 63mm Lower case; 50mm
- Townland font size: Upper case; 40mm Lower case; 30mm
- Text Justification: Left hand

Appendix D- Accessibility Statement

The information included in this policy can be made available in alternative formats, such as audio, braille, easy read or large print and may be provided in alternative languages, upon request. Please contact Mid Ulster District Council's Corporate Policy & Equality Officer on 03000 132 132 Ex 24612 or via ann.mcaleer@midulstercouncil.org



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Appendix E

18 February 2019

Our Ref:- «Ref»

The Occupier
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Mid Ulster District Council have received an application to erect street nameplates in ??? in addition to the current name for the street as indicated above.

The Council's Policy on Street Naming & Dual Language Signage outlines that individuals who meet the following criteria are eligible to register their preference on this matter:

A person who resides on the street in question and appears on the Electoral Register as maintained by the Electoral Office for Northern Ireland.

Our records would indicate that you meet the above criteria.

In accordance with these arrangements I would be grateful if you would complete the attached survey form and indicate your preference in this matter. The completed survey form should be returned to these offices in the addressed envelope provided by **Tuesday 19 March 2019**. *Survey forms received after this date will not be considered.*

On completion of this survey Council will provide a determination on this request on the basis of the majority preference as submitted. For approval to be considered, at least 51% of respondents must be in favour of the proposal (i.e. street nameplates being erected in ???, in addition to English for Name of Street/Development).

If you have any queries on the above please contact Willie Wilkinson in the Magherafelt Office by either:

Tel: 03000 132 132 (Ext 22208)

Email: willie.wilkinson@midulstercouncil.org

Yours faithfully

W Wilkinson
Head of Building Control

Enc

Cookstown Office
Bun Buidé
Cookstown
BT80 8DT

Dungannon Office
Lincfield Road
Dungannon
BT17 6LJ

Magherafelt Office
Ballyronan Road
Magherafelt
BT45 6EN

Telephone 03000 132 132
info@midulstercouncil.org
www.midulstercouncil.org



Comhairle Ceannair
Lár Uladh
Mid Ulster
District Council

19 February 2019

Our Ref:- MUDL0078

The Occupier (1)
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Please read the following statements below carefully. Tick your preferred option in the appropriate box, print your name and address and sign the document. Then return this letter which has your reply in the addressed envelope provided by 19 March 2019.

Thank you for your time completing this survey.

Yours faithfully

W Wilkinson

W Wilkinson

Head of Building Control

Options

1. I WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

2. I DO NOT WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

Print Name: _____

Address: _____

Signature: _____

The results of this survey will be available to view on www.midulstercouncil.org but should you wish to receive written correspondence detailing the outcome of the survey please tick this box.

☐

Appendix 2

Dual Language Nameplates

| | Current Name | Irish Translation |
|----------|--------------|-------------------|
| Road | Meadowvale | Gleann na Cluana |
| Townland | Drumcoo | Droim Cuach |

| | Current Name | Irish Translation |
|----------|--------------|------------------------|
| Road | Altmore View | Radharc an Aillt Mhóir |
| Townland | Cappagh | An Cheapóg |

| | Current Name | Irish Translation |
|-----------|---------------------|---------------------------|
| Road | Dernanaght Road | Bóthar Dhoireanaí |
| Townlands | Reclain Galbally | Ráth Claon Gallbhuaile |

| | Current Name | Irish Translation |
|-----------|-------------------------------------|--|
| Road | Sessiadonaghy Road | Bóthar Sheisíoch Dhonnchaidh |
| Townlands | Altaglushan Cappagh Aghnaskea | Allt an Ghlasáin An Cheapóg Achadh na Sceach |

| | Current Name | Irish Translation |
|----------|---------------|----------------------|
| Road | Killucan Road | Bóthar Choill Lochán |
| Townland | Killucan | Coill Lochán |

| | Current Name | Irish Translation |
|-----------|------------------------------|---|
| Road | Kinrush Road | Bóthar Chionn Rois |
| Townlands | Cluntoe(Quin) Killygonlan | Cluain Tó (Ó Coinn) Coill Ó gConalláin |