



08 May 2018

Dear Councillor

You are invited to attend a meeting of the Environment Committee to be held in The Chamber, Cookstown at Mid Ulster District Council, Council Offices, COOKSTOWN, BT80 8DT on Tuesday, 08 May 2018 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business

Matters for Decision

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Matters for Information

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27	Introduction of prepayment system at Recycling Centres	345 - 350
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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

29. Tender Report for the Replacement Roof at Dungannon Depot
30. Amenity and Planting Sponsorship
31. Consultancy/software for refuse collection route optimisation
32. Residual Waste Contract – Award Challenge Update

Matters for Information

33. Confidential Minutes of Environment Committee held on Tuesday 10 April 2018
34. Capital Projects Update

Report on	Northern Ireland Human Rights Commission Report –“Out of Sight, Out of Mind: Traveller’s Accommodation in Northern Ireland”
Date of Meeting	8 th May 2018
Reporting Officer	Mark Kelso

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 NI Human Rights Commission report and its recommendations relevant to Council.
1.2	To request a Member nominee for the NI Local Government Traveller Partnership.
2.0	Background
2.1	The Report “ Out of sight, Out of Mind: Traveller’s Accommodation in Northern Ireland ”, published in March 2018 by the Northern Ireland Human Rights Commission (NIHRC), followed a yearlong investigation in Northern Ireland commencing in Sept 2016.
2.2	The investigation followed a scoping exercise in June 2016 that identified issues, which required further examination including: <ul style="list-style-type: none"> • A shortage of adequate stopping sites for Roma/Gypsies and Irish Travellers • A lack of social housing forcing households to move into the private rental sector • A requirement for the NI Housing Executive to obtain Site Licences from Local Councils for Traveller sites • A disparity between official figures on the Traveller population in NI • The existence of the Unauthorised Encampments (NI) Order 2005 • The general inadequacy of travellers accommodation, and • The lack of authoritative human rights analysis of Travellers accommodation in NI
2.3	The investigation considered Travellers accommodation across NI and also adopted a case study approach in four local Council areas, including Dungannon and Coalisland in the Mid Ulster Council area. The other three areas included as Case studies were Belfast, Craigavon and Armagh, Derry/Londonderry and Strabane.
3.0	Main Report
3.1	The Executive summary of the report is attached at Appendix 1. The full report is available at www.nihrc.org . The NIHRC has written to Council enclosing a full copy of the report and a 12-month implementation plan. A copy of the correspondence received is attached at Appendix 2.
3.2	The correspondence sets out a 12-month implementation plan agreed by The Commission. The plan includes an engagement meeting and a number of roundtables to facilitate effective

	ongoing communication and engagement from stakeholders. An initial written response is requested by 15 th May 2018.
3.3	The Commission has committed to producing a 6 month progress update within their Annual Statement 2018 for 5 identified urgent actions and a standalone 12 month progress report for the additional recommendations.
3.4	<p>In the report, the NIHRC makes a number of recommendations to Councils and other organisations including:</p> <ul style="list-style-type: none"> • NI Executive Office; • Department for Communities; • Department for Infrastructure; • NI Housing Executive; • Housing associations
3.5	The recommendations relevant to Council, (none of which are within the 5 urgent actions identified) have been extracted from the report and are provided at Appendix 3. They are to be actioned within 12 months of the publication of the report i.e. by March 2019.
3.6	<p>Council Focused Recommendations are listed below under their relevant subject heading from the report.</p> <p><u>All Public authorities:</u></p> <ol style="list-style-type: none"> 1. Accessibility <p>All public authorities should consider their obligations towards Travellers in the context of the Race Relations (NI) Order 1997 and the NI Act 1998, Section 75. All public authorities should ensure that all relevant staff members are educated on the existence, relevance and effective implementation of the Race Relations (NI) Order 1997 and the NI Act 1998, Section 75, as the legislation relates to Travellers and their accommodation.</p> 2. Participation <p>The Executive Office and all relevant public authorities should ensure Traveller support groups are adequately resourced for the work they carry out.</p> 3. Effective Remedy <p>All public authorities should take proactive reasonable steps to support Travellers through the complaints process. This includes ensuring Travellers are aware of the existence of such mechanisms, what their purposes are, how to make a complaint, and the different stages of the process.</p> <p><u>Local Councils:</u></p> <ol style="list-style-type: none"> 1. Availability of Services, Facilities and Infrastructure <p>The NI Housing Executive, in conjunction with all relevant providers, should take steps to ensure that all required services are adequately available in practice within all Travellers' accommodation and that the provision of these services is sufficiently</p>

3.7	<p>regulated. In particular, the NI Housing Executive should work with: the local Councils to ensure Travellers have regular refuse collections; with the electricity supplier to ensure Travellers have prompt and consistent access to electricity; and with Royal Mail to ensure Travellers have adequate access to adequate postal services.</p> <p>2. Location/Planning</p> <p>Local Councils should take reasonable steps to prevent undue delays in the planning application process relating to Travellers' accommodation. They should also ensure that all planning decision-making processes are fair, impartial and transparent.</p> <p>3. Site Licences</p> <p>Local Councils should take proactive reasonable steps to ensure Travellers' sites are licenced when required. Local Councils should regularly monitor the licencing of Travellers' sites and be aware when sites require a licence, whether they are licenced and when the licence will expire. Local Councils should ensure all licences meet the minimum standard of provision and safety as required by the model licence, developed by the Department for Infrastructure.</p> <p>4. Participation</p> <p>All local Councils should be active members of the NI Local Government Partnership on Travellers Issues and should give consideration to developing or strengthening Traveller Forums to consider issues relating to Travellers, including accommodation.</p> <p>Referring to recommendation 4 above for Local Councils, Members are requested to provide a nominee for the NI Local Government Partnership on traveller issues.</p>
	4.0 Other Considerations
	4.1 Financial, Human Resources & Risk Implications
	Financial: None
	Human: None
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: As identified
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members to note content and provide a nominee for the NI Local Government Traveller Partnership and officer participation at the roundtable events .

6.0	Documents Attached & References
6.1	Northern Ireland Human Rights Commission Report –“Out of sight, Out of Mind: Traveller’s Accommodation in Northern Ireland” (Executive Summary).
6.2	Correspondence from NIHRC to Mid Ulster District Council received 20 March 2018.
6.3	Extract of Council focused recommendations from NIHRC report.

Out of Sight, Out of Mind:

Travellers' Accommodation in Northern Ireland

EXECUTIVE SUMMARY

March 2018



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION



Foreword

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“Out of sight, out of mind”, the comment of a Councillor in Derry City and Strabane District Council neatly encapsulates the inertia and decline in developing Travellers’ accommodation and services. Our human rights investigation is the first major examination of the issue for almost a decade and the findings remain depressingly familiar. As a representative of South Tyrone Empowerment Programme noted “we have read reports from 1999 that are as relevant today, as they were in 1999. It has not moved on”. This Groundhog Day does not have to continue.

First, there are a number of important quick wins – the ‘Design Guide for Traveller Sites in Northern Ireland’ is now over 20 years old and needs updated and modernised, site licencing arrangements need to be put into effect and groundwork needs to be undertaken to ensure that the ‘Traveller Accommodation Needs Assessment’ due next year effectively involves Travellers and becomes part of a comprehensive gathering of data towards an evidence based policy approach to meeting Travellers’ accommodation needs.

In the longer term, there needs to be sufficient emergency halting, transit and serviced sites, properly supported, to meet Travellers’ needs and a pro-active and participative approach to making this happen. In line with the approach taken in the Northern Ireland Executive’s ‘Programme for Government’, this investigation charts the impact of the actions taken and omissions made by government departments and public authorities.

The inexorable impact of public policy has been to leave many Travellers with an unpalatable choice of retaining their culture while living in poor housing conditions or move into social housing. While for some Travellers, social housing is their choice of accommodation, for others it is not. Traveller culture is rich and vibrant and should be nurtured, rather than eroded through housing and other policies.

The aim of the investigation has been to use a human rights based lens to view the current circumstances applying to Travellers’ accommodation.

The investigation seeks practical immediate and longer-term answers to meet the needs for sufficient Travellers’ accommodation. The Commission will engage with all the key public bodies with a role to play and encourage effective communication with Travellers and Traveller support organisations to ensure an effective, participative and joined up approach to resolving the problems identified in the report. We will monitor the progress of our recommendations in the first instance over the next 12 months – and for those of greatest urgency over six months. We have provided an Appendix setting out the list of recommendations that apply to each public authority, so that the way forward and where responsibility lies is clear and unequivocal.

Finally, I would like to thank my colleagues Dr Hannah Russell and Fiona O’Connell who undertook the investigation and to all the public authorities, civil society organisations, Travellers and others who willingly provided their experience and knowledge. I trust their insights will bear fruit as a result of this investigation.



Les Allamby,
Chief Commissioner

Overview

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Investigation Powers of the Northern Ireland Human Rights Commission

The Northern Ireland Human Rights Commission (NIHRC) was established following the Belfast (Good Friday) Agreement under the Northern Ireland Act 1998. Section 69 of the Act empowers the NIHRC to conduct investigations and to compel evidence.¹

The findings and recommendations in this report are presented in line with the NIHRC's statutory duty to review the adequacy and effectiveness of law and practice relating to the protection of human rights in Northern Ireland (NI).²

The Case for an Investigation

The NIHRC initiated the investigation following a scoping exercise in June 2016 that identified issues, which required further examination. These included:

- a shortage of adequate stopping sites for Roma/Gypsies and Irish Travellers;³
- a lack of social housing forcing households to move into the private rental sector;⁴
- a requirement for the NI Housing Executive to obtain site licences from local Councils for Travellers' sites;⁵
- a disparity between official figures on the Traveller population in NI;
- the existence of the Unauthorised Encampments (NI) Order 2005;⁶
- the general inadequacy of Travellers' accommodation;⁷ and
- the lack of authoritative human rights analysis of Travellers' accommodation in NI.⁸

Who are Travellers?

For the purposes of this investigation, 'Traveller' is used as an umbrella term for any member of a traditional Gypsy or Traveller community living in or travelling through NI with a long-shared history, culture and traditions that includes identifying with or continuing to practice a nomadic way of life.

¹ Sections 69(8) and 69A NI Act 1998, as amended by the Justice and Security (NI) Act 2007. During this investigation, the NIHRC did not however use its formal investigatory powers due to the high levels of cooperation from the public authorities involved.

² Sections 69(1) and 69(8A), NI Act 1998.

³ E/C.12/GBR/CO/5, 'ICESCR Committee Concluding Observations on the Fifth Periodic Report of the UK of Great Britain and NI', 22 May 2009, at para 30.

⁴ Ibid; E/C.12/GBR/CO/6, 'ICESCR Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI', 14 July 2016, at para 49.

⁵ NIHRC, 'Written Evidence to the Committee for Social Development, NI Assembly on the Caravans Bill' (NIHRC, June 2010), at paras and 21; NIHRC, 'NIHRC Submission to the UN Committee on Economic, Social and Cultural Rights 58th Session on the Sixth Periodic Report of the UK's Compliance with ICESCR' (NIHRC, April 2016), at 59.

⁶ E/C.12/GBR/CO/5, 'ICESCR Committee Concluding Observations on the Fifth Periodic Report of the UK of Great Britain and NI', 22 May 2009, at para 30; E/C.12/GBR/CO/6, 'ICESCR Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI', 14 July 2016, at para 49.

⁷ Equality Commission NI, 'Outlining Minimum Standards for Traveller Accommodation' (ECNI, 2009), at 9-10; Safa Abdella *et al*, 'Our Geels: All Ireland Traveller Health Study' (UCD, 2010), at 46; NICEM, 'The Annual Human Rights and Racial Equality Benchmarking Report 2013/14' (OFMDFM, 2014), at 96; E/C.12/GBR/CO/5, 'ICESCR Committee Concluding Observations on the Fifth Periodic Report of the UK of Great Britain and NI', 22 May 2009, at para 30; E/C.12/GBR/CO/6, 'ICESCR Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI', 14 July 2016, at para 49.

⁸ OFMDFM, 'A Shared Future – Policy and Strategic Framework for Good Relations in NI (OFMDFM, 2005); OFMDFM, 'A Racial Equality Strategy for NI 2005-2010' (OFMDFM, 2005); ECNI, 'Statement on Key Inequalities in NI' (ECNI, 2007); Chris Johnson and Marc Willers (eds), *Gypsy and Traveller Law* (Legal Action Group, 2007) ECNI, 'Outlining Minimum Standards in Traveller Accommodation' (ECNI, 2009); Safa Abdella *et al*, 'Our Geels: All Ireland Traveller Health Study' (UCD, 2010); Department of the Environment, 'Planning Policy Statement 12: Housing in Settlements' (DoE, 2013); Geraldine Scullion and Sheila Rodgers, 'Traveller Voices for Change: Mapping the view of Irish Travellers on Integration and their Sense of Belonging in NI' (2014); NI Housing Executive, 'Traveller Accommodation Needs Assessment' (NIHE, 2014); NICEM, 'The Annual Human Rights and Racial Equality Benchmarking Report 2013/14' (OFMDFM, 2014); Alison Wallace, 'Housing and Communities' Inequalities in NI' (ECNI, 2015); ECNI, 'Key Inequalities in Housing and Communities' (ECNI, 2016).

What is Travellers' Accommodation?

For the purposes of this investigation, 'Travellers' accommodation' is any form of housing inhabited by members of the Traveller communities. This working definition includes grouped housing;⁹ Travellers' sites (serviced,¹⁰ serviced/transit,¹¹ transit,¹² emergency halting,¹³ co-operated¹⁴ and unauthorised¹⁵); standard social housing;¹⁶ and private rented properties.¹⁷

Human Rights Laws and Standards

The main sources of human rights laws and standards are international and regional human rights treaties. The provision and regulation of social housing and the regulation of private housing is a devolved matter in NI. Implementing human rights laws and standards relevant to Travellers' accommodation is a responsibility of public authorities.

United Nations

The main UN human rights treaty that relates to Travellers' accommodation is the International Covenant on Economic, Social and Cultural Rights (ICESCR), particularly Article 11, the right to an adequate standard of living.¹⁸ A number of other treaties are relevant to the right to adequate housing including the International Covenant on Civil and Political Rights (ICCPR);¹⁹ Convention on the Elimination of All Forms of Racial Discrimination (CERD)²⁰; the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);²¹ the Convention on the Rights of the Child (CRC);²² and the Convention on the Rights of Persons with Disabilities (CRPD).²³

Broadly defined, the right to adequate housing is "the right to live somewhere in security, peace and dignity".²⁴ It is more than supplying and making housing available, the housing itself must be adequate. The ICESCR Committee has established that the right to adequate housing requires adequate:

- legal security of tenure;
- availability of services, materials, facilities and infrastructure;
- affordability;
- habitability;
- accessibility;

⁹ Grouped housing schemes are residential housing developments with additional facilities and amenities specifically designed to accommodate extended Traveller families on a permanent basis.

¹⁰ Serviced sites facilitate the permanent location of chalets, trailers or caravans.

¹¹ Serviced/transit sites are split into two with a section of permanent pitches and a section of temporary pitches.

¹² Transit sites facilitate a temporary or short-term location of caravans. They are for a maximum stay of three months.

¹³ Emergency halting sites are for the temporary or short-term location of caravans. They are for a maximum stay of 28 days.

¹⁴ Co-operated sites enable Travellers to camp on public land on a temporary basis, subject to a number of health and safety requirements. It is not a substitute for permanent or transit sites, but is a way of dealing with a humane requirement.

¹⁵ Sites that have not been authorised by the NI Housing Executive or relevant local Council.

¹⁶ Bricks and mortar social housing.

¹⁷ Bricks and mortar private rented housing and private rented caravans, trailers or chalets.

¹⁸ Ratified by the UK on 20 May 1976.

¹⁹ Articles 2, 17 and 26, International Covenant on Civil and Political Rights 1966.

²⁰ Article 5(e)(iii), Convention on the Elimination of Racial Discrimination 1965.

²¹ Article 14(2)(h), Convention on the Elimination of Discrimination against Women 1979.

²² Article 27(3), Convention on the Rights of the Child 1989.

²³ Articles 9, 28(1) and 28(2)(d), Convention on the Rights of Persons with Disabilities 2006.

²⁴ E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at para 8.

- location;
- cultural adequacy; and
- freedom from forced eviction.²⁵

Council of Europe

The main human rights treaty of the Council of Europe (CoE) is the European Convention of Human Rights (ECHR). There are a number of other treaties relevant to the subject of Travellers' accommodation, including the Framework Convention on the Protection of National Minorities (FCNM), the European Social Charter 1961 and the European Social Charter (Revised) 1996.

European Union

The Charter of Fundamental Rights of the European Union (CFREU) is relevant regarding Travellers' accommodation.

The Methodology

The NIHRC launched this year-long investigation in NI on September 2016. The investigation considered Travellers' accommodation across NI and also adopted a case study approach in four local Council areas:

- Belfast (Belfast City Council);
- Craigavon and Armagh (Armagh City, Banbridge and Craigavon District Council);
- Derry/Londonderry and Strabane (Derry City and Strabane District Council); and
- Dungannon and Coalisland (Mid Ulster District Council).

The investigation involved gathering written and oral evidence from the 12 relevant public authorities,²⁶ eight civil society organisations²⁷ and 38 members of the Traveller communities in NI.²⁸

The NIHRC conducted observational visits to all of the Traveller-specific accommodation locations (serviced sites, transit sites, emergency halting site, cooperated site and grouped housing) within the four Council areas adopted as case studies.²⁹ It also conducted an observational visit in April 2017 to two Traveller sites' in Dublin, for the purposes of exploring good practice.

The Report

The 14 substantive chapters of the investigation's full report are structured around the key human rights laws and standards identified as crucial in fulfilling, respecting and protecting the right to adequate housing, in the context of Travellers' accommodation. The full report is available at www.nihrc.org.

²⁵ Ibid; E/1998/22, 'ICESCR Committee General Comment No 7: Forced Evictions', 20 May 1997.

²⁶ These were Department for Communities; Department for Infrastructure; NI Housing Executive; Apex Housing Association; Clanmil Housing Association; Radius Housing Association (formerly Fold Housing Association); Belfast City Council; Armagh City, Banbridge and Craigavon Borough Council; Derry City and Strabane District Council; Mid Ulster District Council; Equality Commission NI; and Police Service NI. The NIHRC also liaised with the NI Local Government Partnership on Travellers Issues and the NI Public Service Ombudsman. Housing associations are included as public authorities in accordance with *Weaver v London and Quadrant Housing Trust* [2009] EWCA Civ 587.

²⁷ These were An Munia Tober; Craigavon Travellers Support Committee; Housing Rights; Pavée Point; Participation and Practice of Rights; South Tyrone Empowerment Programme; Armagh Travellers Support Group; and Toybox.

²⁸ The interviewees resided in a range of accommodational types (Travellers' sites, grouped housing, standard social housing) or were experiencing homelessness from across NI.

²⁹ A breakdown by Council area of Traveller-specific accommodation in NI is provided in Appendix II. Available at: www.nihrc.org.

Each substantive chapter considers the relevant human rights laws and standards engaged, followed by an examination of the existing domestic laws and policies considered to be most relevant. Each chapter then examines the practices of the relevant public authorities and the experiences of the Traveller communities and civil society organisations, drawing on the evidence gathered. To conclude, a summation of key findings is provided.

Five recommendations are identified as requiring immediate action, these are highlighted in red. The Commission will review progress within six months (September 2018) to see whether these recommendations have been implemented. The Commission will review the implementation of the remaining recommendations, highlighted in purple, within 12 months (March 2019).

Conclusions and Recommendations

The right to adequate housing requires that Travellers' accommodation is:

- culturally adequate;
- accessible;
- habitable;
- adequate in terms of services, facilities and infrastructure;
- subject to adequate security of tenure;
- adequately safeguarded from forced eviction;
- affordable;
- adequately located;
- subject to effective participation of Travellers;
- adequately monitored;
- adequately resourced;
- not subject to discrimination;
- promotes tolerance and mutual understanding; and
- subject to an effective remedy.

In the course of this investigation, the Commission identified some existing mechanisms that, if implemented in practice, assist with fulfilling a number of these requirements. For example, the NI Housing Executive and housing associations have mechanisms in place for reporting and tracking maintenance requirements to assist with ensuring Travellers' accommodation is habitable and adequately serviced. The Police Service NI introduced a number of initiatives that promote non-discrimination, tolerance and mutual understanding. All Police Service NI officers receive early career cultural awareness training, which includes Travellers' culture. In some areas, the Police Service NI has also set up temporary Traveller-specific community projects. Furthermore, all public authorities have complaint mechanisms in place and the Equality Commission for NI offers assistance to Travellers' wishing to exercise their right to an effective remedy.

In addition, some pending positive developments may, if implemented, further assist in fulfilling some of these requirements. In November 2017, the NI Housing Executive was:

- reviewing its housing application form to include a full range of options, including Traveller-specific accommodation;
- rolling out a new Housing Options Solution model;
- introducing a live system that records prospective tenants preferences to run in parallel with its five-yearly 'Traveller Accommodation Needs Assessment'; and
- reviewing its Travellers' policy.

This should help to address accessibility issues that Travellers are facing concerning their accommodation. Regarding the promotion of habitable and adequately serviced Travellers' sites, the Department for Communities, in November 2017, was reviewing the 'Design Guide for Traveller Sites in NI'.

Nevertheless, the Commission found there were inadequacies in some laws, public authorities' policies and public authorities' practices, in the context of Travellers' accommodation in NI. It confirmed that such inadequacies can dissuade and suppress a Traveller's culture, including the ability to exercise a nomadic lifestyle. Thus, the Commission concludes that public authorities must take reasonable and prompt steps

(in addition to the existing mechanisms and positive developments highlighted), to ensure Travellers' accommodation in NI is in line with the relevant human rights standards.

As per the ICESCR, Article 11, and the European Social Charter (Revised), Article 31, public authorities should take steps to the maximum available resources to ensure that Travellers' right to adequate housing is respected, protected and fulfilled. The core obligations contained within the right to adequate housing should have immediate effect and non-core obligations should be progressively realised. In human rights terms, retrogression of the right to adequate housing is prohibited, subject to exceptional justified circumstances.

The ECHR may also be relevant, in particular Articles 2 (right to life), 3 (prohibition of torture, inhuman and degrading treatment), 8 (right to respect for private and family life) and 14 (right to non-discrimination, when exercising other ECHR rights).

Based on the Commission's findings, this executive summary identifies the inadequacies that require addressing to ensure any actual or potential violation of human rights standards in the context of Travellers' accommodation in NI are effectively remedied and their causes are addressed to prevent reoccurrence.

The first section sets out thirteen systemic issues identified by the Commission. The second section sets out the key conclusions and corresponding recommendations.³⁰

Systemic Issues

1 Domestic Legal Framework

Domestic laws and policies regarding Travellers' accommodation in NI largely satisfy human rights requirements. However, the existence of the Unauthorised Encampments (NI) Order 2005 has a disproportionate impact on the Traveller communities and threatens their nomadic culture. There are particular issues identified with respect to clarifying the legislative requirements regarding the licencing of Travellers' sites and the provision of portable accommodation (such as caravans, trailers and chalets). Additionally, public authorities are relying on a 1997 version of the 'Design Guide for Travellers' Sites in NI', as the subsequent reviews have not been published. The 1997 version lacks sufficient detail and is not sufficiently prescriptive.

2 Domestic Practice

There are persistent issues with implementing the legal framework in practice. How policy and legislation is implemented determines the outcomes for those people the policies and practice are aimed at. Across the board for all Travellers' accommodation types, the domestic laws and policies are not necessarily translating into practice, which impacts adversely on the ability of Travellers to enjoy the rights set out therein.

³⁰ A breakdown of these recommendations by the relevant public authority is provided in Appendix I of the Full Report.

3 Racial Discrimination

In the context of Travellers' accommodation, there is evidence that Travellers have been subject to discriminatory behaviours and attitudes from public authorities and the settled community. This emerges through actions, but also through inaction and general inertia regarding Travellers' issues. Negative public opinions and bias towards Travellers also impacts negatively on Travellers, in particular concerning planning applications.

4 Race Legislation

The Race Relations (NI) Order 1997 places a duty on local Councils to have due regard to the need to promote good relations. Although this broadly corresponds to human rights standards, the duty is not extended to all public authorities. Furthermore, the lack of structured race relations programmes to improve relations between the settled and Traveller communities contributes to discrimination against Travellers that has persisted for decades. This will continue to do so without proactive and systemic changes in attitude at all levels – grass roots, civil society and public authorities.

5 Resource Availability

While the NI Housing Executive maintains it is satisfied with the resources available to it for developing and maintaining Traveller-specific accommodation, the existing accommodation is insufficient to the need. In addition, spend per pitch has been reducing on an annual basis.

6 Resource and Policy Accountability

The Department for Communities allocates funding to the NI Housing Executive, but there is no robust mechanism in place for the Department to monitor how funding is allocated to Travellers' accommodation and what outcomes are being achieved.

7 Provision of Traveller-specific Accommodation

There is insufficient culturally adequate Travellers' accommodation available. In particular, the NI Housing Executive is failing to provide sufficient adequate Travellers' sites. Its actions and inaction suggest a preference for developing and maintaining bricks and mortar accommodation, over Travellers' sites. Third party objections and delays in planning often obstruct the development of required new Travellers' sites. Furthermore, the legislative framework does not enable the NI Housing Executive to provide nomadic housing structures, such as caravans, trailers or chalets. These factors are contributing to the number of Travellers moving into bricks and mortar accommodation and restricting Travellers' ability to practice their cultural traditions.

8 Monitoring Needs for Travellers' Accommodation

There is evidence that the monitoring process for Travellers' accommodation needs in NI is inaccurate. The NI Housing Executive's 'Traveller Accommodation Needs Assessment' surveys are criticised for insufficiently engaging with all Travellers in NI and not reflecting the views expressed by the Travellers that were surveyed.

9 Inadequacy of Travellers' Sites

Some Travellers' sites are inadequate in the provision of standard services and facilities (electricity, water, heating, drainage, sanitation, waste disposal). This is particularly true of Travellers' sites intended as transient in nature, but that are operating as permanent sites in practice. The lack of effective management of Travellers' sites exacerbates these problems.

10 Participation

Efforts to ensure the participation of Travellers in decision-making processes regarding accommodation by public authorities are ineffective and inadequate. There is a lack of emphasis on supporting Traveller advocates. There is also a heavy burden placed on Traveller support groups by public authorities, in terms of the roles they are expected to fulfil. These groups are also under-resourced for both their contracted role and remuneration for the additional uncontracted assistance sought by public authorities. Each of these factors is hindering Travellers' ability to represent their own views. Travellers feel ignored and feel they are not offered sufficient opportunities to raise concerns about their accommodation.

11 Information on Travellers' Accommodation

There is a general lack of information on Travellers' accommodation, such as how to access such accommodation or how to make a complaint, for instance regarding maintenance. Such information is required to enable Travellers' effective participation. Public authorities do attempt to adapt such information to Travellers' needs; however, such adaptations are largely ineffective.

12 Data Collection

There is a general lack of data and disaggregation of data regarding the Traveller population in NI, their current tenure and desired accommodation. This makes it impossible to assess whether Travellers' accommodation is sufficient and to strategically plan for the future.

13 Complaints Mechanisms

Travellers are not engaging with or availing of the formal mechanisms available to them. The relevant public authorities are not taking steps to investigate and address why this is. This means Travellers are not receiving effective redress, when required. The resulting lack of investigation into concerning acts and omissions of public authorities is also hindering the feedback processes for improving services.

Recommendations

The findings of this investigation are set out in the substantive chapters of the full report. Drawing from these findings the Commission has a number of recommendations. These highlight areas where domestic laws and policies require amendments or clarifications. They also propose practical steps that public authorities should take to ensure the vindication of the accommodation rights of Travellers in NI. These recommendations are set out below.

Five recommendations are identified as requiring immediate action, these are highlighted in red. The Commission will review progress within six months (September 2018) to see whether these recommendations have been implemented. The Commission will review the implementation of the remaining recommendations, highlighted in purple, within 12 months (March 2019).

Cultural Adequacy

Type of Travellers' Accommodation

The domestic definition of housing generally meets the ICESCR Committee's recommendation that housing is diverse and reflects cultural adequacy.³¹ The statutory duty to provide Travellers' sites and the existing policy regarding grouped housing reflects the requirement that policies appropriately enable the expression of cultural identity and diversity of housing, as required by the ICESCR, Article 11.³² However, in practice there is inadequate provision of Travellers' site and grouped housing, as required by the ICESCR, Article 11, and the European Social Charter, Article 16.³³

The criticisms of the NI Housing Executive's 'Traveller Accommodation Needs Assessments' raise a concern that there is a lack of accurate data available on existing tenure and accommodation preferences of Travellers in NI. Such data would assist with establishing need and satisfying the ICESCR, Article 11, and the European Social Charter, Article 16.

The NI Housing Executive does not provide caravans, trailers or chalets, therefore, restricting its ability to provide culturally adequate accommodation.

The NIHRC recommends:

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| i | The NI Housing Executive should ensure it offers the opportunity for Travellers to present their views on the cultural adequacy of their accommodation when conducting its Travellers' accommodation needs assessments. |
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Homelessness

The NI Housing Executive meets its obligation with respect to homelessness under the ICESCR, Article 11. Yet, no legislation or policy specifically deals with homelessness within the Traveller communities in NI. The negative affect on health that the lack of culturally adequate options for homeless Travellers and the prolonged period of homelessness Travellers can experience engages the ECHR, Article 8 and, in extreme cases, may engage Article 3. A violation can occur if the circumstances surrounding homelessness affecting a Traveller is severe, degrading and causes those affected to feel humiliated and debased.³⁴ Alternatively, a violation can occur if the circumstances surrounding the homelessness affects the Traveller's physical and psychological integrity, as a direct consequence of the public authorities' unjustified action or inaction. This is particularly concerning if the family unit, including children, is affected.³⁵

The NIHRC recommends:

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| i | The NI Housing Executive should ensure the successor strategy to the 'Homelessness Strategy for NI: 2012-2017' makes specific provision for the cultural needs of Travellers. |
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³¹ E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at para 8(g).

³² Article 11, International Covenant on Economic, Social and Cultural Rights 1966; E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at para 8(g).

³³ E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at para 8(g); *European Roma Rights Centre v Greece*, Complaint No 15/2003, 8 December 2004, at paras 46 and 47.

³⁴ *Moldovan v Romania (No 2)* (2007) 44 EHRR 16, at para 101.

³⁵ *Storck v Germany* (2006) 43 EHRR 6, at para 149; *Connors v UK* (2004) ECHR 223, at para 82; *Botta v Italy* (1998) 26 EHRR 241, at para 34; *R (Bernard) v Enfield London Borough* [2002] EWHC 2282, at paras 33-34; *Anufrijeva v Southwark* [2003] EWCA Civ 1406, at para 43; Article 8(2), European Convention on Human Rights 1950.

Cultural Adequacy of Travellers' Accommodation

The legislative framework on the control of unauthorised encampments has a detrimental effect on nomadism. This reflects the findings of the ICESCR Committee³⁶ and was raised as a concern by the Commission during the enactment of the legislation.³⁷

Where Travellers are living in social housing, measures are taken to allow for cultural sensitivity. However, standard social housing and hostel accommodation are not culturally appropriate, as required by the ICESCR, Article 11. The lack of culturally appropriate accommodation restricts individual's free choice and interferes with their right to preserve and develop their specific cultural identities, as recommended by the CoE Committee of Ministers.³⁸ Inadequate consideration of cultural adequacy within the application and allocation process for social housing further undermines individual choice.

The NIHRC recommends:

i	The NI Housing Executive and relevant housing associations should urgently review their existing practices and policies to ensure there is sufficient practical support for Travellers transitioning from Travellers' sites to bricks and mortar accommodation. For example, ensuring that Travellers transitioning know and understand the process for accessing electricity and heating, and the process for paying household bills.
ii	The NI Housing Executive should ensure that the application and allocation process for social housing requires sufficient consideration of the cultural adequacy of accommodation offered to Travellers, in particular its location, space, family groupings and available services.

Accessibility

Scope of Statutory Duty

The Housing (NI) Order 1981 helps to promote accessible housing for all who were entitled to it, as per the ICESCR, Article 11.³⁹ However, there are concerns that some public authorities are unaware of the relevant legislation and are confused as to their obligations.

The NIHRC recommends:

i	All public authorities should consider their obligations towards Travellers in the context of the Race Relations (NI) Order 1997 and the NI Act 1998, Section 75. All public authorities should ensure that all relevant staff members are educated on the existence, relevance and effective implementation of the Race Relations (NI) Order 1997 and the NI Act 1998, Section 75, as the legislation relate to Travellers and their accommodation.
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³⁶ E/C.12/GBR/CO/5, 'ICESCR Committee Concluding Observations on the Fifth Periodic Report of the UK of Great Britain and NI', 22 May 2009, at para 30; E/C.12/GBR/CO/6, 'ICESCR Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI', 14 July 2016, at para 50.

³⁷ NIHRC, 'Response of the NIHRC to the Draft Unauthorised Encampments (NI) Order 2004' (NIHRC, 2004).

³⁸ CoE, 'Recommendation Rec(2004)14 of the Committee of Ministers to Member States on the Movement and Encampment of Travellers in Europe', 1 December 2004, at Preamble.

³⁹ E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at para 8(e).

Provision of Travellers' Accommodation

There are a variety of strategies and policies in place promoting housing, including Travellers' accommodation. This reflects the ICESCR, Article 11 requirement.⁴⁰ Some high-level strategy documents however, do not take fully into account the special needs of Travellers. This is contrary to the ICESCR Committee's recommendation.⁴¹

The NIHRC recommends:

i	The NI Housing Executive, following a robust assessment of need, should critically assess if there are sufficient serviced, transit and emergency halting Travellers' sites in NI. The NI Housing Executive and relevant housing associations should ensure there are sufficient grouped housing schemes in NI.
ii	The NI Housing Executive should ensure the Travellers' accommodation needs assessments are sufficiently robust to provide a reliable assessment of the housing needs of Traveller communities. This includes providing all Travellers in NI with adequate and accessible opportunities to participate in the assessment. The questions posed should be thorough and impartial. The NI Housing Executive should ensure that the assessment is accurate.
iii	The NI Housing Executive should review its commitments to provide Travellers' site provision in NI (for example, any relevant development plans), to ensure that need is sufficiently met.

Assessment and Allocation Process

The assessment and allocation process for Travellers' accommodation is regulated for social housing, reflecting the ICESCR, Article 11.⁴² There is evidence that Travellers continue to experience difficulties in accessing social housing, due to an inadequate allocation of housing points under the Common Selection Scheme.

There are concerns that some Travellers are unable to access private rented accommodation, due to reported racism by some landlords. This can hinder Travellers' ability to access housing to which they are entitled, as recommended by the ICESCR Committee and the ECRI.⁴³ It also suggests that public authorities are not promptly addressing the problems faced by Travellers in accessing accommodation, as recommended by the CoE Committee of Ministers.⁴⁴

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Ibid.

⁴³ CRI(96)43 rev, 'ECRI General Policy Recommendation No 1: Combating Racism, Xenophobia, Antisemitism and Intolerance', 4 October 1996.

⁴⁴ CoE, 'Recommendation Rec(2005)4 of the Committee of Ministers on Improving the Housing Conditions of Roma and Travellers in Europe', 25 February 2005, at para 2.

The NIHRC recommends:

i	The NI Housing Executive should introduce a social housing application form that clearly sets out all accommodation options and offers applicants the express opportunity to specify their desire for Traveller-specific accommodation.
ii	The NI Housing Executive should introduce a waiting list for serviced Travellers' sites in NI. This waiting list should be used, in partnership with the Common Selection Scheme, to allocate pitches on serviced Travellers' sites in NI.
iii	The relevant housing associations should assess how accommodation in grouped housing schemes are allocated, to ensure they maximise the available resources. They should also review the utility of grouped housing schemes as an approach to addressing housing need within Traveller communities.
iv	The Department for Communities should ensure landlords in the private rented sector are aware of their legal obligations to ensure that accommodation is accessible to Travellers without discrimination.

Habitability

Standard of Fitness

A minimum standard of fitness is set out in legislation for public and private bricks and mortar Travellers' accommodation, in line with the ICESCR, Article 11, the European Social Charter, Article 16,⁴⁵ the European Social Charter (Revised), Article 31, and the recommendations of the former CoE Commissioner for Human Rights, Thomas Hammarberg.⁴⁶ The ICESCR Committee and the European Committee of Social Rights also recommended corrective measures to address poor housing or sub-standard housing conditions and inhabitability in general.⁴⁷ There are concerns that the minimum standards set out in legislation are inadequate and are not implemented in practice.⁴⁸ There are also concerns that the standard of fitness of private rented caravans, trailers or chalets is insufficiently regulated.

⁴⁵ *European Roma Rights Centre v Greece*, Complaint No 15/2003, 8 December 2004, at paras 46 and 47.

⁴⁶ CommDH(2009)5, 'Recommendation of the CoE Commissioner for Human Rights on the Implementation of the Right to Housing', 30 June 2009, at 3.2.1.

⁴⁷ E/C.12/GBR/CQ/6, 'ICESCR Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI', 14 July 2016, at para 50(c); *European Roma Rights Centre v Ireland*, Complaint No 100/2013, 1 December 2015, at paras 89-92.

⁴⁸ CommDH(2009)5, 'Recommendation of the CoE Commissioner for Human Rights on the Implementation of the Right to Housing', 30 June 2009, at 3.2.1; *European Roma Rights Centre v Ireland*, Complaint No 100/2013, 1 December 2015, at paras 54-80.

The NIHRC recommends:

i	The Department for Communities should promptly publish the findings of its review on the 'Housing Health and Safety Rating System' and set out a reasonable timeframe for implementing its recommendations.
ii	The Department for Communities should carry out a prompt and thorough review of the 'Design Guide for Travellers' Sites in NI' and ensure the minimum standards are sufficiently prescriptive and reflective of human rights. It should ensure the updated guide includes the requirements that accommodation is accessible to persons with disabilities; children's play areas are provided; facilities necessary for a nomadic way of life are available; and traffic safety measures are in place. The updated guide should be published and be subject to a commitment to further periodic reviews within a reasonable timescale.

Maintenance

Measures are in place across Travellers' accommodation to ensure that a minimum standard of living conditions are maintained. This is in line with the ICESCR, Article 11, the European Social Charter, Article 16, and the European Social Charter (Revised), Article 31. However, there is evidence of some delays in maintenance across all types of Travellers' accommodation; this undermines the public authorities' adherence to these provisions.

The NIHRC recommends:

i	The NI Housing Executive and relevant housing associations should ensure all required maintenance is carried out effectively within a reasonable timeframe.
ii	The NI Housing Executive should monitor the use of Housing Benefit and take steps to ensure that the accommodation it pays for in the private sector (including caravan, chalets and trailers) are fit for human habitation, adequate and maintained to a suitable standard. This includes supporting the tenant to find suitable alternative accommodation that is safe, affordable and satisfies their cultural needs.

Adaptations

The legislative and policy framework relating to accessibility is in line with the ICESCR, Article 11, the CRPD, Article 28(1), and the European Social Charter (Revised), Article 31. However, there are concerns regarding the lack of guidance for such adaptations on Travellers' sites and whether these provisions are implemented for all Travellers' accommodation.

The NIHRC recommends:

i	The NI Housing Executive and relevant housing associations should ensure that the accommodation needs of Travellers with disabilities are addressed in line with all legislative requirements, and that moving homes is a last resort. Travellers with disabilities should be made aware of their rights regarding accommodation adaptations. This information should be disseminated in an accessible and understandable format.
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Health and Safety: Hazards

A legislative and policy framework regulates health and safety standards for Travellers' accommodation. This is in line with the ICESCR, Article 11. There are concerns regarding Travellers' sites that these protections are insufficient and are not implemented in practice.⁴⁹ This is contrary to the ICESCR, Article 11 and the CRC, Articles 3, 6(1) and 19.

Hazards on Travellers' sites can also engage the ECHR, Articles 2, 3 and 8. A violation of Article 2 can occur if the hazard poses a real and imminent threat to the life of a Traveller that the public authorities were aware of, but failed to take reasonable steps to address.⁵⁰ Article 3 may be engaged if the hazardous effect on a Traveller was severe, degrading or caused those affected to feel humiliated and debased.⁵¹ Article 8 applies if the hazard affected the Traveller's physical and psychological integrity, as a direct consequence of the public authorities' unjustified action or inaction. This is particularly the case if the family unit, including children, is affected.⁵² There is evidence of hazards, such as overcrowding and inadequate washhouses, on some Travellers' sites in NI that potentially engage ECHR, Articles 2, 3 and 8.

The NIHRC recommends:

i	The NI Housing Executive should immediately carry out health and safety assessments of all Travellers' sites and address the hazards identified. In addressing these hazards, the NI Housing Executive should ensure that washhouses on Travellers' sites are safe, fit for purpose and appropriate for NI's climate. The NI Housing Executive should conduct regular health and safety assessments of all Travellers' sites and ensure any identified hazards are adequately and promptly addressed in the future.
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Health and Safety: Fire

The legislative and policy framework broadly reflects the ICESCR, Article 11. There are concerns that, regarding Travellers' sites, these protections are insufficient and are not implemented in practice. For example, concerns were raised over the accessibility of some Travellers' sites for emergency vehicles. A number of Travellers were also not aware if there were fire safety measures for their accommodation and what they were, particularly on Travellers' sites. This is contrary to the ICESCR, Article 11 and the CRC, Articles 3, 6(1) and 19. A violation of the ECHR can occur if the fire hazard poses a real and imminent threat to the life of a Traveller that the public authorities were aware of, but failed to take reasonable steps to address.⁵³ Fire hazards on Travellers' sites engage the ECHR, Articles 2, 3 and 8.

⁴⁹ E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at para 8(d); *European Roma Rights Centre v Ireland*, Complaint No 100/2013, 1 December 2015, at para 81.

⁵⁰ *Önerildiz v Turkey* (2004) ECHR 657; *LCB v UK* (1999) 27 EHRR 212, at para 36; *Burke v UK*, Application No 19807/06, 11 July 2006, at para 1.

⁵¹ *Moldovan v Romania (No 2)* (2007) 44 EHRR 16, at para 101.

⁵² *Storck v Germany* (2006) 43 EHRR 6, at para 149; *Connors v UK* (2004) ECHR 223, at para 82; *Botta v Italy* (1998) 26 EHRR 241, at para 34; *R (Bernard) v Enfield London Borough* [2002] EWHC 2282, at paras 33-34; *Anufrijeva v Southwark* [2003] EWCA Civ 1406, at para 43; Article 8(2), European Convention on Human Rights 1950.

⁵³ *Önerildiz v Turkey* (2004) ECHR 657; *LCB v UK* (1999) 27 EHRR 212, at para 36; *Burke v UK*, Application No 19807/06, 11 July 2006, at para 1.

The NIHRC recommends:

i	The NI Housing Executive and relevant housing associations should ensure that adequate fire safety measures are in place and are adhered to within all Travellers' accommodation. This includes ensuring that all fire safety measures are functional, regularly checked and reviewed. In addition, they should ensure that all tenants within Travellers' accommodation are sufficiently aware of the fire safety measures in place and of actions to be taken in the event of a fire.
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Availability of Services, Facilities and Infrastructure

Availability of Services

There is a legislative and policy framework governing Travellers' accommodation in NI, as required by the ICESCR, Article 11, and the European Social Charter (Revised), Article 31(1).⁵⁴ The regulated provision of most services regarding Travellers' accommodation is in line with the former CoE Commissioner for Human Rights, Thomas Hammarberg's recommendation.⁵⁵ However, there are some omissions in relation to electrical and postal services. Also, the guidance for Travellers' sites is not sufficiently prescriptive. The recommendation, supported by the European Committee of Social Rights, states that these standards should be applied in practice.⁵⁶ This is generally honoured regarding bricks and mortar Travellers' accommodation. Concerns arose in relation to Travellers' sites in NI. This includes unavailability of services, or significant delays in providing and adequately maintaining services. This is a particular issue on Travellers' sites, where some Travellers' experienced unsanitary conditions and rodent infestations due to irregular refuse collections. This raises issues around health and safety, contrary to the ICESCR, Article 11, and the CRC, Articles 3, 6(1) and 19. In extreme cases, this engages the ECHR, Article 2, 3 and 8.⁵⁷ Some Travellers also experienced delays or lack of access to adequate electricity and issues with accessing their post, which is contrary to the ICESCR, Article 11.

The NIHRC recommends:

i	The NI Housing Executive, in conjunction with all relevant providers, should take steps to ensure that all required services are adequately available in practice within all Travellers' accommodation and that the provision of these services is sufficiently regulated. In particular, the NI Housing Executive should work with: the local Councils to ensure Travellers have regular refuse collections; with the electricity supplier to ensure Travellers have prompt and consistent access to electricity; and with Royal Mail to ensure Travellers have adequate access to adequate postal services.
ii	The NI Housing Executive should ensure that provision of services provided to Traveller's sites reflects the actual use of the site. The public authorities should re-categorise sites when there is a change of usage to ensure that all parties are aware of the provision that is required.

⁵⁴ *European Roma Rights Centre v Italy*, Complaint No 27/2004, 7 December 2005, at para 35.

⁵⁵ CommDH(2009)5, 'Recommendation of the CoE Commissioner for Human Rights on the Implementation of the Right to Housing', 30 June 2009, at 3.2.1.

⁵⁶ *Ibid*; *European Roma Rights Centre v Ireland*, Complaint No 100/2013, 1 December 2015, at paras 54-80.

⁵⁷ E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at para 14.

Availability of Facilities

There is a policy framework governing the availability of facilities for Travellers' accommodation in NI, as required by the ICESCR, Article 11, and the European Social Charter (Revised), Article 31(1). The regulated provision of most facilities regarding Travellers' accommodation is in line with the former CoE Commissioner for Human Rights, Thomas Hammarberg's recommendation.⁵⁸ However, there are some omissions. The guidance for Travellers' sites is insufficiently prescriptive. The recommendation, supported by the European Committee of Social Rights, makes clear that these standards should be applied in practice.⁵⁹ This is lacking regarding non-domestic animal facilities in standard social housing, the availability of grazing land for all Travellers' accommodation, and the provision of children's play areas in all Travellers' accommodation. This raises issues around personal safety, contrary to the ICESCR, Article 11, and the CRC, Articles 3, 6(1) and 19.

The NIHRC recommends:

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| i | The NI Housing Executive and relevant housing associations should make reasonable provision for children's play areas within Travellers' accommodation. They should also reasonably accommodate Travellers' non-domestic animals and equipment necessary for traditional trades, including through the provision of grazing land, within Travellers' accommodation. |
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Security of Tenure

Legal Security of Tenure

The domestic legal framework governing security of tenure broadly corresponds with the ICESCR, Article 11, in conferring legal security of tenure. However, there are concerns that some Travellers, particularly on transit sites, are not provided with agreements. The ICESCR, Article 11, requires public authorities to take "immediate measures aimed at conferring legal security of tenure".⁶⁰ In the Commission's view, a failure to provide tenancy agreements may constitute a violation of ICESCR, Article 11.

A number of practical barriers can negatively affect a Traveller's security of tenure and result in them fleeing their homes. This includes intimidation of Travellers by members of the settled community, or an individual Traveller's perceived incompatibility with other Travellers. There is evidence that public authorities are hesitant to assist in some such cases. This potentially engages the ECHR, Articles 2, 3, 8 and 14. These provisions require public authorities to take reasonable steps to prevent or address an actual or threatened violation by their agents or third parties, if they had known or ought to have known of such a threat.⁶¹

⁵⁸ CommDH(2009)5, 'Recommendation of the CoE Commissioner for Human Rights on the Implementation of the Right to Housing', 30 June 2009, at 3.2.1.

⁵⁹ Ibid; *European Roma Rights Centre v Ireland*, Complaint No 100/2013, 1 December 2015, at paras 54-80.

⁶⁰ E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at 8(a).

⁶¹ *Moldovan v Romania (No 2)* (2007) 44 EHRR 16, at para 101; *PF and EF v UK* (2010) ECHR 2015 at paras 37 and 50.

The NIHRC recommends:

i	The NI Housing Executive and relevant housing associations should take immediate steps to ensure that Travellers on all types of Travellers' sites are provided with and sign an agreement attached to their pitch, clearly setting out their rights and responsibilities in an understandable language and format.
ii	The NI Housing Executive and relevant housing associations should take reasonable steps to ensure Travellers in standard social housing understand the tenancy agreement they are signing. This includes understanding their responsibilities as tenants and the landlord's responsibilities.
iii	The Department for Communities should promptly update, publish and adequately disseminate guidance on the security of tenure protections for Travellers living in caravans, as contained within the Caravans Act (NI) 2011.
iv	The NI Housing Executive and relevant housing associations should robustly implement processes that enable Travellers to live safely and securely in their homes without fear of intimidation. This includes conducting effective mediation and effectively implementing procedures set out in antisocial behaviour policies.
v	The Department for Communities should liaise with the Executive Office to propose an amendment of the Housing (NI) Order 2003, Article 125(6), to enable the NI Housing Executive to provide nomadic housing structures (such as caravans, trailers and chalets), if there is a need. The rents for these structures should be set at an appropriate and affordable level.

Forced Eviction

Eviction

The legislative framework provides procedural safeguards to be followed in eviction proceedings, as required by ICESCR, Article 11. The ICESCR Committee highlighted that the qualification of progressive achievement based on the availability of resources would "rarely" be relevant to forced evictions.⁶² There is evidence that procedural safeguards are not followed in practice, for example in the provision of eviction notices; the weather conditions in which evictions take place; consultation with affected groups; and provision of alternative accommodation. In the Commission's view, not following procedural safeguards may constitute a violation of ICESCR, Article 11, and the European Social Charter, Article 16. The ECHR, Article 8, is also engaged, particularly if procedural safeguards are not in place to prevent unjustified evictions;⁶³ if public authorities do not take into account the disadvantaged position of a social group (ie Travellers);⁶⁴ or if public authorities do not conduct a genuine consultation with the persons affected by an eviction on their rehousing options.⁶⁵ The Commission identified concerns relating to the robustness of procedural safeguards and the sufficiency of consultation regarding forced evictions.

⁶² E/1998/22, 'ICESCR Committee General Comment No 7: Forced Evictions', 20 May 1997, at para 8.

⁶³ *Connors v UK* (2004) ECHR 223, at para 95.

⁶⁴ *Yordanova and Others v Bulgaria* (2012) ECHR 758, at para 127.

⁶⁵ *Bagdonavicius and Others v Russia* (2016) ECHR 871, at para 107.

Some Travellers had difficulty retrieving their property, including caravans, where evictions had taken place. This was a particular issue where certain documents were not accepted as proof of ownership. This engages the ECHR, Article 1, Protocol 1. Interference with the right to property is justified if it serves a legitimate objective in the public interest⁶⁶ and is proportionate in striking a fair balance between the protection of the person's right to property and the general interest of the public.⁶⁷

The NIHRC recommends:

i	The NI Housing Executive should take reasonable steps to ensure that adequate alternative accommodation is offered close to the original place of residence, when evictions occur or Travellers' sites are lawfully closed. Particular consideration should be given to distance from schools, doctors, family members and source of livelihood for those affected.
ii	The NI Housing Executive should ensure that reasonable steps are taken to return property promptly, when evictions take place or Travellers' sites are lawfully closed. The NI Housing Executive should ensure that onerous conditions to prove ownership (for example, a requirement to provide original receipts) are not applied, particularly if there is other suitable proof of ownership.

Unauthorised Encampments

The former CoE Commissioner for Human Rights Thomas Hammarberg and the former UN Special Rapporteur on the Right to Adequate Housing Miloon Kothari recommended that criminal measures that thwart nomadism should be abolished.⁶⁸ The CoE Committee of Ministers also emphasised the importance of the use of proportionate responses to illegal encampments, including negotiations or the use of legal action.⁶⁹ Evictions for unauthorised encampments should be kept under review.⁷⁰ The ICESCR Committee recommended that the Unauthorised Encampments (NI) Order 2005 be repealed in 2016.⁷¹ The retention of the Order is contrary to the Committee's recommendation.

The Unauthorised Encampments (NI) Order 2005 specifically provides for eviction and seizure of property that have a particular impact on Travellers. The evidence suggests that the powers under the 2005 Order are used sparingly. A number of police officers reported exercising caution when relying on the powers under the 2005 Order. One of the main challenges when using the 2005 Order is a lack of alternative culturally appropriate accommodation. The evidence also suggests that the threat or actual use of the powers under the 2005 Order, in particular seizure of caravans, negatively affects the nomadic lifestyle of Travellers.

The Department for Communities accepts that the powers under the 2005 Order has a particular impact on Travellers in NI, but has no plans to repeal it. This position does not comply with the ICESCR Committee's recommendation in 2016.

⁶⁶ *James v UK* (1986) ECHR 2, at para 45.

⁶⁷ *Sporrong and Lönnroth v Sweden* (1982) ECHR 5, at para 69.

⁶⁸ CommDH/Speech(2007)16, 'Joint Statement by CoE Commissioner for Human Rights Thomas Hammarberg and UN Special Rapporteur on the Right to Adequate Housing Miloon Kothari: Governments Should Take Positive Steps to Protect the Housing Rights of Roma in Europe', 24 October 2007.

⁶⁹ CRI(2011)37, 'ECRI General Policy Recommendation No 13: Combating Anti-Gypsyism and Discrimination against Roma', 24 June 2011, at para 6 (d) and (e).

⁷⁰ CommDH(2006)1, 'Final Report by Mr Alvaro Gil-Robles, CoE Commissioner for Human Rights, on the Human Rights Situation of the Roma, Sinti and Travellers in Europe', 15 February 2006, at 40.

⁷¹ E/C.12/GBR/CO/6, 'ICESCR Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI', 14 July 2016, at para 50(d).

The NIHRC recommends:

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| i | The Department for Communities should repeal the Unauthorised Encampments (NI) Order 2005. |
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Location

Planning

There is a legal and policy framework regulating the planning process, which makes specific provision for applications for Traveller-specific accommodation, this reflects the ECRI's recommendation.⁷² However, there are concerns in terms of the implementation of the planning policies. There is evidence that public perceptions and discriminatory views within local Councils are unduly influencing planning decisions. The process for applying for the approval of Traveller-specific accommodation is subject to significant delays. These delays are inhibiting the development of Travellers' accommodation, particularly Travellers' sites. This is contrary to the CoE Committee of Ministers' recommendation.⁷³

Additionally, there are concerns regarding the accessibility of the planning process. These concerns are contrary to the CoE Committee of Ministers' recommendation to enable Travellers to pursue their lifestyles.⁷⁴

The NIHRC recommends:

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| i | Local Councils should take reasonable steps to prevent undue delays in the planning application process relating to Travellers' accommodation. They should also ensure that all planning decision-making processes are fair, impartial and transparent. |
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Site Licences

Reflecting the ICESCR, Article 11, and the CRC, Articles 3, 6 and 19, site licencing is a crucial safeguard for ensuring Travellers' sites in NI are adequately habitable and serviced. Yet, there is little evidence of good practice regarding licencing of Travellers' sites in NI. The regulation of this requirement is outdated and lacks clarity in terms of its applicability and scope. There is also inconsistency in terms of language and definitions between the legislation and its corresponding guidance. The statutory requirements that existed are not implemented in practice for Travellers' sites in NI. There appears to be a reluctance from the relevant public authorities to address the issue of site licences.

The NIHRC recommends:

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| i | The NI Housing Executive should ensure that it submits a completed application for a site licence for all Travellers' sites currently operating unlicensed within six months of the publication of this report. The NI Housing Executive should continue to be required to obtain a site licence for Travellers' sites in NI. |
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⁷² CRI(2011)37, 'ECRI General Policy Recommendation No 13: Combating Anti-Gypsyism and Discrimination against Roma', 24 June 2011, at para 6(j).

⁷³ CoE, 'Recommendation Rec(2004)14 of the Committee of Ministers to Member States on the Movement and Encampment of Travellers in Europe', 1 December 2004, at para 23(ii).

⁷⁴ CoE, 'Recommendation Rec(2005)4 of the Committee of Minister to Member States on Improving the Housing Conditions of Roma and Travellers in Europe', 23 February 2005, at II(3); CoE, 'Recommendation Rec(2004)14 of the Committee of Ministers to Member States on the Movement and Encampment of Travellers in Europe', 1 December 2004, at Preamble.

ii	The Department for Infrastructure 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.
iii	Local Councils should take proactive reasonable steps to ensure Travellers' sites are licenced when required. Local Councils should regularly monitor the licencing of Travellers' sites and be aware when sites require a licence, whether they are licenced and when the licence will expire. Local Councils should ensure all licences meet the minimum standard of provision and safety as required by the model licence, developed by the Department for Infrastructure.

Participation

The local Council's 'Local Development Plans' and the Department for Communities' 'Design Guide for Travellers' Sites' in NI reflect the Advisory Committee on the FCNM and CERD Committee's recommendations.⁷⁵ The pending creation by the Executive Office of a thematic group on Roma, Gypsies and Travellers, when implemented, will adhere to the Advisory Committee on the FCNM's recommendation.⁷⁶ However, the legislative provision and policies of effective participation of Travellers is limited, at times outdated, and does not sufficiently require direct consultation.

Reflecting the Advisory Committee on FCNM's recommendation, public authorities have measures in place to ensure consultations and information on Travellers' accommodation are adapted to reflect Travellers' needs.⁷⁷ Yet, the information available can be inadequate and the measures taken are not always effectively implemented. This indicates public authorities are not adequately trained on effective engagement, as recommended by the CERD Committee.⁷⁸ Additionally, public authorities are not ensuring that the effective participation of Travellers is adequately resourced, as recommended by the CoE Committee of Ministers and Advisory Committee on FCNM.⁷⁹

There are concerns that public authorities' consultations are ineffective. This is contrary to the recommendations from the UN and CoE that consultation with Travellers should be full and meaningful,⁸⁰ with effective channels for communication aimed at providing continuing and substantive dialogue,⁸¹ and that Travellers have a substantial influence on decisions.⁸²

The NIHRC recommends:

⁷⁵ ACFC/31DOC(2008)001, 'CoE Advisory Committee on the FCNM: Commentary on the Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs', 27 February 2008, at paras 32-36; CERD Committee, 'General Recommendation XXVII: Discrimination against Roma', 16 August 2000, at para 43.

⁷⁶ ACFC/31DOC(2008)001, 'CoE Advisory Committee on the FCNM: Commentary on the Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs', 27 February 2008, at paras 73 and 74.

⁷⁷ ACFC/31DOC(2008)001, 'CoE Advisory Committee on the FCNM: Commentary on the Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs', 27 February 2008, at paras 9, 21 and 72; P6_TA(2005)0151, 'European Parliament Resolution on the Situation of the Roma in the European Union', 28 April 2005, at paras 24 and 26.

⁷⁸ CERD Committee, 'General Recommendation XXVII: Discrimination against Roma', 16 August 2000, at para 45.

⁷⁹ CoE, 'Recommendation CM/Rec(2008)5 of the Committee of Ministers to Members States on Policies for Roma and/or Travellers in Europe', 20 February 2008, at Appendix, section II, para 6; ACFC/31DOC(2008)001, 'CoE Advisory Committee on the FCNM: Commentary on the Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs', 27 February 2008, at para 21.

⁸⁰ CommDH/Speech(2007)16, 'Joint Statement by CoE Commissioner for Human Rights Thomas Hammarberg and UN Special Rapporteur on the Right to Adequate Housing Miloon Kothari: Governments Should Take Positive Steps to Protect the Housing Rights of Roma in Europe', 24 October 2007.

⁸¹ ACFC/31DOC(2008)001, 'CoE Advisory Committee on the FCNM: Commentary on the Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs', 27 February 2008, at para 11.

⁸² Ibid, at para 19.

i	The NI Housing Executive should ensure Travellers are represented on its consultation forum and the Housing Community Network. It should also ensure consultations with Travellers are meaningful and effective when consulting on planning provision for new and when developing existing Travellers' accommodation.
ii	All local Councils should be active members of the NI Local Government Partnership on Travellers Issues and should give consideration to developing or strengthening Traveller Forums to consider issues relating to Travellers, including accommodation.
iii	The Department for Communities should liaise with the Executive Office on establishing the proposed thematic working group on Roma and Travellers. The work of this group should have sufficient focus on Travellers' accommodation.
iv	The Executive Office and all relevant public authorities should ensure Traveller support groups are adequately resourced for the work they carry out.

Monitoring

Management of Travellers' Accommodation

Legislation and guidance is in place to govern the management of Travellers' accommodation. Yet, there are concerns that these are not implemented in practice, particularly for Travellers' sites. This is contrary to the CERD Committee's recommendation that there is effective oversight of Travellers' accommodation and the ICESCR, Article 11, requirements that effective monitoring have immediate effect.⁸³

The NIHRC recommends:

i	The NI Housing Executive should take reasonable steps to ensure its staff are accessible on a daily basis to Travellers, particularly regarding transit and emergency halting Travellers' sites.
ii	The NI Housing Executive should effectively manage Travellers' sites. Travellers should be required to sign a tenancy agreement before moving into Travellers' accommodation. This includes transit and emergency halting Travellers' sites. The NI Housing Executive should have mechanisms in place to ensure this is a speedy and efficient process. It should not subject Travellers to delays in accessing culturally adequate accommodation with adequate services and facilities.

Resources

There is no evidence that public authorities explicitly consider human rights standards when allocating financial resources to housing. The evidence does not clearly demonstrate compliance with ICESCR, Articles 2 and 11. The general depletion of social housing stock and increasing levels of need suggests retrogression.

⁸³ CERD/C/GBR/CO/21-23, 'CERD Committee Concluding Observations on the Twenty-first to Twenty-Third Periodic Reports of UK of Great Britain and NI', 26 August 2016, at para 25(a); E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at para 13.

Figures show an increase in the number of pitches on Travellers' sites, but these are not all available in practice. This suggests a failure to progressively realise the right to adequate housing. A risk of retrogression is indicated by the decrease in spend per unit on Travellers' accommodation, particularly where mitigation measures are not in place.

A comparison with Scotland and Wales indicates lower spending on Travellers' sites in NI. In Scotland's case, this presumes spending on grouped housing in NI is excluded from the figures. This suggests that it is possible to give a greater priority to Travellers' sites and implies a failure to use maximum available resources. The principle of progressive realisation requires that provision is extended. For example, an extension of the Supporting People Programme would be an indicator of progressive realisation. In contrast, the denial of funding to Traveller support groups may indicate retrogression, unless mitigating measures are in place.

The former UN High Commissioner for Human Rights, Navanethem Pillay, explicitly requires that the implementation of ICESCR rights must be transparent, should establish accountability mechanisms, and should ensure access to information.⁸⁴ However, the evidence suggests non-compliance with these requirements. Public authorities' data collection on population figures is inconsistent and inadequate. Financial data is inconsistently recorded, making it difficult to analyse trends over time. The Department for Communities allocates funding to the NI Housing Executive, but an effective mechanism that requires the Department to proactively monitor how funding is allocated to Travellers' accommodation does not exist in practice.

The NIHRC recommends:

- | | |
|---|---|
| i | The Department for Communities should ensure regular, independent, effective, thorough and proactive monitoring of public spending in relation to the provision of Travellers' accommodation. Data relating to the provision of all Travellers' accommodation and financial data should be consistent, centralised, and effectively disaggregated. Data should be publicly available. |
|---|---|

Non-discrimination and Equality

Prohibition on Racial Discrimination

Human rights law requires public authorities to protect non-discrimination and equality.⁸⁵ This requires public authorities to tackle discrimination by both public⁸⁶ and private actors.⁸⁷ Human rights law prohibits both direct and indirect discrimination.⁸⁸ Standards from UN committees and the European Court of Human Rights make clear that not every differentiation is prohibited discrimination.⁸⁹ If there is an objective and reasonable justification for the differentiation, then there is no breach of human rights law.⁹⁰

⁸⁴ E/2009/90, 'Report of the High Commissioner for Human Rights on Implementation of Economic, Social and Cultural Rights', 8 June 2009, at para 33.

⁸⁵ Article 2(1), International Covenant on Economic, Social and Cultural Rights 1966; Article 26, International Covenant on Civil and Political Rights 1966; Article 14, European Convention on Human Rights 1950; Human Rights Committee, 'General Comment No 18: Non-discrimination', 10 November 1989, at para 1.

⁸⁶ E/C.12/GC/20, 'ICESCR Committee General Comment No 20: Non-discrimination in Economic, Social and Cultural Rights', 2 July 2009, at paras 8 and 9.

⁸⁷ Ibid, at para 11; CERD Committee, 'General Recommendation XXVII: Discrimination against Roma', 16 August 2000, at para 31.

⁸⁸ *Timishev v Russia* (2005) ECHR 858, at para 56; *Oršuš v Croatia* (2010) ECHR 337, at para 149.

⁸⁹ E/C.12/GC/20, 'ICESCR Committee General Comment No 20: Non-discrimination in Economic, Social and Cultural Rights', 2 July 2009, at para 11; CERD Committee, 'General Recommendation XXVII: Discrimination against Roma', 16 August 2000, at para 31; *Stec and Others v UK* (2006) ECHR 393, at para 5.

⁹⁰ *Stec and Others v UK* (2006) ECHR 393, at para 5.

The Race Relations (NI) Order 1997 addresses the prohibition on discrimination in NI. This broadly complies with human rights standards.⁹¹ In particular, the clear extension to cover all public functions meets the recommendations of the ECRI.⁹² However, the Equality Commission NI has recommendations for ensuring better compliance with such standards.

The Race Relations (NI) Order 1997 enables the Equality Commission NI to issue codes of practice for employment and housing. Although a code in respect of the elimination of racial discrimination in employment was first issued in 1999, an equivalent has not been issued in respect of housing.

Despite the existing protections, some Travellers' in NI felt that they were regularly subjected to racial discrimination, in particular in the private rented sector.

The NIHRC recommends:

- | | |
|---|--|
| i | The Equality Commission NI should issue a code of practice on the elimination of discrimination in housing. This should include the private rented sector. |
|---|--|

Tolerance and Mutual Understanding

Promotion of Tolerance and Mutual Understanding

Legislation and policies are in place to combat prejudice and to promote understanding, tolerance and friendship among different ethnic groups. This is required by the CERD, Article 7, and set out in the UNESCO Declaration of Principles on Tolerance.⁹³

The NI Act 1998, Section 75(2), places a duty on public authorities to “have regard to the desirability of promoting good relations” between persons of different racial groups, which is weaker than the requirements in the human rights standards. The Race Relations (NI) Order 1997, Article 67, places a duty on local Councils to have due regard to the need to promote good relations. This language broadly corresponds to human rights standards.

There is some evidence of dialogue with Travellers, in line with the UN Declaration on the Culture of Peace and the Durban Declaration.⁹⁴ There are concerns that this dialogue is not sufficiently continuing, substantive or intercultural, as recommended by the Advisory Committee for the FCNM and the CoE Committee of Ministers.⁹⁵

⁹¹ Article 2, International Covenant on Economic, Social and Cultural Rights 1966; Article 2(1), Convention on the Elimination of All Forms of Racial Discrimination 1969; Article 5(2), Convention on the Rights of Persons with Disabilities 2006; Article 4, Framework Convention on the Protection of National Minorities 1998; E/C.12/GC/20, ‘ICESCR Committee General Comment No 20: Non-discrimination in Economic, Social and Cultural Rights’, 2 July 2009, at paras 38 and 39.

⁹² CRI(2003)8, ‘ECRI General Policy Recommendation No 7: National Legislation to Combat Racism and Racial Discrimination’, 13 December 2002, at para 7.

⁹³ Article 1(1), UNESCO Declaration on Principles of Tolerance, 16 November 1985.

⁹⁴ A/RES/53/243 A, ‘UN General Assembly Resolution: Declaration on a Culture of Peace’, 13 September 1999; UN Declaration on a Culture of Peace; A/CONF.189/12, ‘Durban Declaration’, 8 September 2001.

⁹⁵ ACFC/311Doc(2008)001, ‘CoE Advisory Committee on the FCNM: Commentary on the Effective Participation of Persons belonging to National Minorities in Cultural, Social and Economic Life in Public Affairs’, 5 May 2008, at para 11; CoE, ‘Declaration on the Committee of Ministers on the Rise of Anti-Gypsyism and Roma and Racist Violence Against Roma in Europe’, 1 February 2012, at para VI.2.iv.

The NIHRC recommends

i	The Department for Communities should liaise with the Executive Office to propose an amendment of the Race Relations (NI) Order 1997, Article 67, to extend the duty contained within to all public authorities. This duty requires appropriate arrangements to be made with a view to securing that the various functions of the relevant public authority are carried out with due regard to the need to eliminate unlawful racial discrimination and to promote equality of opportunity, and good relations, between persons of different racial groups.
ii	The Department for Communities and Department for Infrastructure should liaise with the Executive Office in implementing the Racial Equality Strategy. The strategy should consider how to adequately promote tolerance and understanding between Travellers and the settled community in NI. It should also require all the relevant public authorities to report on such actions.

Effective Remedy

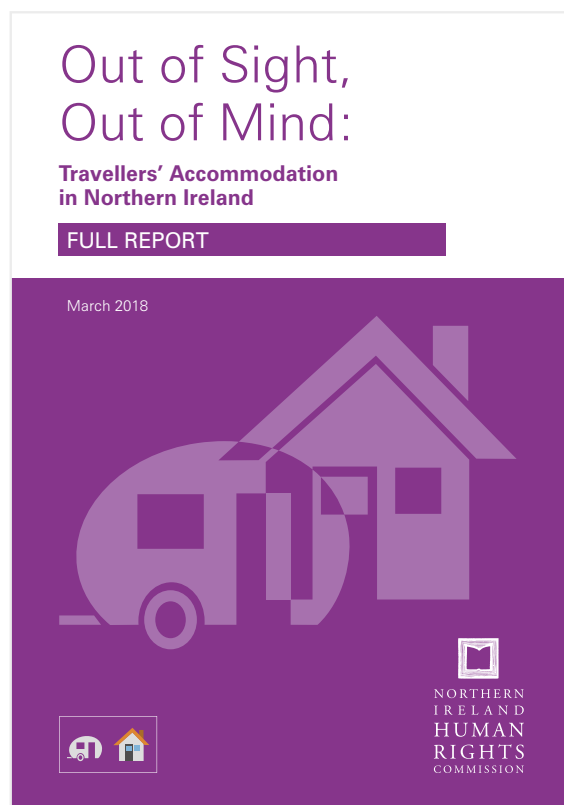
Internal and independent effective remedies for public authorities regarding Travellers' accommodation are regulated and implemented. This reflects the ICESCR, Article 11; ICCPR, Article 14; CRPD, Article 13; and ECHR, Articles 6 and 13.⁹⁶ However, it appears that measures are required to ensure such remedies are accessible to Travellers in NI. For example, the Commission found that Travellers rarely utilised the Department for Communities', Department for Infrastructure's, NI Housing Executive's, the housing associations', or local Councils' internal complaints handling processes.

The NIHRC recommends:

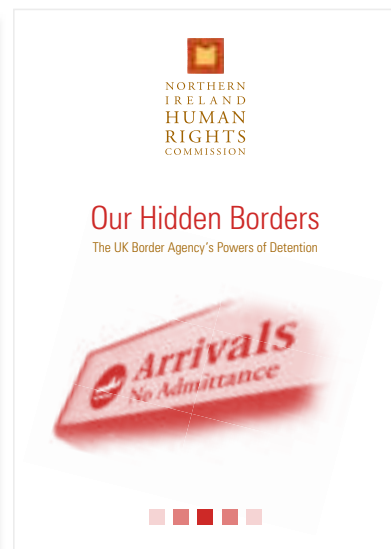
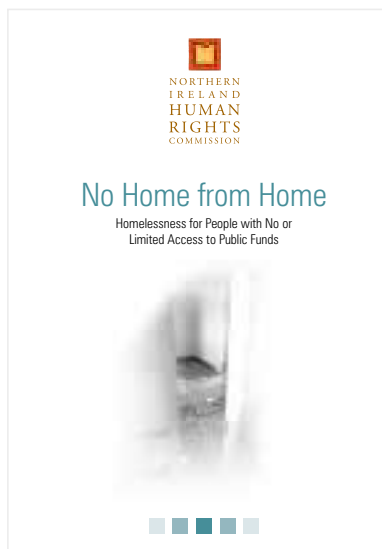
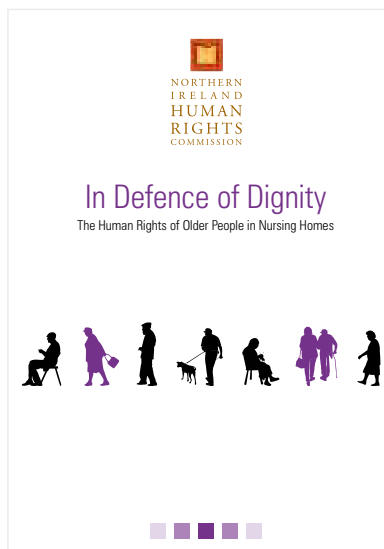
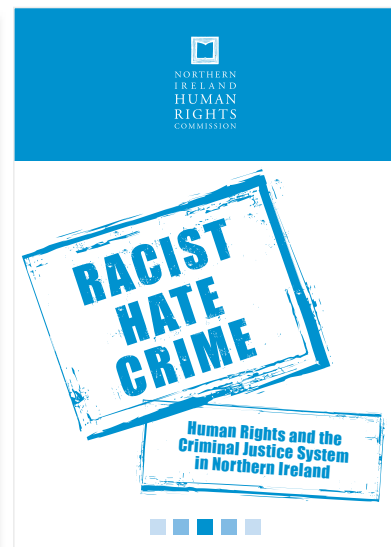
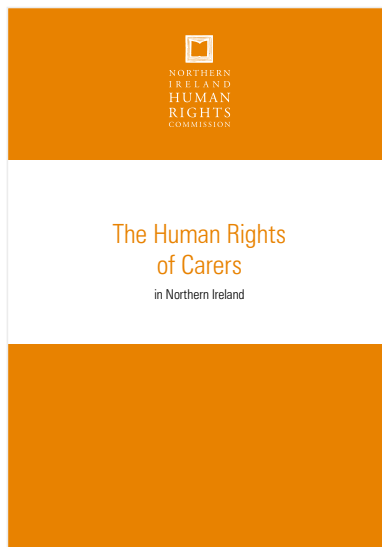
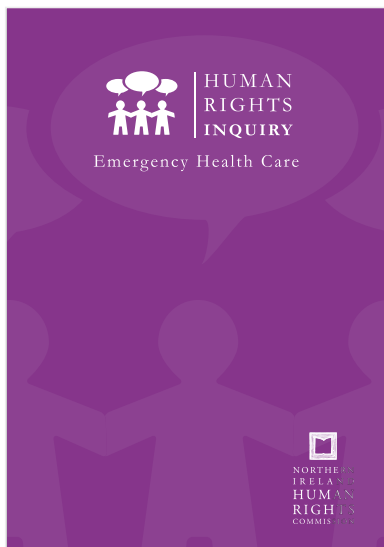
i	All public authorities should take proactive reasonable steps to support Travellers through the complaints process. This includes ensuring Travellers are aware of the existence of such mechanisms, what their purposes are, how to make a complaint, and the different stages of the process.
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⁹⁶ E/1992/23, 'ICESCR Committee General Comment No 4: The Right to Adequate Housing', 13 December 1991, at para 17.

The full report is available at www.nihrc.org



Other reports available at www.nihrc.org are:



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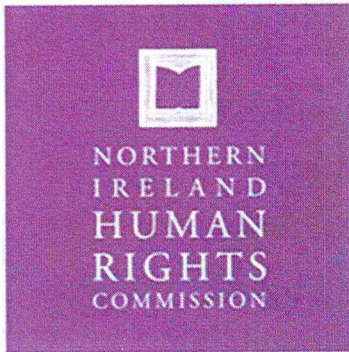
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Anthony Tohill
Chief Executive
Mid Ulster District Council
Dungannon Office
Circular Road
Dungannon
BT71 6DT

15 March 2018

Dear *Anthony,*

Re: Implementation of Travellers' Accommodation Investigation Recommendations

Please find enclosed a copy of the full report. An electronic copy of the full report, Executive Summary, Appendix II (breakdown of data) and Appendix III (comparison of Travellers' accommodation needs assessments 2002, 2008 and 2014) are available on our website: www.nihrc.org. I would like to thank you and your colleagues for their engagement and co-operation with the investigation which was much appreciated.

Following the successful launches of the report in Belfast (6 March) and Derry/Londonderry (12 March), the Commission is determined to ensure the report and its recommendations are implemented.

The Commission has agreed a twelve-month implementation plan, the details of which is set out in an Annex to this letter. This aims to ensure

all key stakeholders are aware of the findings and where the responsibility for specific recommendations fall in practice.

The plan includes a range of engagement meetings and a number of roundtables to facilitate effective ongoing communication and engagement from all stakeholders. The Commission has committed to producing a six-month progress update within our Annual Statement 2018 for the five identified urgent recommendations and a stand-alone 12-month progress report for the additional recommendations. We will be initiating the plan immediately, to ensure it is effectively executed within the 12-month timeframe.

Individual Meeting

We would like to meet at 11:00 -12:00 on Friday 13 April 2018 at the Commissions office if possible. The purpose of this meeting is to discuss the report and your plans for implementation of the recommendations relevant to your Department. These include the recommendations specific to your Department (page 308-309) and those for all public authorities (page 307).

Could you confirm this time and date is suitable or in the alternative come back to my colleague Dr Hannah Russell (Hannah.Russell@nihrc.org) with an alternative time to meet.

Written Response to Recommendations

Further to the meeting, we would ask for your **initial response to the recommendations relevant to your Department in writing by Tuesday 15 May 2018**. For ease, the recommendations have been assigned to the relevant public authorities in Appendix I to the full report. Please send these responses to Dr Hannah Russell (Hannah.Russell@nihrc.org).

Roundtable Discussion

We intend to host the first roundtable discussion at 10:00-12:30 on Tuesday 22 May in the Greater Belfast Area. A representative of your Department is invited to attend. The purpose of the first roundtable discussion is to facilitate a constructive discussion between public authorities, relevant civil society organisations and Travellers on the issues contained within the report and the best practice for effective implementation of the recommendations. We will be asking the Department for Communities and Housing Executive to make an initial input into the roundtable on the response and progress being made to the recommendations.

Ongoing work

We will also in due course be seeking further meetings in September 2018 and March 2019 to discuss progress at those further junctures in advance of the planned further roundtables.

Please confirm your attendance at the one-to-one meeting and the attendance of a representative at the roundtable discussion to Hannah Russell (Hannah.Russell@nihrc.org) by 12:00 on Tuesday 8 May 2018.

We look forward to continuing to work with you and moving to the next stage of ensuring effective implementation of the recommendations contained within the investigation report.

Yours sincerely,



Les Allamby

Chief Commissioner

cc- Dr Chris Boomer, Mid ulster district Council, Dungannon Office, Circular Road, Dungannon, BT71 6DT

Annex: 12-Month Implementation Plan

April 2018-June 2019

Timeframe	Objectives	Outcomes
April–July 2018	Initial one-to-one meetings with the relevant public authorities, including Belfast City Council’s Inter-agency Travellers’ Forum, about report	<ul style="list-style-type: none"> • Understand the investigation’s findings and recommendations • Clarify what is expected and aware of responsibilities in implementing recommendations • Recognition of timelines for recommendations
	Dissemination meetings across NI with Travellers, including with the Travellers Action Group (West)	<ul style="list-style-type: none"> • Understanding of report findings and recommendations • Clarify what is expected and aware of responsibilities in implementing recommendations • Recognition of timelines for recommendations
	Roundtable with relevant public authorities, civil society organisations and Travellers about report to establish action points	<ul style="list-style-type: none"> • Understanding of report findings and recommendations

Timeframe	Objectives	Outcomes
		<ul style="list-style-type: none"> • Clarify what is expected and aware of responsibilities in implementing recommendations
September 2018	Six month implementation follow-up meeting with relevant public authorities	<ul style="list-style-type: none"> • Confirmation that urgent recommendations have been implemented • Update on timeline for effective implementation of any outstanding urgent recommendations and the other recommendations
September – October 2018	Roundtable with relevant public authorities, civil society organisations and Travellers about report to discuss progress and future actions	<ul style="list-style-type: none"> • Develop relationships and understanding between all interested parties concerning the issues raised by the investigation • Agree in principle a commitment to establish a NI-wide stakeholder led forum on Travellers' accommodation, if deemed necessary
December 2018	Report on implementation of the five urgent recommendations and progress on the other recommendations within the Commission's 2018 annual statement	<ul style="list-style-type: none"> • Provide an assessment of implementation and raise concerns where relevant

Timeframe	Objectives	Outcomes
March 2019	12 month implementation meeting with relevant public authorities	<ul style="list-style-type: none"> • Confirmation that all recommendations have been effectively implemented • Update on timeline for effective implementation of any outstanding recommendations
April 2019	Roundtable with relevant public authorities, civil society organisations and Travellers about report to discuss progress and future actions	<ul style="list-style-type: none"> • Develop relationships and understanding between all interested parties concerning the issues raised by the investigation • Progress the establishment of a NI-wide stakeholder led forum on Travellers' accommodation, if deemed necessary
April – June 2019	Publish progress report on all recommendations	<ul style="list-style-type: none"> • Provide an assessment of implementation and raise concerns where relevant

All Public Authorities

i	All public authorities should consider their obligations towards Travellers in the context of the Race Relations (NI) Order 1997 and the NI Act 1998, Section 75. All public authorities should ensure that all relevant staff members are educated on the existence, relevance and effective implementation of the Race Relations (NI) Order 1997 and the NI Act 1998, Section 75, as the legislation relate to Travellers and their accommodation.
ii	The Executive Office and all relevant public authorities should ensure Traveller support groups are adequately resourced for the work they carry out.
iii	All public authorities should take proactive reasonable steps to support Travellers through the complaints process. This includes ensuring Travellers are aware of the existence of such mechanisms, what their purposes are, how to make a complaint, and the different stages of the process.

Local Councils

i	The NI Housing Executive, in conjunction with all relevant providers, should take steps to ensure that all required services are adequately available in practice within all Travellers' accommodation and that the provision of these services is sufficiently regulated. In particular, the NI Housing Executive should work with: the local Councils to ensure Travellers have regular refuse collections; with the electricity supplier to ensure Travellers have prompt and consistent access to electricity; and with Royal Mail to ensure Travellers have adequate access to adequate postal services.
ii	Local Councils should take reasonable steps to prevent undue delays in the planning application process relating to Travellers' accommodation. They should also ensure that all planning decision-making processes are fair, impartial and transparent.
iii	Local Councils should take proactive reasonable steps to ensure Travellers' sites are licenced when required. Local Councils should regularly monitor the licencing of Travellers' sites and be aware when sites require a licence, whether they are licenced and when the licence will expire. Local Councils should ensure all licences meet the minimum standard of provision and safety as required by the model licence, developed by the Department for Infrastructure.
iv	All local Councils should be active members of the NI Local Government Partnership on Travellers Issues and should give consideration to developing or strengthening Traveller Forums to consider issues relating to Travellers, including accommodation.

Report on	Mid Ulster Bonfires – Draft Policy
Date of Meeting	8 th May 2018
Reporting Officer	Mark Kelso - Director Public Health & Infrastructure

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 the Bonfire Management Programme and seek approval of the Draft Policy for the Management of Bonfires on Council Property and Community Celebration – Event Guidance / Application Pack as attached.
2.0	Background
2.1	Members will be aware that a Bonfire Working Group has been established through the Environment Committee, which has considered a range of issues pertaining to local bonfire events held on Council property. A report on draft procedural arrangements for bonfire management was considered and agreed at the April meeting of Council with the intent of promoting public safety, reducing public risk and the maintenance of good community relations.
3.0	Main Report
3.1	<p>The Bonfire Management Programme is designed to assist with practical arrangements for safe bonfire management and will provide guidance and good practice to enable residents and communities to celebrate safely while reducing the potential for issues of neighbour nuisance or dangerous behaviour in accordance with Good Relations guidance.</p> <p>The Bonfire Working Group have reviewed the Draft Policy and Community Celebration Event Guidance / Application Pack, which is now being presented for member's consideration. It is recognised that the Bonfire Management Programme will require adequate resourcing for its effective implementation. The Strategic Action Plan will set out a 2 - 5 year programme of activity to support local communities who wish to hold events on Council premises to enable them to continue to promote their cultural celebrations in a safe and sustainable manner.</p> <p>In accordance with legal advices provided, the Draft Policy and Community Celebration Event Guidance will now be scheduled for public consultation in accordance with procedural guidance. The public consultation process is programmed to commence week commencing Monday 4th June and completing week commencing Monday 3rd September (including Bank Holidays). A draft timeline of the consultation process is included at Table 1 below.</p>

In conjunction with this process, Council is proposing to support the local communities hosting celebration events over the summer period by facilitating a trial of the Event Management Programme during this period to enable community representatives to become familiar with the proposals and highlight any particular issues of concern.

The Draft Policy has been subjected to initial Equality screening as part of the policy development process and screened out at this stage. A copy of the screening assessment is attached for Member's consideration.

Table 1

<u>Draft Bonfire Management Policy & Procedures Consultation Process</u>	
<u>Draft Timeline - June 2018</u>	
4th June to 4th September - Public Consultation / Pilot Exercise	
4 th June – 13 week public consultation - process opens Consultation / website / stakeholder event / statutory partners Pilot Exercise – Facilitate Trial of Event Management Programme	
September 2018	
Review consultation responses / incorporate necessary amendments 4 week assessment / review process : <ul style="list-style-type: none"> • Equality Impact Screening / Assessment • Rural Needs Assessment • Financial Assessment 	
October / November 2018	
Final Draft Policy & Procedures with amendments as necessary presented to Bonfire Working Group and Environment Committee for consideration	

4.0 Other Considerations

4.1 Financial, Human Resources & Risk Implications

Financial: A full assessment of Financial Impact will be completed at the end of the consultation period, however apart from the cost of public liability insurance of approximately £170 – £200 there is not expected to be any other direct cost to communities as result of the implementation of this programme. Statutory Bodies will address any costs within their annual budgeting process.

	Human: As identified
	Risk Management: As identified
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: As determined
	Rural Needs Implications: As determined
5.0	Recommendation(s)
5.1	That Members agree the Draft Policy for the Management of Bonfires on Council Property and Community Celebration – Event Guidance / Application Pack as attached and proceed with public consultation exercise as outlined and apply existing risk management procedures to any planned events this year.
6.0	Documents Attached & References
6.1	Appendix 1 – Draft Bonfire Management Policy
6.2	Appendix 2 – Equality Screening of Draft Bonfire Management Policy
6.3	Appendix 3 – Community Celebration Event Guidance / Application Pack



Draft Policy for the Management of Bonfires on Council Property

Document Control			
Policy Owner	Mid Ulster District Council		
Policy Author			
Version	V1-Draft		
Consultation	Senior Management Team	Yes / No	
	Trade Unions	Yes / No	
Equality Screened by	Yes /No	Date	
Equality Impact Assessment	Yes /No	Date	
Good Relations	Yes /No		
Approved By	(Insert Committee)	Date	
Adopted By	Council	Date	
Review Date		By Whom	
Circulation	(Insert) e.g. Councillors, Staff		
Document Linkages			

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3.0	Policy Scope	
4.0	Linkage to Corporate Plan	
5.0	Considerations of (Insert Appropriate Detail)	
6.0	Roles & Responsibilities	
7.0	Impact Assessment <ul style="list-style-type: none"> • Equality Screening & Impact • Rural Needs Impact Assessment • General Data Protection Regulation (GDPR) Implications • Staff & Financial Resources 	
8.0	Support & Advice	
9.0	Communication	
10.0	Monitoring & Review Arrangements	
Appendix A	Agreed Action Plan	

1.0 Introduction

- 1.1 This policy is being introduced in order to assist the Council to comply with its statutory duties and control risk to members of the public accessing Council land .
- 1.2 The Council recognises that bonfires are a means of cultural expression within local communities. Council is committed to engaging with communities in order to ensure safe and sustainable bonfires and identify and agree alternative and safe methods of cultural expression.

2.0 Policy Aim & Objectives

- 3.1 **Policy Aim:** To provide clear guidance to ensure the safe management of bonfires held on Council land .
- 3.2 **Policy Objectives:**
- To promote a message of celebrating cultural expressions safely while adhering to health and safety guidance
 - To implement bonfire management conditions and guidance, which sets out the minimum requirements for a safe, well managed bonfire/event
 - To safeguard, so far as is reasonably practicable, the health, safety and wellbeing of contractors, visitors and members of the public accessing Council Land in accordance with statutory requirements
 - To encourage and promote increased education and awareness programmes to inform young people of health and safety risks and
 - To support and encourage family friendly events as alternatives to bonfires

4.0 Policy Scope

- 4.1 This policy relates specifically to bonfires held on Council land. The policy relates to all those involved with the organisation and delivery of bonfires on Council land.
- 4.2 It does not extend to fireworks or any other outdoor event on Council land.

5.0 Linkage to Corporate Plan

- 5.1 Referring to Mid Ulster District Council's Corporate Plan 2015-2019, this policy contributes toward the delivery of Corporate Theme 3, (*Sustaining Our Environment*).

6.0 Roles and Responsibilities

- 6.1 The control of bonfires on Council Land will be continuously reviewed to ensure appropriate responses in line with changing circumstances with the aim of ensuring public safety on Council land. Responsible Directorates include Public Health & Infrastructure, Environment & Property , Business and Communities and Leisure and Outdoor Recreation .

7.0 General Principles

- 7.1 Mid Ulster District Council will commit to the following:

- Council aims to implement a 2-5 year action plan (Appendix A) which includes working with communities to support safe and sustainable celebration events which are family friendly and festival focussed .
- To maintain the Member led, multi departmental Working Group to take a strategic overview on the impact of bonfires in the Council area and review policy on a bi-annual basis.
- Develop protocols to ensure that if material is collected for a bonfire, no toxic or hazardous material is stored or placed on the bonfire.
- To engage with and provide guidance and direction to those participating in building bonfires in their communities so as to ensure that bonfires are safe and present limited risk.
- Set up educational interventions to demonstrate the social and environmental impacts associated with bonfires and highlight the benefits and advantages of a more inclusive alternative celebration.
- Where bonfires are on Council land and where communities are not in support of a bonfire taking place and/or the organiser(s) are not adhering to safety or environmental requirements, the Council shall take steps to manage its property accordingly. In doing so Council will undertake a Health and Safety risk assessment with regard to the removal of materials to ensure the protection of staff, contractors and the public.

- Develop bonfire management conditions and guidance, which sets out the minimum requirements for a safe, well managed bonfire / event. A proposed bonfire on Council land would only be considered when the event organiser demonstrates that the event will be managed safely and conditions relating to collection / type of materials to be burned, site / public safety, emblems / flags posters etc. will be achieved.
- This policy relates to bonfires on Council land, however Council will endeavour to encourage all other landowners to adopt a similar approach and to develop and implement similar policies and practices.

8.0 Procedural Arrangement

- 8.1 This policy will be supported by the actions outlined in the Action Plan (Appendix A) which Council is committed to implementing.

9.0 Impact Assessments

Equality Screening & Impact

- 9.1 The draft policy was subjected to equality screening in accordance with the council's screening process. The outcome of the screening of a preliminary screening exercise is that the policy may be 'screened out' for an EQIA with mitigating measures.

9.2 Rural Needs Impact

The draft policy shall be subjected to a Rural Needs Impact Assessment. Details will be included in the final policy.

9.3 General Data Protection Regulation (GDPR) Implications

This policy will comply with Council's GDPR requirements. This will include the appropriate management of personal information that may be provided to Council via to implement support for family friendly events.

9.4 Staff and Financial Resources

Required staffing and resourcing will be resourced from within Departmental budgets. Possible external funding opportunities for various aspects of the Action Plan will also be explored.

10.0 Support and Advice

- 10.1 Advice and guidance on the implementation of this should be sought from the Directors of Public Health and Infrastructure and Business and Communities relevant Head of Services from within those Directorates.

11.0 Communication

- 11.1 The Council Directorates including Public Health and Infrastructure and Business and Communities will be responsible for the communication and delivery of this policy.

12.0 Monitoring and Review Arrangements

- 12.1 Implementation of this policy will be monitored and a formal review undertaken 24 months from its effective date.

DRAFT

Appendix A

Associated Actions and Commitments : Address the Key Areas Where Risk has been identified

Action	Council Commitment
Council will implement the proposed Bonfire Management Programme in key areas of risk	A proposed Bonfire event on Council land would only be considered when the event organiser demonstrates that the event /site will be managed safely and conditions relating to collection/type of materials to be burned, public safety, emblems/flags will be achieved in accordance with Event Management guidelines. Council will take such steps as deemed necessary to regulate the use of its property.
Council officers will continue to participate within established groups working on bonfires across the Council area	Council will consult with statutory agencies, community/voluntary groups and the wider population in relation to the development of a long term strategic action plan.
Council will develop protocols to ensure that if material is collected for a bonfire, no toxic or hazardous material is stored or placed on the bonfire site and take action to remove it if found present	Council will take a proactive a proactive approach together with our statutory partners to remove unauthorised waste materials from council land. This will be enforced via the development of a protocol in partnership with PSNI / NIEA to ensure the appropriate handling and disposal of environmental waste, including tyres, in order to prevent them being placed on bonfires.
When safe to do so Council will remove unauthorised materials and adhere to the enforcement of Health and Safety protocols	In event that bonfires are proposed on council land and local communities /residents are not in support of a bonfire taking place and/or the organiser(s) are not adhering to safety/environmental requirements, the Council will take proactive steps to prevent environmental and property damage. Council will undertake a Health and Safety risk assessment with regard to the removal of materials to ensure the protection of staff contractors and public.
Council will liaise with the PSNI and local community representatives to ensure that communities can move freely without obstruction or fear	Council will work closely with statutory and community partners to combat antisocial behaviour and any potential for intimidatory behaviour taking place.

Associated Actions and Commitments : Strategic Action Plan (2 - 5years)

Action	Council Commitment
Council will develop an Event Safety and Management Action Plan	Provide advice in the development of Event Safety and Management Action Plans that will provide guidance and good practice for residents and communities celebrating safely without any problems of nuisance or dangerous behaviour.
Council will promote how to organise and run a bonfire event safely	Support communities in the positive celebration of their cultural heritage through managed events to ensure that these events do not compromise the health, safety and well-being of the community, businesses and residents.
Council will implement an educational programme to raise awareness of bonfires, including the burning of hazardous materials, impact on health, air pollution and environmental damage	Promote educational interventions to demonstrate the social and environmental impacts associated with bonfires and highlight the benefits and advantages of a more inclusive alternative celebration.
Council will develop protocols and guidance to ensure that only appropriate materials are burnt	Prevent tyres from being placed on bonfires. Put in place enforcement protocol with PSNI / NIEA to ensure the appropriate handling and disposal of waste tyres and to prevent them being placed on bonfires.
Council will support communities to identify issues/needs particular to their area and develop potential projects	Council will work with community / youth groups and other stakeholders to develop and deliver awareness projects or projects on ASB, diversionary along with partners including PCSP.
Council will encourage communities to promote cultural celebrations and alternative type events	Support communities in the positive celebration of their cultural heritage through managed events e.g. fun days, beacons that are open and inclusive.



Equality & Good Relations Screening Report

Introduction

Mid Ulster District Council has a statutory duty to screen its policies, procedures, practices/decisions. This Policy Screening Form and Report assists Council Departments to consider the likely equality and good relations impacts of the aforementioned, if any, placed upon our ratepayers, citizens, service users, staff and visitors to the district.

Section 1 – Policy scoping

This asks the Policy Author to provide details on the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations. Reference to policy within this document refers to either of the aforementioned (policy, procedure, practice, and/ or decision).

Section 2 – Screening questions

This asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and issues.

Section 3 – Screening decision

This guides the Council to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or introduce measures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality of opportunity.

Section 4 – Monitoring

This provides guidance to the Council on monitoring for adverse impact and broader monitoring.

Section 5 – Approval and authorisation

This verifies the Council's approval of a screening decision by a senior manager responsible for the policy.

Appendix A Screening Process

Section 1 Policy Scoping & Information

The first stage of the screening process involves scoping the policy under consideration which sets the context and confirms the aims and objectives for the policy being screened. Scoping the policy helps to identify constraints as well as opportunities and will help the policy author to work through the screening process on a step by step basis.

1. Policy Name		
Draft Regulations for Bonfires on Council Land		
2. Is this an existing, revised or a new policy?		
This is a new policy		
3. What is it trying to achieve? (aims/outcomes)		
The aim of this policy is to provide clear guidance regarding the regulation of bonfires held on Council land. It will promote responsible bonfire management and aims to engage with communities in order to bring about inclusive cultural events and celebrations.		
4. Are there any Section 75 categories which might be expected to benefit from the intended policy?	Yes	✓
	No	
Bonfires are public expressions of celebration of cultural traditions in. People of different religious belief and political opinion have potential to directly and indirectly benefit from the intended policy actions.		
6. Who initiated or wrote the policy?		
Mid Ulster District Council		
7. Who owns and who implements the policy?		
This policy will be owned and implemented by the Public Health and Infrastructure and Business and Communities Directorates		

Implementation factors

		Yes	No
Are there any factors which could contribute to/ detract from intended aim/ outcome of the policy?		Yes	
• If yes, are they financial?			✓
• If yes, are they legislative?		✓	
• If yes, Please specify	<p>Financial:</p> <p>Legislative: <i>The following legislation has the capacity to impact on the outcome of this policy</i></p> <p>There are a number of legislative controls existing under Waste Management, Roads, Clean Air and Public Health legislation which apply directly to bonfires including:</p> <ul style="list-style-type: none"> • Clean Air (NI) Order 1981 • The Litter Order (NI) 1994 • The Waste and Contaminated Land (NI) Order 1997 • Road (NI) Order 1993 		
• Other, Please specify			

Stakeholders

The internal and external (actual or potential) that the policy will be impacted upon

	Yes	No
Staff	✓	
Service Users	✓	
Other public sector organisations	✓	
Voluntary/community/ trade unions	✓	
Other, please specify		

Others policies with a bearing on this policy

Policies	Owners
Council's Event Management Proforma	

Available evidence

Information and available evidence (qualitative and quantitative) gathered to inform the policy under each of the Section 75 groups as identified within the Northern Ireland Act 1998.

Section 75 category	Details of evidence/information																																				
Religious belief	<p>63.77% of the population were brought up in the Catholic religion and 33.46% belong or were brought up in a Protestant and Other Christian (including Christian related) religion. Other religions comprised 690 (0.5%) and None 3,153 (2.28%) of the population (Source: 2011 Census).</p> <table><tr><th>Religion or Religion brought up in</th><th>No.</th><th>%</th></tr><tr><td>Catholic</td><td>88,375</td><td>63.77</td></tr><tr><td>Protestant and Other Christian (including Christian related)</td><td>46,372</td><td>33.46</td></tr><tr><td>Other religions</td><td>690</td><td>0.5</td></tr><tr><td>None</td><td>3,153</td><td>2.28</td></tr><tr><td>Total</td><td>138,590</td><td>100</td></tr></table>	Religion or Religion brought up in	No.	%	Catholic	88,375	63.77	Protestant and Other Christian (including Christian related)	46,372	33.46	Other religions	690	0.5	None	3,153	2.28	Total	138,590	100																		
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Political opinion	<p>Political party representation can be used as an approximate barometer of political opinion of people within Mid Ulster council area. The most recent local government/ council election in 2014 the percentage 1st preference vote share for each of the political party/ independents is detailed bellowed along with representation (seats) on Council (Source: NISRA):</p> <table><tr><th>Party</th><th>Votes</th><th>Percentage</th><th>Council Seats</th></tr><tr><td>SF</td><td>22,587</td><td>41.0%</td><td>18</td></tr><tr><td>DUP</td><td>9,723</td><td>17.6%</td><td>8</td></tr><tr><td>UUP</td><td>9,573</td><td>17.4%</td><td>7</td></tr><tr><td>SDLP</td><td>7,600</td><td>13.8%</td><td>6</td></tr><tr><td>Independent</td><td>2,689</td><td>4.9%</td><td>1</td></tr><tr><td>TUV</td><td>2,380</td><td>4.3%</td><td>0</td></tr><tr><td>Alliance</td><td>250</td><td>0.6%</td><td>0</td></tr><tr><td>UKIP</td><td>195</td><td>0.4%</td><td>0</td></tr></table>	Party	Votes	Percentage	Council Seats	SF	22,587	41.0%	18	DUP	9,723	17.6%	8	UUP	9,573	17.4%	7	SDLP	7,600	13.8%	6	Independent	2,689	4.9%	1	TUV	2,380	4.3%	0	Alliance	250	0.6%	0	UKIP	195	0.4%	0
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Racial group	<p>According to the 2011 Census the overwhelming majority of the population 136,485 (98.48%) were classified as ‘white’. Within this total will be migrant communities, such as Polish, Lithuanian and so forth. Statistics indicate that the number of people in Mid Ulster Local Government District (LGD) born outside Northern Ireland is:</p> <table><tr><th>Place of Birth</th><th>No.</th></tr><tr><td>Great Britain</td><td>4,053</td></tr><tr><td>Republic of Ireland</td><td>2,250</td></tr><tr><td>EU Countries (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia)</td><td>6,795</td></tr><tr><td>Other</td><td>2,280</td></tr></table> <p>The minority ethnic language profile within the area can serve as a possible indicator of the Black & Minority Ethnic (BME) community profile within the district. The</p>	Place of Birth	No.	Great Britain	4,053	Republic of Ireland	2,250	EU Countries (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia)	6,795	Other	2,280																										
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	composition of language groups in Mid Ulster LGD area is also noted from the 2011 census by NISRA as:																														
	<table><tr><th>Main Languages of residents in Mid Ulster Council area</th><th>No.</th></tr><tr><td>English</td><td>125,715</td></tr><tr><td>Polish</td><td>2,008</td></tr><tr><td>Lithuanian</td><td>2,039</td></tr><tr><td>Portuguese</td><td>903</td></tr><tr><td>Irish (Gaelic)</td><td>404</td></tr><tr><td>Slovak</td><td>477</td></tr><tr><td>Russian</td><td>297</td></tr><tr><td>Latvia</td><td>261</td></tr><tr><td>Hungarian</td><td>117</td></tr><tr><td>Chinese</td><td>64</td></tr><tr><td>Tagalog/Filipino</td><td>38</td></tr><tr><td>Malaysian</td><td>33</td></tr><tr><td>Other</td><td>922</td></tr></table>			Main Languages of residents in Mid Ulster Council area	No.	English	125,715	Polish	2,008	Lithuanian	2,039	Portuguese	903	Irish (Gaelic)	404	Slovak	477	Russian	297	Latvia	261	Hungarian	117	Chinese	64	Tagalog/Filipino	38	Malaysian	33	Other	922
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Age	The age profile of Mid Ulster Local Government District area as at 2015 (Source, NISRA)																														
	<table><tr><th></th><th>Mid Ulster</th><th>Northern Ireland</th></tr><tr><td>Total Population</td><td>144,002</td><td>1,851,621</td></tr><tr><td>0-15 years</td><td>33,123</td><td>385,200</td></tr><tr><td>16-39 years</td><td>47,646</td><td>583,116</td></tr><tr><td>40-64 years</td><td>43,621</td><td>591,481</td></tr><tr><td>65+ years</td><td>19,612</td><td>291,824</td></tr><tr><td>Population Change % (2005-2015)</td><td>15.3%</td><td>7.2%</td></tr></table>				Mid Ulster	Northern Ireland	Total Population	144,002	1,851,621	0-15 years	33,123	385,200	16-39 years	47,646	583,116	40-64 years	43,621	591,481	65+ years	19,612	291,824	Population Change % (2005-2015)	15.3%	7.2%							
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Marital status	The below table sets out the marital status profile for Mid Ulster District Council area as extracted from results of the 2011 Census																																																					
		Mid Ulster		Northern Ireland																																																		
		No.	%	No	%																																																	
	Single (never married or never registered a same sex civil partnership) (Aged 16+)	38,353	35.97	517,393	36.14																																																	
	Married (Aged 16+)	54,192	50.82	680,831	47.56																																																	
	In a registered same sex civil partnership (Aged 16+)	62	0.06	1,243	0.09																																																	
	Separated (but is still legally married or still legally in a same sex civil partnership) (Aged 16+)	3,369	3.16	56,911	3.98																																																	
	Divorced or formerly in a same sex civil partnership which is now legally dissolved (Aged 16+)	4,139	3.88	78,074	5.45																																																	
	Widowed or surviving partner from a same sex civil partnership (Aged 16+)	6,523	6.12	97,088	6.78																																																	
Sexual orientation	No specific statistics are available from the 2011 government census for this Category and there are therefore no official statistics available in relation to persons of different sexual orientation. However, the Integrated Household Survey would include between 3% and 4% would be either gay, lesbian and/or bisexual. However, due to the nature of 'disclosure' in this area, umbrella organisations often state that the figure may be closer to 10%.																																																					
	<table><tr><td>Region</td><td>Heterosexual / Straight</td><td>Gay/ Lesbian</td><td>Bisexual</td><td>Gay/ Lesbian/ Bisexual</td><td>Other</td><td>Don't know /refuse</td><td>No response</td></tr><tr><td>England</td><td>92.54%</td><td>1.10%</td><td>0.51%</td><td>1.61%</td><td>0.33%</td><td>4.07%</td><td>1.45%</td></tr><tr><td>Wales</td><td>93.93%</td><td>1.04%</td><td>0.48%</td><td>1.52%</td><td>0.45%</td><td>2.99%</td><td>1.11%</td></tr><tr><td>Scotland</td><td>94.65%</td><td>0.82%</td><td>0.33%</td><td>1.14%</td><td>0.26%</td><td>2.59%</td><td>1.37%</td></tr><tr><td>N Ireland</td><td>93.00%</td><td>0.64%</td><td>0.96%</td><td>1.60%</td><td>0.26%</td><td>3.98%</td><td>1.17%</td></tr><tr><td>Total</td><td>92.80%</td><td>1.06%</td><td>0.51%</td><td>1.57%</td><td>0.32%</td><td>3.89%</td><td>1.42%</td></tr></table>							Region	Heterosexual / Straight	Gay/ Lesbian	Bisexual	Gay/ Lesbian/ Bisexual	Other	Don't know /refuse	No response	England	92.54%	1.10%	0.51%	1.61%	0.33%	4.07%	1.45%	Wales	93.93%	1.04%	0.48%	1.52%	0.45%	2.99%	1.11%	Scotland	94.65%	0.82%	0.33%	1.14%	0.26%	2.59%	1.37%	N Ireland	93.00%	0.64%	0.96%	1.60%	0.26%	3.98%	1.17%	Total	92.80%	1.06%	0.51%	1.57%	0.32%	3.89%
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Research also conducted by the HM Treasury shows that between 5%-7% of the UK population identify themselves as gay, lesbian, bisexual or 'trans' (transsexual, transgendered and transvestite) (LGBT).																																																						

Men & women generally	<p>The gender profile of Mid Ulster LGD is detailed as;</p> <table><tr><th></th><th colspan="2">Mid Ulster</th><th colspan="2">Northern Ireland</th></tr><tr><th></th><th>No.</th><th>%</th><th>No.</th><th>%</th></tr><tr><td>Male</td><td>69,362</td><td>50.05</td><td>887,323</td><td>49.00</td></tr><tr><td>Female</td><td>69,228</td><td>49.95</td><td>923,540</td><td>51.00</td></tr></table>		Mid Ulster		Northern Ireland			No.	%	No.	%	Male	69,362	50.05	887,323	49.00	Female	69,228	49.95	923,540	51.00					
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Disability	<p>According to the 2011 NISRA census statistics 19.39% of people had a long-term health problem or disability that limited their day-to-day activities whilst 80.43% of people within the district stated their general health was either good or very good</p> <table><tr><th></th><th colspan="2">Mid Ulster</th><th colspan="2">Northern Ireland</th></tr><tr><th></th><th>No.</th><th>%</th><th>No.</th><th>%</th></tr><tr><td>Disability / long term health</td><td>26,870</td><td>19.39</td><td>374,646</td><td>20.69</td></tr><tr><td>No disability / long term health problem</td><td>111,720</td><td>80.61</td><td>1,436,217</td><td>79.31</td></tr></table> <p>In Northern Ireland the profile of persons with a disability has been reported by Disability Action as;</p> <ul style="list-style-type: none">• More than 1 in 5 or 21% of the population have a disability• 1 in 7 people have some form of hearing loss• 5,000 persons use sign language - British Sign Language and/or Irish Sign Language• There are 57,000 blind persons or persons with significant impairment• 52,000 persons with learning difficulties		Mid Ulster		Northern Ireland			No.	%	No.	%	Disability / long term health	26,870	19.39	374,646	20.69	No disability / long term health problem	111,720	80.61	1,436,217	79.31					
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Dependants	<p>Persons with dependents may be people who have personal responsibility for the care of a child (or children), a person with a disability, and/ or a dependent older person. The below table provides a summary with respect Mid Ulster LGD.</p> <table><tr><th></th><th colspan="2">Mid Ulster</th><th colspan="2">Northern Ireland</th></tr><tr><th></th><th>No.</th><th>%</th><th>No.</th><th>%</th></tr><tr><td>Households with dependent children</td><td>18,626</td><td>38.99</td><td>238,094</td><td>33.86</td></tr><tr><td>Lone parent households with dependents</td><td>3,485</td><td>7.30</td><td>63,921</td><td>9.09</td></tr><tr><td>People providing unpaid care</td><td>12,821</td><td>10.69</td><td>231,980</td><td>11.82</td></tr></table> <p>Of the households in Mid Ulster Local Government District with dependent children, they can be summarised as;</p> <ul style="list-style-type: none">• 7,407 families in households have 1 dependent child• 6,394 families in households with two dependent children• 5,014 families in households with three dependent children <p>There are 37,306 dependent children within families.</p>		Mid Ulster		Northern Ireland			No.	%	No.	%	Households with dependent children	18,626	38.99	238,094	33.86	Lone parent households with dependents	3,485	7.30	63,921	9.09	People providing unpaid care	12,821	10.69	231,980	11.82
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Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

Section 75 category	Details of needs/experiences/priorities
Religious belief	<p>Cultural traditions within Northern Ireland include the use of celebratory bonfires and beacons.</p> <p>This policy outlines Council's commitment to work with communities, agencies and individuals to address potential environmental and social impact of celebratory bonfires and beacons.</p> <p>The aim of this policy is to provide clear and appropriate guidance in relation to bonfire events being held on Council land. It applies to bonfires and beacons associated with community celebrations and traditions, and will extend to providing health & safety protocols, awareness initiatives, relevant promotion of diversionary activities and enforcement where necessary.</p> <p>People of different religious belief have potential to directly and indirectly benefit from the intended policy actions.</p> <p>In terms of equality of opportunity, any potential positive impact of this policy for people of any specific religious belief does not automatically create an adverse negative impact on people with other religious beliefs.</p>
Political opinion	<p>Cultural traditions within Northern Ireland include the use of celebratory bonfires and beacons.</p> <p>This policy outlines Council's commitment to work with communities, agencies and individuals to address potential environmental and social impact of celebratory bonfires and beacons.</p> <p>The aim of this policy is to provide clear and appropriate guidance in relation to bonfire events being held on Council land. It applies to bonfires and beacons associated with community celebrations and traditions, and will extend to providing health & safety protocols, awareness initiatives, relevant promotion of diversionary activities and enforcement where necessary.</p> <p>People of different religious belief have potential to directly and indirectly benefit from the intended policy actions.</p>

	In terms of equality of opportunity, any potential positive impact of this policy for people of any specific religious belief does not automatically create an adverse negative impact on people with other religious beliefs.
Racial group	Mid Ulster District Council area is home to increasingly diverse society and there are potentially people whose first language may not be English. Council Officers may need to make arrangements to translate relevant information if requested.
Age	No adverse impacts anticipated.
Marital status	No adverse impacts anticipated.
Sexual orientation	No adverse impacts anticipated.
Men and women generally	No adverse impacts anticipated.
Disability	Council must ensure that all those involved in bonfire celebrations must have an understanding of their obligations in relation to Council's policy and health and safety requirements.
Dependants	No adverse impacts anticipated.

Section 2 – Screening Questions

In making a decision as to carry out an Equality Impact Assessment (EQIA), the Council should consider its answers to the questions 1- 3 detailed below.

If the Council's conclusion is **none** in respect of all of the Section 75 equality of opportunity categories, then the Council may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity, the Council should give details of the reasons for the decision taken.

If the Council's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the Council's conclusion is **minor** in respect of one or more of the Section 75 equality categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity.

In favour of none

- a) The policy has no relevance to equality of opportunity.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity for people within the equality categories.

Screening questions

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories (minor/ major/ none)		
Section 75 category	Details of policy impact	Level of impact? minor/major/none
Religious belief	<p>Cultural traditions within Northern Ireland include the use of celebratory bonfires.</p> <p>This policy outlines Council's commitment to work with communities, agencies and individuals to address potential environmental and social impact of celebratory bonfires and beacons.</p> <p>The aim of this policy is to provide clear and appropriate guidance in relation to bonfire events being held on Council land. It applies to bonfires and beacons associated with community celebrations and traditions, and will extend to providing health & safety protocols, awareness initiatives, relevant promotion of diversionary activities and enforcement where necessary.</p> <p>People of different religious belief have potential to directly and indirectly benefit from the intended policy actions.</p> <p>In terms of equality of opportunity, any potential positive impact of this policy for people of any specific religious belief does not automatically create an adverse negative impact on people with other religious beliefs.</p>	Minor
Political opinion	<p>Cultural traditions within Northern Ireland include the use of celebratory bonfires.</p> <p>This policy outlines Council's commitment to work with communities, agencies and individuals to address potential environmental and social impact of celebratory bonfires and beacons.</p> <p>The aim of this policy is to provide clear and appropriate guidance in relation to bonfire events being held on Council land. It applies to bonfires and beacons associated with community celebrations and traditions, and will</p>	Minor

	<p>extend to providing health & safety protocols, awareness initiatives, relevant promotion of diversionary activities and enforcement where necessary.</p> <p>People of different religious belief have potential to directly and indirectly benefit from the intended policy actions.</p> <p>In terms of equality of opportunity, any potential positive impact of this policy for people of any specific religious belief does not automatically create an adverse negative impact on people with other religious beliefs.</p>	
Racial group	<p>Mid Ulster District Council area is home to increasingly diverse society and there are potentially people whose first language may not be English.</p> <p>Council Officers may need to make arrangements to translate relevant information if requested.</p>	Minor
Age	<p>The elderly and young often feel intimidated by some of the anti-social behaviour that is at times associated with bonfires. Elderly, particularly those living on their own whose homes can be at risk of danger may feel particularly vulnerable therefore the proposed out-workings of this policy would have a positive impact on this grouping.</p>	Minor (positive)
Marital status	No adverse impacts anticipated.	None
Sexual orientation	No adverse impacts anticipated.	None
Men and women generally	No adverse impacts anticipated.	None
Disability	Council must ensure that all those involved in bonfire celebrations must have an	Minor

	understanding of their obligations in relation to Council's policy and health and safety requirements.	
Dependants	No adverse impacts anticipated.	None

2. Are there opportunities to better promote equality of opportunity for people within Section 75 equality categories? (Yes/ No)

Section 75 category	If Yes , provide details	If No , provide reasons
Religious belief	<p>Council's approach should include the provision of diversionary activities, provision of advice and guidance, support and training.</p> <p>The establishment of a coherent long term approach to addressing the challenges associated with celebratory bonfires should aim to promote positive community relations and community safety.</p>	
Political opinion	<p>Council's approach should include the provision of diversionary activities, provision of advice and guidance, support and training.</p> <p>The establishment of a coherent long term approach to addressing the challenges associated with celebratory bonfires should aim to promote positive community relations and community safety.</p>	
Racial group	Any relevant information that is required to be translated information if requested	
Age		No-there are no anticipated adverse impacts for this Section 75 category

Marital status		No-there are no anticipated adverse impacts for this Section 75 category
Sexual orientation		No-there are no anticipated adverse impacts for this Section 75 category
Men and women generally		No-there are no anticipated adverse impacts for this Section 75 category
Disability	Council can ensure that any diversionary activities, provision of advice and guidance, support and training is a made accessible to people disabilities.	
Dependants		No-there are no anticipated adverse impacts for this Section 75 category

3. Are there opportunities without prejudice, to the equality of opportunity duty, to better promote good relations between Section 75 equality categories, through tackling prejudice and/ or promoting understanding? (Yes/ No)

	No	✓
	Yes	
If yes, please detail the opportunities below:		

If yes is concluded to Question 3, then the policy will be referred to the Council's Good Relations Working Group for consideration. The Group will consider the potential opportunities and assess if and how the overall impact of a decision/policy can better promote good relations.

Additional Considerations - Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities? *(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).*

None
Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.
N/A

Section 3 – Screening Decision

In light of answers provided to the questions within Section 3 select one of the following with regards the policy:

		Select One
1	Shall not be subject to an EQIA - <i>with no mitigating measures required</i>	✓
2	Shall not be subject to an EQIA - <i>mitigating measures/ alternative policies introduced</i>	
3	Shall be subject to an EQIA	

If 1 or 2 above (i.e. not to be subject to an EQIA) please provide details of reasons why.

In this instance it is recommended not to proceed with conducting an equality impact assessment on this policy.

This policy outlines regulations in relation to bonfires held on Council property. However the policy also recognises that some community celebration and cultural tradition may be characterised by celebratory bonfires. Therefore Council is taking a long term action based approach and demonstrating a commitment to working with communities and agencies in order to address the potential environmental and health and safety impacts.

If 2 above (i.e. not to subject to an EQIA) in what ways can adverse impacts attaching to the policy be mitigated or an alternative policy be introduced.

If 3 above (i.e. shall be subject to an EQIA), please provide details of the reasons.

Mitigation

When it is concluded that the likely impact is 'minor' and an equality impact assessment is not to be conducted, you may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity?
--

If so, give the reasons to support your decision, together with the proposed changes/amendments or alternative policy:

The introduction of mitigating measure may be required following monitoring of the policy.
--

Timetabling and prioritising

If the policy has been screened in for equality impact assessment, please answer the below to determine its priority for timetabling the equality impact assessment.

- **On a scale of 1-3 (1 being lowest priority and 3 being highest), assess the policy in terms of its priority for equality impact assessment.**

Priority criterion	Rating (1-3)
Effect on equality of opportunity	
Social need	
Effect on people's daily lives	
Relevance to a Council's functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the Council in timetabling. Details of the Council's Equality Impact Assessment Timetable should be included in the Screening Reports.

- **Is the policy affected by timetables established by other relevant public authorities?**

Yes	
No	

Section 5 – Monitoring

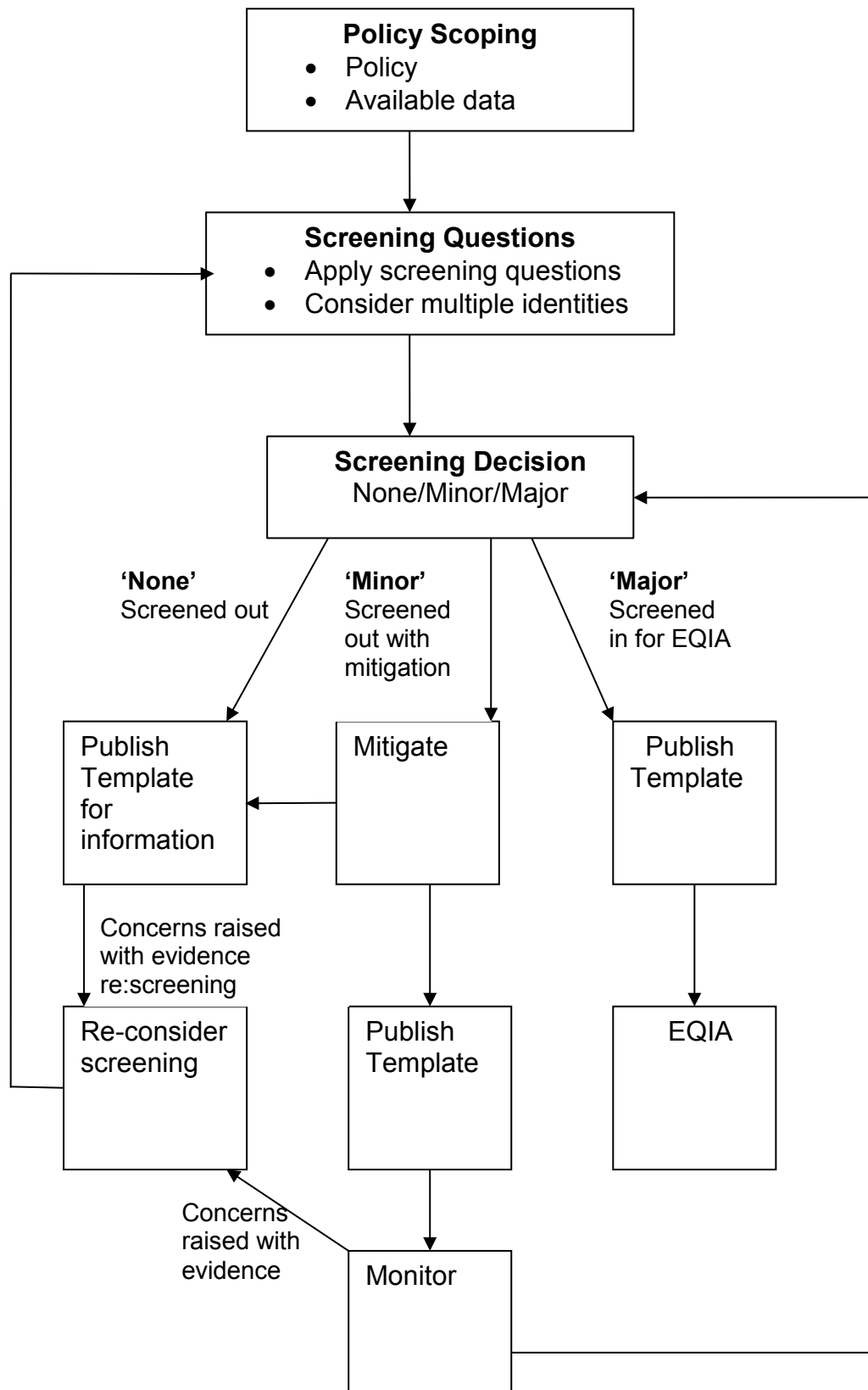
Effective monitoring will help identify any future adverse impact arising from the policy which may lead the Council to conduct an equality impact assessment, as well as help with future planning and policy development. Please detail proposed monitoring arrangements below:

Council will review this policy 24 months from the date of approval. Actions associated with the policy will be monitored via the Bonfire Working Group.

Section 6 – Approval and authorisation

Screened by:	Position/ Job Title	Date
Ann McAleer	Corporate Policy & Equality Officer	30.4.18
Approved by:	Position/ Job Title	Date
Mark Kelso	Director Public Health & Infrastructure	1 May 18

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy; made easily accessible on the council website as soon as possible following completion and be available on request.





Dear Event Organiser

Use of Council Facilities for Community Celebration Events

In order to run your event safely on a Council facility I have attached a Community Celebration Pack.

Within this pack, you will find information providing advice and guidance on what you need to do as well as some documents which you must read, complete, understand and return to Council. **Both Document A and B must be completed and returned to Mid Ulster Council – Parks Team.**

The Community Celebration Pack contains:

- **Document A:** Information/ Guidance on how to book Council Facilities and what is expected. Attached to this is a Proforma/booking form to make an initial request to use the Council facility and this should be completed as soon as you know this.
 - The Proforma/booking form should be completed and returned immediately to parks@midulstercouncil.org.
 - The Event Safety Guidance requires external users to complete a Proforma/booking form in order to gain access to Council property. Users are required to demonstrate the following (through Document B):
 - Details of an Event Organiser and event management
 - Safeguarding Policies of children and adults at risk of harm
 - Public Liability Insurance
- **Document B:** Completion of Safety Requirements to meet specified Conditions for holding a community safety event at a Council facility. All events must be managed safely and in line with the Event Safety Guidance as per Document A above.
 - To help you understand the safety requirements needed, draft documentation of an Event Safety Plan and Risk Assessment are included. You just need to review and / or update and sign off.
 - The Event Safety Plan and Risk Assessment documentation once completed and signed off must be returned to parks@midulstercouncil.org.
 - Remember to attach / provide details of your insurance for your event as well as details, if relevant, of Safeguarding Policies relating to children and adults at risk of harm.

For any queries please contact a member of the Mid Ulster Council - Parks team on:

Document A – Information on how to book Council Facilities:

EVENT SAFETY GUIDANCE

Outside Bodies Organising Events on Mid Ulster District Council Property

1.0 Introduction:

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

2.0 Definition:

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

3.0 Council Requirements:

Council requires that Event organisers complete the Mid Ulster District Council Event Booking Proforma and submit to Council no less than one month prior to event.

Council also require:

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

Depending on the size of the event Council may also require

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

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

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

Document A – Information on how to book Council Facilities:

EVENT SAFETY GUIDANCE

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

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

Document A – Information on how to book Council Facilities:

EVENT SAFETY GUIDANCE

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

Please complete form as appropriate and return to:

Email: parks@midulstercouncil.org

FOR OFFICIAL USE ONLY:

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

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

Document B: Completion of Safety Requirements to meet Approval Conditions

For completion: Event Safety Plan and Risk Assessment (Celebration Events)

Please return the completed forms Pages 1-4 to the parks@midulstercouncil.org at least two weeks before the event.

These forms will also be required for insurance purposes.

ALL SECTIONS OF THE FORM HIGHLIGHTED IN YELLOW TO BE COMPLETED



Location:
What is the scale, type and scope of the event? E.g. bouncy castles, food, face painting, bonfire
Type and size of audience: Type of audience – eg family: How many people are you expecting to attend:
Duration - Date and time (FROM/TO) of Event:
Emergency Services made aware of event: E.g. Northern Ireland Fire and Rescue Services Contacted
Management Structure for Event: i.e. Names and contact info for Event Organiser & Volunteers
Emergency Arrangements: Action to be taken in the event of an emergency. E.g. request for fire brigade, or ambulance, list any volunteers who might be trained on first aid?
Children & Adult Safeguarding Event Organisers / Volunteers/ Adults making a booking to use Council Facilities, where those attending are under the age of 16 or considered to be vulnerable adults, must provide us with a copy of their Safeguarding and/or Child Protection Policy. Where no such Policy exists you must request and adhere to MUDC'S policy. Please state: Policy enclosed or Council Policy

Document B: Completion of Safety Requirements to meet Approval Conditions

Specific Details on Bonfire		
	Details required:	Response required:
1.	Bonfire height Must be No more than 5m high	
2.	Over what time period will the bonfire be constructed and how is this supervised?	
3.	What will it be made from: <i>No toxic or hazardous material is stored or placed on the bonfire or at the bonfire location - no tyres, foam filled furniture, aerosols, fuels, batteries. No emblems/flags to be placed on bonfire. Any of these items found by event organiser or volunteer must be removed immediately.</i>	<i>Only wood will be used.</i>
4.	How will it be lit? <i>No flammable liquids of petrol or paraffin will be used.</i>	<i>Using paper and domestic firelighters set in 2 or 3 places to ensure even burn</i>
5.	How many people will be helping/ volunteering on the actual night? Are there barriers to keep young children away from the bonfire? What is the distance between spectator and flame?	
6.	Have you involved and spoken to: <ul style="list-style-type: none"> The Council Community Development Team: Northern Ireland Fire and Rescue Services: PSNI: 	Yes or No answer response required:
7.	How and when will the remaining fire be put out at the end of the night? Is it being monitored by any of the volunteers or event organiser whilst it cools?	
8.	Are there going to be specific people who are in charge of the management, construction and extinguishing of the fire? If yes, what are their names?	

Document B: Completion of Safety Requirements to meet Approval Conditions

- | | |
|----|--|
| 9. | <p>Google map /<u>sketch provided</u> showing location for bonfire in relation to buildings and property.</p> <p>Distance: As a rule of thumb, the bonfire should be a minimum of 5 times the height from property:
<u>5m high bonfire must be 25m from nearest property</u></p> |
|----|--|

Document B: Completion of Safety Requirements to meet Approval Conditions

EVENT ORGANISER RISK ASSESSMENT RECORD: BONFIRES

GENERAL HAZARDS	Who is at risk		WHAT ARE THE EXISTING CONTROLS THAT ARE IN PLACE TO DEAL WITH THE LISTED HAZARDS? (Briefly detail any existing controls in place, e.g. refer to the existing provision of training and information, local procedures, safety signs, restricted access, personal protective equipment, guards on machinery, etc.)	RISK RATING RISK = P X S		
	Public	Others		Likelihood (L)	Severity (S)	Risk Rating
Fire (Burns, property damage)	✓		(i) In order to protect those attending any bonfire the site will be at a safe distance from buildings and overhead cables. Safe distance is calculated on a still day as Height of Bonfire x 5 (E.g. 5metres high bonfire = 25metres safe distance.) On windy days this will be increased to minimum 50 metres (ii) NIFRS made aware of any bonfire sites and have statutory fire safety remit. (iii) No 'dens' will be built within bonfire	3	3	9 (Moderate)
Bonfire Collapse	✓		Bonfires will not be built higher than 5metres. Visual inspection for stability to take place. The build will take place as close to time of lighting as possible and will be on a level surface.	2	2	4
Hazardous Material within bonfire creating explosive/toxic fumes risk	✓		Tyres, Gas cylinders, Fuel, Aerosols, Batteries, foam will not be allowed on bonfire and removed from site immediately at the find deposited. NIEA and Council to be informed.	4	2	8
Hazardous materials dumped	✓		Wood/Pallets etc. containing nails to be kept stored in area away from park, walkways etc. Any containers inspected to check if contents hazardous and if so removed from site. Any asbestos containing materials found reported to NIEA / Council and removed from site.	4	2	8
Damage to vehicles/ property from burning windblown embers	✓		Car parking must be situated as far as possible down-wind from the bonfire site, Bonfire to be removed as far as possible from houses. NIFRS to be aware.	2	2	4
Lighting the bonfire	✓		Paper and domestic firelighters only to be used to light the bonfire; it should be ignited in 2 or 3 places to ensure an even burn. Volunteers lighting the bonfire are advised not to wear lightweight clothing which could ignite. They are recommended to wear a substantial outer garment of wool or other material of low flammability and strong boots or shoes.	2	2	4
Alcohol	✓		Volunteers and event organiser managing overall event and will monitor those in and around the site during build and event to ensure safety around the bonfire. Individuals under the influence of alcohol or drugs will not be allowed.	4	2	8
Bonfire smoke (problems for asthmatics, bronchitis sufferers, people with heart conditions and children)	✓		Vulnerable people should be encouraged to keep away from area and upwind. Householders advised to keep windows closed.	2	4	8
Anti-social behaviour towards residents/ third parties/ Council and Statutory Agency staff		✓	The Event Organiser/Volunteers will work closely with statutory and community partners to combat antisocial behaviour and any potential for intimidatory behaviour to take place. No emblems/flags, posters, images etc. will be placed around the site or on bonfire.	2	4	8

SIGNATURE:

DATE:

Document B: Completion of Safety Requirements to meet Approval Conditions

**Conditions for Using Council Facilities
in Community Celebration Events
Site Safety Rules:**

The event organiser / volunteers must demonstrate:

- The event site will be managed safely and in accordance with the conditions relating to collection /type of materials to be burned, public safety and emblems / flags and posters as set out in Event Management and Good Relations guidelines.
- They have consulted and work closely with all relevant Statutory Agencies including Council, NIEA , PSNI , NIFRS and NIHE where appropriate .
- The bonfire will not exceed 5 metres in height
- The bonfire is safely built (height x 5 from nearest property)
- Safeguard against any damage to property and / or boundaries and ensure site is kept tidy and well maintained.
- They will not permit toxic or hazardous material to be stored or placed at the bonfire site and the event organiser/ volunteers will take action to have them removed if found present
- No tyres will be permitted on the bonfire site and if found that the necessary action has been taken to have these removed
- They will ensure that no antisocial and / or intimidatory behaviour takes place , either before, during or after the event and no consumption of drugs or alcohol on site .
- To commit to and agree to manage the event in accordance with good practice guidelines as set down by Council for Community Celebration Events held on Council property.

To Note:

Council will inspect the property at regular intervals and remove any unauthorised materials from its property where these are not in line with the requirements as set out above.

If the Controls and Conditions are breached the Council may refuse authorisation to allow the event to take place on its property.

Document B: Completion of Safety Requirements to meet Approval Conditions

Some useful advice to help you have a safe bonfire event:

- Site the bonfire well away from houses, garages, sheds, fences, overhead cables, trees and shrubs
- Bonfires must be no more than 5m high
- As a rule of thumb, the bonfire should be a minimum of five times the height from property, i.e. the bonfire is 5 metres tall it must be at least 25 metres from the nearest building
- Build the stack so it is stable and will not collapse
- Never build a hut or den inside the bonfire

- DO NOT Burn foam filled furniture, tyres, aerosols, tins or paints or bottles
- Responsible adults (Volunteers) should look after lighting the bonfire. Before lighting the bonfire check that no children or pets are hiding inside it
- Never use flammable liquids (petrol or paraffin) to light the fire – use domestic firelighters
- Keep everyone away from the fire – especially children who must be supervised at all times
- For an emergency keep buckets of water, a garden hose or a fire extinguisher ready
- At any sign of danger, or in the event of an emergency, dial 999 and ask for Northern Ireland Fire and Rescue Service (NIFRS).

Useful Contact Numbers:

MUDC - Parks Team / Community Safety team: 03000 132132

NIFRS: Cookstown District Office (covers Mid Ulster Council area) - 028 8676 5936

PSNI: 101 – state who looking for: Magherafelt/ Cookstown/ Dungannon - 0845 600 8000

NIHE - Mid Ulster Offices - 0344 892 0900

NIEA: - 0845 302 0008

Events Insurance:

Insurance contact Details:	
Events Insurance	Tel: 01425 470380 (https://www.events-insurance.co.uk/pages/multiple-events-insurance)
Insure my Event	Tel: 01608 647631 (https://www.insuremyevent.co.uk/)
Events Insurance Direct (David J Miller Insurance Brokers Ltd)	Tel: 01254 355 159 (http://www.eventinsurancedirect.co.uk/one-day-event-insurance/)
Hiscox Event Assured Main Contact- Rob Bentley	Tel: 0800 840 2469 or +44 (0)1208 773940 (https://www.event-assured.com/liability)

Report on	Coalisland Public Realm – Progress Update
Date of Meeting	8 th May 2018
Reporting Officer	Mark Kelso – Director Public Health & Infrastructure
Contact Officer	Mark Leavey – Civil Engineer

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 Coalisland Public Realm programme within Mid Ulster District Council.
2.0	Background
2.1	<p>Coalisland Public Realm – Update</p> <p><u>Scope of the works</u></p> <p>The public realm works will include the provision of a new high quality natural stone paving to some aspects of the works, new street furniture, tree planting, signage, street lighting, and festive lighting provision.</p> <p><u>Design Consultants</u></p> <ul style="list-style-type: none"> • Design Consultants – WDR & RT Taggart – Appointed March 2017 • Pre-cost Estimate £2.75m, Funders DfC – MUDC Contribution – to confirm <p>The ICT Consultants have completed three scheme proposals and are in consultation process with all utilities and relevant stakeholders. The design has been progressing through the concept design stage to support submission of the Economic Appraisal.</p>
3.0	Main Report
3.1	<p><u>Vissim Traffic Modelling</u></p> <p>As part of the design process Atkins were commissioned by Mid Ulster District Council to prepare a PTV VISSIM model to assess three concept design options associated with the public realm works in Coalisland as prepared by WDR & RT Taggart. Coalisland has a population of approximately 6,000 people with the town centre containing a range of facilities and services.</p> <p>Coalisland is connected by 3 main roads:</p> <ul style="list-style-type: none"> • The A45 Ballynakilly Road providing linkages to the South East and to the M1; • The A45 Coalisland Road providing linkages to Dungannon; • The B520 Stewartstown Road providing linkages Northbound towards Cookstown.

The town centre consists of a network of four small mini roundabouts in the centre and a short one-way section along Main Street. Traffic travelling North to South generally has two main routes to travel through the centre of Coalisland via Main Street or alternatively along B520 Lineside.

The following streets will be included in the public realm works;

- The Square
- Dungannon Road
- Barrack Street
- Main Street
- Stewartstown Road
- Barrack Square
- Lineside Road
- Washingbay Road
- Station Road

The Vissim model allows the consultant to model the traffic conditions in its current state, proposal 1, 2 & 3 states. The model gives a visual representation of the traffic conditions and gives a detailed report on timings of journeys, average speed and any delays.

The information used to build the model was supplemented with the following surveys which were carried out over the last year;

- Topographical Surveys
- Traffic Survey Counts
- Car Park surveys
- Footfall survey

In addition to this, potential traffic increases from the following future developments were included in the model: Lake Torrent Motorsports, New Leisure Centre Gortgonis, New School at Gortgonis.

The report is currently being finalised with proposed further public consultations being held to enable the traffic assessment model to be viewed and to receive an overall update on the Scheme ,dates agreed for Thursday 3 May at Cornmill Centre , Coalisland .

3.2

Car Parking Facilities

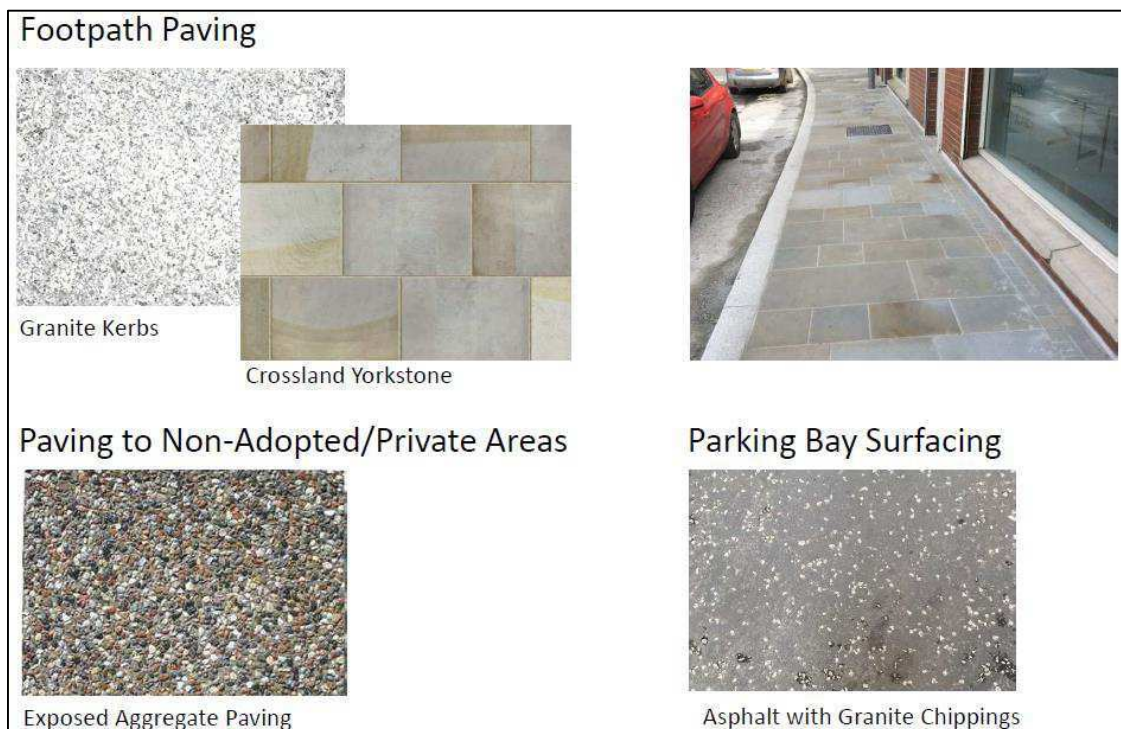
ICT Consultants are in the process of finalising the Economic Appraisal which will be submitted to the Department for Communities for review and consideration .This should be ready for submission following the public consultations and receipt of Members comments and will highlight the Council's – Preferred Option for the Scheme. It is important that all proposed works are included in the Economic Appraisal to ensure its robustness and enable them to be factored into the Scheme assessment .

Council are currently looking at a number of potential car park enhancement options as part of the overall Scheme. The scheme proposal will include the potential acquisition of a portion of private land currently used for car parking within the Cornmill car park , where agreement in principle has been reached with the land owner concerned. Other areas of land which would add value to the Scheme are currently under consideration , subject to landowner agreement .

3.3 Material and product options

Detailed design has not started and this will determine the various material finishes. Preliminary finishes have been looked at and these can be viewed in the images below. Samples of all finishes will be available for members once the detailed design has been advanced and briefing dates will be confirmed at a later date.

A number of material and product options are being considered and will be discussed during the consultations. Examples of these being:



Examples of product specification were tabled at the public consultation events held in October / November 2017 in Coalisland . The consultant design team – WDR & RT Taggart have also facilitated a number of discussions with individual interest groups and local utilities to ensure wide ranging representation of views is gathered as part of the consultation process. Further consultation on the materials will be held at the planned public events.



3.4

Programme

The provisional milestone dates for the project developed thus far:
Subject to Funding Approval

Anticipated Activity Dates	Indicative Target Date
PAN Planning Consultation (12 weeks)	Complete
Community engagement events	Ongoing
<i>Phase1</i> Concept design (RIBA up to stage 2) & full Economic appraisal	May 2018
<i>Phase 2</i> Scheme design to RIBA stage 3	June 2018
<i>Phase 3</i> Completion of design to RIBA stage 4 Procurement of an integrated supply team	July 2018
<i>Phase 4</i> Appointment of an IST Project management during construction Post practical completion services	November 2018
Projected date of commencement of works	January 2019
Construction Duration	TBC

4.0

Other Considerations

4.1

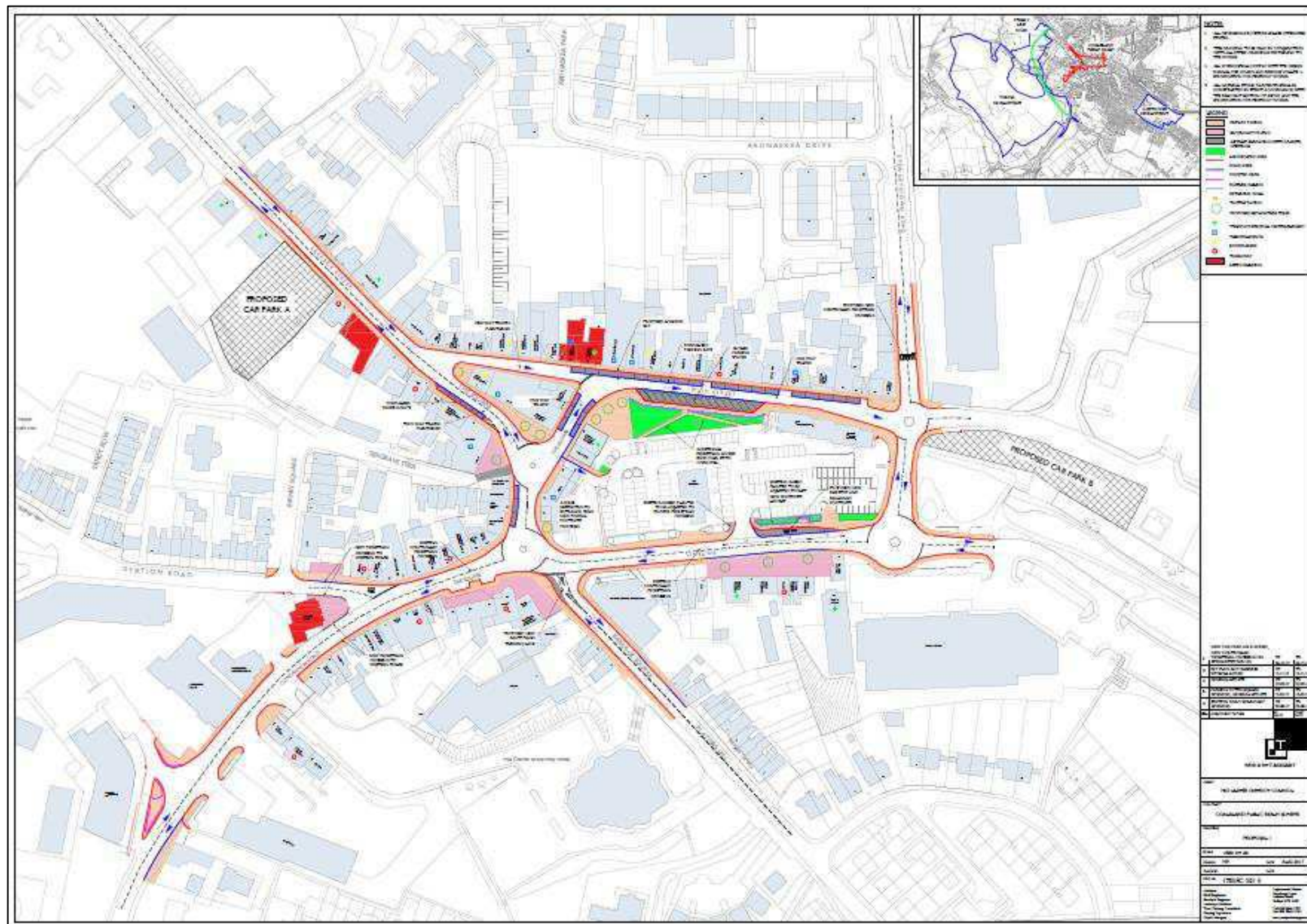
Financial, Human Resources & Risk Implications

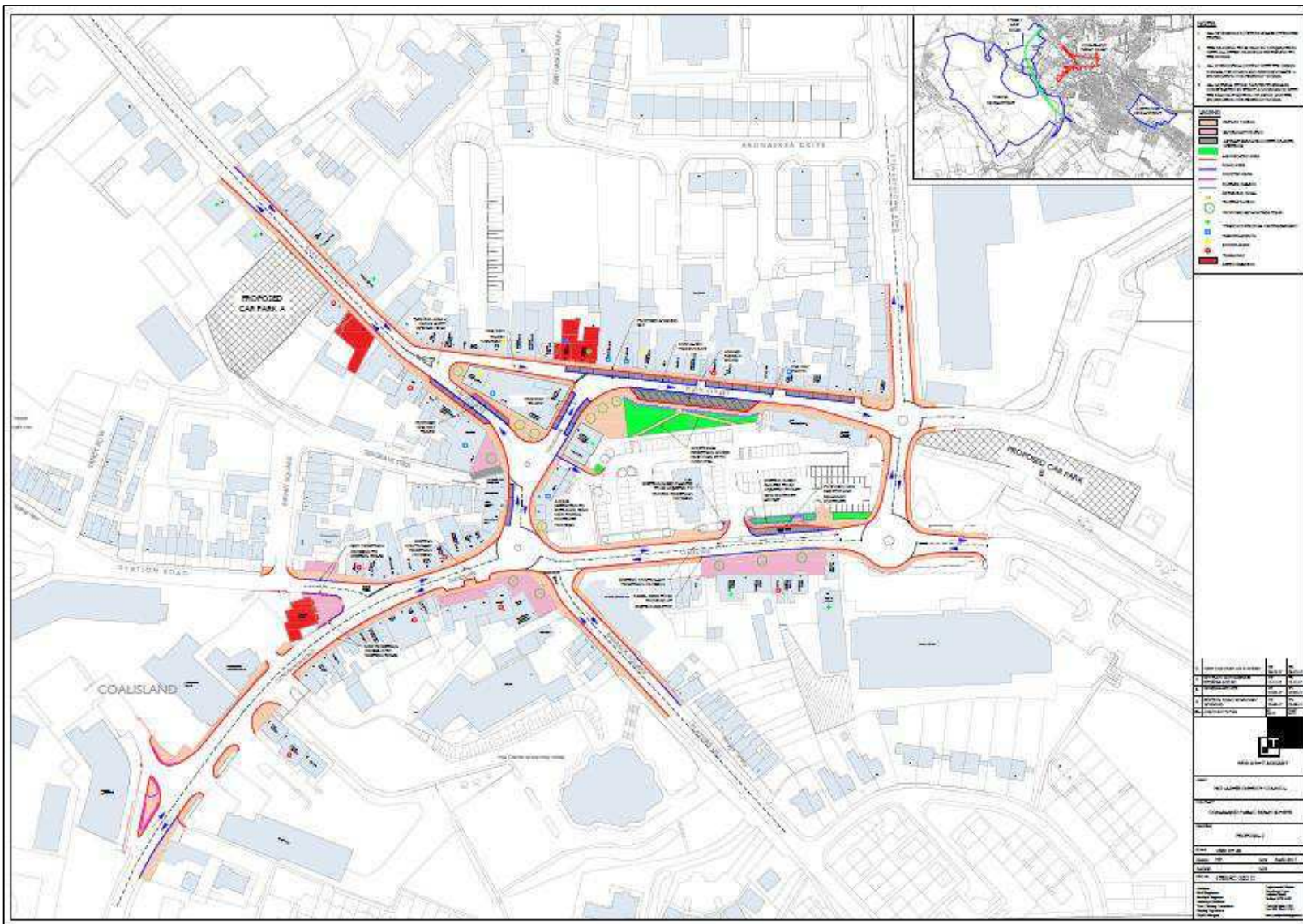
Financial: As contained in the Capital Projects programme for Mid Ulster District Council.

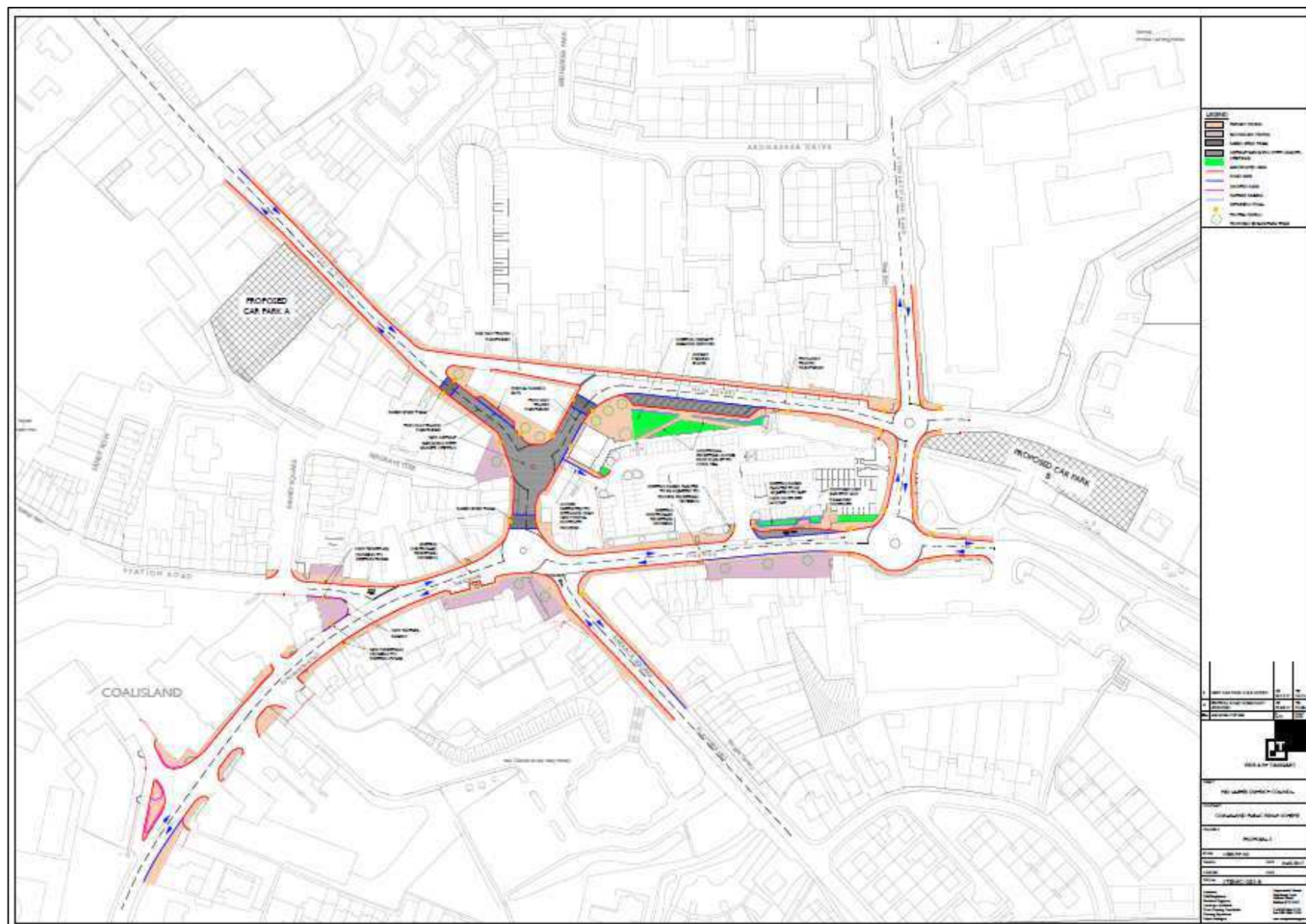
Human: Within existing staffing structure / appointed Consultants

Risk Management: Within Corporate Risk Register.

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members to note content of this report and potential for additional car parking provision and confirm their Preferred Option from the Scheme Proposals for the Public Realm Scheme planned for Coalisland Town Centre .
6.0	Documents Attached & References
6.1	Appendix 1 – Coalisland Public Realm Scheme proposals 1 Appendix 2 – Coalisland Public Realm Scheme proposals 2 Appendix 3 – Coalisland Public Realm Scheme proposals 3







Report on	The Roads Miscellaneous Provisions Act (NI) 2010
Date of Meeting	8 th May 2018
Reporting Officer	Fiona McClements

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	<p>To request Members to make a determination for a road closure order to be made for two special events in June 2018, namely:</p> <ul style="list-style-type: none"> • The MUDC Continental Market • The Cookstown Summer Carnival
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 <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>

3.0	Main Report
3.1	<p>The first application received by the Environmental Health Service relates to MUDC's Continental Market scheduled for 2nd - 3rd June 2018 in Cookstown. The application seeks a temporary prohibition of vehicular traffic access to William Street Cookstown from 18:30 hours on Friday 1st June 2018 until 22:00 hours on Sunday 3rd June 2018 in order to facilitate the holding of the special event.</p> <p>The second application submitted by The Hub BT80 was for their Cookstown Summer Carnival on 29th June 2018. The Hub wish to temporarily prohibit all vehicular traffic access to Burn Road, Cookstown from 15:00 to 23:00 hours on Friday 29th June 2018, again to facilitate the holding of the special event.</p> <p>Applications were processed by the Environmental Health Service after submission of completed application forms, appropriate fees and the required supporting information for each, which included:</p> <ul style="list-style-type: none"> • Traffic Management Plan / Traffic Signing Schedule • Evidence of Public Liability Insurance • Details of consultees and feedback received • Copy of Sector Scheme 12ab (or Ch8) Certificate of Competence for those undertaking signing work • Evidence of consultation with emergency services. <p>As both events attract considerable crowds of people from a wide catchment area, they are deemed to be large events and a fee of £415 was paid in respect of each application.</p> <p>Consultation was undertaken with the various statutory bodies (PSNI, NIFRS, NIAS) and DfI in relation to each application and a public notice of consultation was placed in the local press.</p> <p>As no representations were made to Council on the proposed road closures following public advertisement and the statutory consultees had no objections to the proposals, it is recommended that Members make the determination that a road closure order be made for each special event, in line with the DfI guidance.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: As determined
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A

5.0	Recommendation(s)
5.1	That Members agree that a Road Closure Order be made for the Continental Market - 18:30 hours on Friday 1st June 2018 until 22:00 hours on Sunday 3rd June 2018 and Cookstown Summer Carnival - 15:00 to 23:00 hours on Friday 29th June 2018 in line with DfI Guidance .
5.2	Members are asked to note the Schedule of forthcoming Special Events that may require a road closure.
6.0	Documents Attached & References
6.1	Appendix 1 – Schedule of Potential Special Events that may require a road closure.

Schedule of Special Events that may require a Potential Road Closure

Type of Event	Date	Promoter
Clogher Valley 100 th Agricultural Show	25 th July 2018	Clogher Valley Agricultural Society Ltd.
Draperstown Busking Festival & Community Fun Day	16 th June 2018	To be confirmed.

Report on	Public Analyst Services
Date of Meeting	8 th May 2018
Reporting Officer	Fiona McClements, Head of Environmental Health
Contact Officer	Fiona McClements

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	The purpose of this report is to update the list of Public Analysts working on behalf of Public Analyst Scientific Services Limited, the company currently appointed by Mid Ulster District Council to provide Public Analyst services to Council.
2.0	Background
2.1	<p>Article 27 (1) of the Food Safety (Northern Ireland) Order 1991 requires that councils appoint one or more persons (Public Analyst(s)) to act as Analyst(s) within the district of the Council.</p> <p>Furthermore, the Framework Agreement* (Chapter 2, para 12.8), states that District Councils ensure a Food Analyst is appointed to carry out examinations and analyses of food samples. In making these appointments, all relevant legal requirements and Codes of Practice shall be satisfied.</p> <p>*The Framework Agreement on Official Feed and Food Controls by Local Authorities (Amendment 5 April 2010).</p>
3.0	Main Report
3.1	<p>The qualifications required by Analysts are set out in the Food Safety (Sampling and Qualifications) Regulations (NI) 2013. The Environmental Health Department is satisfied that the following persons, who are employed by Public Analyst Scientific Services Limited, fulfil the requirements of the Regulations for appointment as Public Analysts on behalf of the Council.</p> <p>Ronald Anthony Ennion BSc, MChemA, CChem, FRSC, MIFST Watney Elizabeth Moran MSc, MChemA, CChem, FRSC Duncan Kenelm Arthur BSc, MChemA, CChem, MRSC Nigel Kenneth Payne MSc, MChemA, CChem, MRSC Joanne Hubbard BSc, MChemA, CChem, MRSC Kevin Wardle MSc, MChemA, CChem, MRSC Lilian Emma Jane Downie MChem, MChemA, CChem, MRSC Michelle Evans BSc, MChemA, MRSC</p>

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	That Mid Ulster District Council appoint the above persons as Public Analysts to the Council under Article 27 (1) of the Food Safety (Northern Ireland) Order 1991 with immediate effect.
6.0	Documents Attached & References
	None

Report on	LPS Vacant Property Inspections
Date of Meeting	8TH May 2018
Reporting Officer	William Wilkinson

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 a "Data Sharing Protocol" between 'Building Control' and 'Land and Property Services' in relation to the Joint Working Programme for the Mid-Ulster Non-Domestic Vacancy Inspection Programme and advise members of the performance of the programme to date.
2.0	Background
2.1	<p>Land and Property Services (L.P.S) is a division within the Department of Finance and Personnel and have responsibility for Mapping, Land Registration, Rates and Property Valuation in Northern Ireland.</p> <p>Following the Members giving approval to the roll-out of the Non-Domestic Vacancy Inspection Programme for Mid-Ulster District Council in September 2015, the Building Control service has carried out non-domestic vacancy inspections within the Mid-Ulster District Council area.</p> <p>Due to the imminent introduction of the "General Data Protection Regulations" LPS have requested Mid-Ulster District Council to enter into a "Data Sharing Protocol" with regards to the Non-Domestic Vacancy Inspection Programme (See Appendix 1).</p>
3.0	Main Report
3.1	<p>The Data Sharing Protocol principally outlines and clarifies the duties of both parties in relation to the data sharing exercise, which is necessary to ensure that the Non-Domestic Vacancy Inspection Programme remains successful and beneficial to both parties.</p> <p>Information forwarded by LPS to MUDC enables the Building Control service to ascertain if a property is vacant or has become occupied. The results of the inspections are subsequently returned to LPS where the owner of any occupied property will be issued with an up-to-date rates demand as a result of the inspection thereby increasing the Rateable Income to MUDC.</p> <p>Following the commencement of the Non-Domestic Vacancy Inspections, Building Control Officers have carried out inspections on non-domestic properties geographically spread across the District. As a result of carrying out the inspections, 236 properties have been found to be occupied to date.</p>

	<p>The current financial benefit to the Council from the commencement of the Non-Domestic Vacancy Inspection Programme in 2015 to the end of 2017/18 is £505,715.69 as detailed on the spreadsheet in Appendix 2, which was collated and forwarded by LPS.</p> <p>It should be noted that the financial benefit continues to accumulate year on year in relation to each property that remains occupied as can be identified from the “Financial Portion to Council” with the properties identified in 2015/2016 yielding a higher financial benefit.</p>
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 agree the “Data Sharing Protocol” and note the content of the report.
6.0	Documents Attached & References
	<p>Appendix 1 – Copy of Data Sharing Protocol between Land and Property Services and Mid-Ulster District Council</p> <p>Appendix 2 – Spreadsheet containing details of financial benefit to MUDC</p>



Reference Number: LPS 084

DATA SHARING PROTOCOLS

BETWEEN

LAND AND PROPERTY SERVICES
(Department of Finance)

And

MID-ULSTER DISTRICT COUNCIL

1.	<p>Parties to the agreement</p> <table border="1"> <tr> <td data-bbox="333 286 831 656"> <p>Department of Finance Land and Property Services 7 Lanyon Place Belfast BT1 3LP Hereinafter referred to as LPS</p> </td><td data-bbox="831 286 1362 656"> <p>Mid-Ulster District Council Directorate of Public Health and Infrastructure 50 Ballyronan Road Magherafelt BT45 6EN Hereinafter referred to as MUDC</p> </td></tr> </table>	<p>Department of Finance Land and Property Services 7 Lanyon Place Belfast BT1 3LP Hereinafter referred to as LPS</p>	<p>Mid-Ulster District Council Directorate of Public Health and Infrastructure 50 Ballyronan Road Magherafelt BT45 6EN Hereinafter referred to as MUDC</p>
<p>Department of Finance Land and Property Services 7 Lanyon Place Belfast BT1 3LP Hereinafter referred to as LPS</p>	<p>Mid-Ulster District Council Directorate of Public Health and Infrastructure 50 Ballyronan Road Magherafelt BT45 6EN Hereinafter referred to as MUDC</p>		
2.	<p>Introduction</p> <p>LPS has a statutory duty to levy and collect rates under Article 9(4) of the 1977 Order. Rates comprise the “regional rate” which is made by the Northern Ireland Executive and the “district rate” struck by individual district councils. LPS has a power to require rating information from occupiers under Article 26 of the 1977 Order.</p> <p>Rating information is required by district councils both to set and ensure the effective and efficient collection of the district rate by LPS and to assist in the conduct of legal proceedings.</p> <p>The provision of accurate occupation information is essential to permit the effective, timely and efficient collection of rates in Northern Ireland.</p> <p>District councils are empowered under section 104 of the Local Government Act (Northern Ireland) 1972 to make arrangements with government departments for the exercise of functions by a district council on behalf of a department.</p> <p>It is agreed that MUDC will carry out inspections of properties for LPS and provide to LPS the information set out in Schedule 8 of this data sharing agreement.</p> <p>MUDC, acting as an agent for LPS, will endeavour to inspect properties on a list provided from the LPS database, record the occupancy status of the property, obtain information from the occupant or owner to enable updating of the Abbacus rates IT system to ensure accurate billing and to maximise collection of rates due.</p>		

	<p>Most information sharing will be from LPS to the Council, for the purpose of enabling timely and accurate revaluations and maintenance of the valuation list, plus compilation of related administrative reporting and datasets. This, in turn, facilitates accurate, effective and efficient collection of rates.</p> <p>LPS and MUDC in sharing information on commercial properties and non-domestic customers can assist each other in fulfilling their respective statutory duties in relation to preventing fraud, detecting crime and assessing, collecting and imposing rates under section 29 of the Data Protection Act (DPA). MUDC also assists LPS in the conduct of its legal proceedings under section 35 of the DPA.</p>
3.	<p>Interpretation All references to the Data Protection Act (DPA), definitions within the DPA and sections of the DPA will default to the equivalent definitions or relevant sections of the General Data Protection Regulations (GDPR) when it replaces the DPA in May 2018.</p> <p>Anonymised data is information from which no individual can be identified.</p> <p>Data controller has its DPA meaning being a person or organisation (either alone or jointly or in common with other persons or organisations) which determines the purposes for which and the manner in which any personal information is to be processed.</p> <p>Data processor has its DPA meaning being any person or organisation (other than an employee of the data controller) who processes information on behalf of the data controller.</p> <p>DPA means the Data Protection Act 1998 which is the legislation that governs the handling and protection of information relating to living people.</p> <p>The data protection principles refer to the eight DPA rules which all organisations processing personal data must conform.</p> <p>Data subject means an individual who is the subject of the personal data.</p> <p>Data sharing means the disclosure of data from one or more organisations to a third party organisation or organisations, or the</p>

	<p>sharing of data between different parts of an organisation. It can take the form of systemic, routine data sharing where the same information is shared between the same organisations for an established purpose, or one off decisions to share data for any of a range of purposes.</p> <p>Data sharing agreement means the common set of rules to be adopted by the various organisations involved in a data sharing operation.</p> <p>DoF means the Department of Finance</p> <p>Environmental Information Regulations 2004 – legislation that provides rights of public access to environmental information held by public authorities.</p> <p>EIR request – a request by a member of the public for access to environmental information held by a public authority. In most cases, the public authority must provide a response to the request within 20 working days of receipt.</p> <p>FOIA means the Freedom Of Information Act 2000 the legislation that provides public access to third-party, non-environmental information held by public authorities.</p> <p>FOI request means a request from a member of the public for access to third-party, non-environmental information held by a public authority. The public authority must provide a response to the request within 20 working days of receipt.</p> <p>GDPR means the General Data Protection Regulation which will replace the 1998 Data Protection Act on 25th May 2018.</p> <p>ICO means the Information Commissioner</p> <p>NAV means the net annual value of a hereditament / property</p> <p>Personal data means information which relates to a living individual who can be identified from that information and other information in the possession of the data controller. It includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.</p> <p>DPIA means a Data Privacy Impact Assessment which is a</p>
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	<p>comprehensive process for determining the privacy, confidentiality and security risks associated with the collection, use and disclosure of personal data.</p> <p>Processing of data has its DPA meaning of any activity involving personal data information. This includes obtaining, recording or holding the data or doing any work to it such as organising, adapting, changing, erasing or destroying it.</p> <p>Registration – The ICO maintains a public register of data controllers. Each register entry includes the name and address of the data controller and details of the types of personal data they process. Notification is the process by which a data controller’s details are added to the register.</p> <p>Sensitive personal data – personal information about an individual’s race or ethnic origin; political opinions; religious or other similar beliefs; trade union membership; health; sexuality; criminal proceedings or convictions. Sensitive personal data can only be processed under strict conditions (see relevant sections of the DPA).</p> <p>Subject access request – a written request from an individual for information which is held about them. The data controller must respond to the request within 40 calendar days of receipt.</p> <p>The 1997 Order means the Rates (Northern Ireland) Order 1977</p> <p>The 2007 Act means the Serious Crime Act 2007</p>
4.	<p>Purpose</p> <p>Disclosure of property details to MUDC is necessary to facilitate property inspections and in doing so the MUDC confirms to LPS the rateable condition of a property.</p> <p>This means the penny product is accurately calculated, so that MUDC receives a more accurate indicative budget and property users receive reliable and timely rate bills. LPS will match this data with that which it already holds in order to calculate penny product and assess commercial rates liabilities. There are no known unintended consequences.</p>

	<p>Sharing this information will –</p> <ul style="list-style-type: none"> (a) Enable statutory powers to work collaboratively and effectively with a view to securing proper payment of rates by property owners; (b) Enable LPS to maintain an accurate non-domestic property stock schedule; and (c) Enable better financial planning, so the MUDC under Article 8(4) of the 1977 Order may strike a more equitable rate and promote economic wellbeing throughout the district. (d) The parties agree that the relevant information shall not be used for any purpose other than that specified above.
5.	<p>Legal Basis for Data Sharing</p> <ol style="list-style-type: none"> 1. LPS has a statutory duty under Article 9(4) of the 1977 Order to collect rates. This requirement permits, under Article 26, the gathering of information on those who should be levied and, where necessary, to pursue fraud, non-payment or evasion of taxation and rates. 2. In disclosing the relevant information, district councils have statutory duties under the 1977 Order, Articles 26 and 57(1) to: <ul style="list-style-type: none"> (a) Article. 26 – Power of DoF to require information as to occupation /ownership; (b) Article. 57 – Duties of public bodies, including district councils, to assist with respect to alterations in the valuation list. 3. Under the 1977 Order, LPS provides to MUDC the information set out in Schedule 8 to this data sharing agreement, so that MUDC may inspect non-domestic properties on behalf of LPS in order to check whether or not they are vacant. MUDC act as LPS's agents with formal LPS authorisation in this regard. MUDC will be issued with lists of non-domestic property addresses for the purposes of vacancy inspections. LPS provides information to MUDC for the purposes of: <ul style="list-style-type: none"> (a) Updating the Valuation List, including maintenance of the vacant property schedule; and (b) Collating aggregated data for penny product calculation purposes.

6.	<p>Organisations Involved</p> <p>This agreement is between LPS and MUDC. No other organisations or individuals are permitted to share the information, without the express written agreement of the originating data controller of the information in question. The following staff will be involved in this process:</p>
7.	<p>Responsible Officers</p> <p>MUDC and LPS will nominate officers who will be responsible for the management of this data sharing agreement. These officers are:</p> <ul style="list-style-type: none"> • For MUDC: Willie Wilkinson Position: Head of Building Control Email: Willie.Wilkinson@midulstercouncil.org Tel: 03000 132132 Ext 22208 • For LPS: Geoff Crouch. Position: Central Investigations Team, LPS. Email: geoff.crouch@finance-ni.gov.uk Tel: 028 9033 6329
8.	<p>Data to be Shared</p> <p>.</p> <ol style="list-style-type: none"> a) The information to be shared between these organisations under this agreement for the purposes of valuation and rating administration will consist of details of persons and details of properties, as set out below. This includes personal data but excludes personal sensitive data which will not be shared. b) The information to be provided by LPS is for non-domestic and mixed properties in the MUDC area and includes the following details: Property ID. UPRN. X Y Coordinates. NAV / CV. Property Description Property Address: <i>House Number /Name</i> <i>Street</i>

	<p><i>Townland</i> <i>Town</i> <i>Postal Town</i> <i>Postcode</i> <i>Ward Name</i></p> <p>Ratepayer Name. Property Description.</p> <p>c) LPS will provide name and address details to MUDC, who will provide LPS with all or some of the details specified in the agreed format.</p> <p>d) The initial information is available on LPS's properties database extracted from the Abbacus, IT rating system. The requested information is produced by Council officers inspecting buildings.</p> <p>e) The information held by LPS is collected for the purposes of valuation and rating. The information collected by the Council officers is collected on behalf of LPS for the purposes of valuation and rating.</p> <p>f) Details of properties provided to MUDC should be via secure means electronically by encrypted email or secure encrypted file transfer protocol (SFTP). The completed details requested are returned to LPS by the same method. Alternatively information can be returned in sealed envelope addressed to the nominated responsible officers with appropriate security marking: Restricted.</p> <p>g) Regular inspections are undertaken to ensure the data is kept up to date.</p> <p>h) Inspections should occur at least annually.</p>
9.	<p>Information use</p> <p>a) LPS will use the information collected on properties to keep valuation and rating calculation and administration systems on properties accurate and up-to-date.</p> <p>b) LPS and the MUDC will ensure the information shared under this agreement will only be used for those purposes set out in Section 2 above.</p> <p>c) The originating party of information remains the data controller. LPS becomes the data controller of information collected by MUDC officers on commercial properties.</p> <p>d) Sensitive personal information is not to be shared.</p> <p>e) Neither party receiving information will release it to a third party without the express written agreement of the data controller of</p>

	<p>that information.</p> <p>f) If a partner leaves the agreement, the information shared will revert to the original data controller.</p>
10.	<p>Requests for information</p> <p>If either party to this agreement receives a subject access, EIR or FOI request and relevant data is found to be the responsibility of the other party as data controller, the recipient of the request will contact the data controller to determine how the request shall be processed.</p> <p>Requests will be dealt with under the DPA (or GDPR), FOIA, Environmental Information Regulations 2004 and related relevant legislation.</p>
11.	<p>Responsibilities of each party</p> <p>a) LPS is the data controller and owner of the information and MUDC is the data processor of valuation and rating information passed for rating and valuation purposes;</p> <p>b) This agreement does not give unrestricted access to information the other party may hold but sets out parameters for the safe and secure sharing of information for a justified need to know purpose;</p> <p>c) LPS has responsibility as data controller for the information at all times, though the MUDC must comply with the Data Protection Act or when it comes into effect, the General Data Protection Regulations and this agreement while processing the information;</p> <p>d) Each party has responsibility for ensuring they have organisational and security measures in place to protect the lawful use of any information shared. Each will ensure a reasonable level of security for supplied information, personal or non-personal, and process the information accordingly;</p> <p>e) Each party will comply with the eight data protection principles in all their processing of the data being shared;</p> <p>f) Each party is responsible for ensuring they meet the conditions set out in the DPA, or when it comes into effect GDPR, when processing personal information to ensure the information is used and disclosed lawfully;</p>

	<ul style="list-style-type: none"> g) Each party will ensure that staff are only given access to personal data where there is a legal right, in order for them to perform their duties in connection with the delivery of this service; h) Each party is responsible for ensuring that any staff accessing shared information under this agreement are trained and fully aware of their responsibilities under the DPA, or when it comes into effect the GDPR to maintain the security and confidentiality of personal information; i) Each party should ensure that any staff accessing shared information follow the procedures and standards that have been agreed and incorporated within this agreement; j) Each party must have a retention and disposal policy in place k) The party originally supplying the information must be notified immediately of any breach of confidentiality or incident involving a risk or breach of the security of information; l) Neither party should assume that any non-personal information is not sensitive and can be freely shared. The originating partner should be contacted before any further sharing takes place; m) Each party reserves the right to carry out an audit or review of the other party's compliance within the terms of this agreement and both parties agree to co-operate fully with any such audit or review. The parties will give 28 days' notice of such a review; n) Each party will share with the other party the outcome of any audits or reviews that have been carried out on its activities; o) Any relevant information discovered to be inaccurate or inadequate for the specified purpose will be brought to the attention of the originator of that data. The originator will be responsible for correcting the data and notifying all other recipients of the corrections.
12.	<p>Security</p> <ul style="list-style-type: none"> a) Both parties will take appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss to, destruction of, or damage to, personal data. b) Specific security arrangements which will be taken to protect the information, including secure transfer, as outlined above. c) Information will be stored as is appropriate for its nature under the data protection principles, the DPA or when it comes into

	<p>effect the GDPR. DoF Departmental and council data security policies and procedures will be adhered to.</p> <p>d) Each party will ensure that only officers of either the MUDC or LPS who have a genuine business need to see the data will have access to it.</p>
13.	<p>Retention and disposal</p> <p>a) When the MUDC has completed its processing of information for rating and valuation purposes, it will destroy any copies of information it possesses, and shall do so at least within one month of cessation of processing</p> <p>b) LPS as data controller shall retain and then dispose of information held for valuation and rating purposes in accordance with the DoF Retention and Disposal Schedule, v1.3 December 2016, namely Section 3, 16.</p> <p>c) Electronic files will be deleted according to standard NICS data security protocols.</p> <p>d) Paper records will be disposed of by appropriate secure means such as shredding or incineration and in accordance with NICS data security protocols.</p>
14.	<p>Security incidents or data breaches</p> <p>a) If a data security breach is discovered by either party, it will be reported to the Information Manager for the data controller, and for each party. The Data Security Breach Management Plan for the data controller will be instigated and the incident investigated.</p> <p>b) If required, immediate action may be taken to temporarily suspend the agreement until the breach is remedied.</p> <p>c) Each party must be fully engaged in the resolution of an incident by assisting in the investigation being carried out by the responsible partner</p> <p>d) In the event of an incident within LPS, the responsible IAO within DoF will instigate an investigation in line with the DoF, Data Breach Management Plan.</p>
15.	<p>Commencement/Review/Termination of Data Sharing Agreement</p>

	<ul style="list-style-type: none"> a) This data sharing agreement shall commence on 1st April 2018. b) This data sharing agreement may be amended on the mutual written agreement of both parties. c) This data sharing agreement will be reviewed to incorporate any amendments required by the introduction of GDPR on 25th May 2018. d) If any significant change takes place which means the agreement needs amendment, the agreement may be updated as needed and a new version will be signed by the parties and circulated to replace the revoked agreement. e) Any signatory to this data sharing agreement can make a request for an extraordinary review at any time during the term of the agreement. f) Should any party wish to terminate the agreement, that party will notify the other by written notice 3 months before the proposed ending of the agreement. Arrangements for ensuring the secure deletion or disposal of all shared data will be undertaken as soon as practicable after the termination date. g) Written notice, unless an alternative service recipient has been agreed in writing by the responsible officers, must be served on the responsible officers and be sent by first class post to their business address or, electronically to their email address (see clause 6 for these email addresses) h) Electronic service may be sent to the responsible officer during a working Monday to Friday weekday (excluding a weekday falling on a bank or public holiday). Where notice is served after 5pm on such a working weekday it will be deemed to have been served on the next working weekday.
16.	<p>Indemnity</p> <p>Each party agrees to indemnify the other in respect of any claim or proceedings for its breach of the agreement.</p>

17.	<p>Signatures</p> <p>I have read, understood and agree to abide by the terms and conditions of this agreement. All information received will only be used for the purpose defined and listed in the agreement.</p> <p>Signed on behalf of Mid-Ulster District Council</p> <p>-----</p> <p>Name (block capitals):</p> <p>Date</p> <p>Signed on behalf of LPS</p> <p>-----</p> <p>Name (block capitals):</p> <p>Date</p>

Mid-Ulster Vacancy Inspections on behalf of Land and Property Services

Financial Year	Tranche Number	Number of Properties Inspected	Number of Properties Found Occupied	Properties Requiring Action by LPS	Total of Revised Bills Issued £	Financial Portion to Council (approx.) £
2015/2016	1	90	31	7	£1,202,741.20	£300,685.30
	2					
	3					
Total						£300,685.30
2016/2017	1	90	36	18	£332,540.49	£83,135.13
	2	90	41	6	£198,068.17	£49,517.04
	3	81	28	14	£106,909.86	£26,727.47
Total						£159,379.64
2017/2018	1	82	15	19	£101,323.42	£25,330.86
	2	75	23	6	£88,198.75	£22,049.69
	3	80	7	26	£11,534.24	£2,883.56
Total						£45,650.75

Grand Total £505,715.69

Notes:

The total amounts of all occupied properties has been adjusted, taking into account for Small Business Rate Relief • Sport and Recreation Rate Relief • Residential Homes Rate Relief • Industrial Derating

Report on	Street Naming and Property Numbering
Date of Meeting	18th May 2018
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

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	The Members to consider the street naming of new residential Housing Developments within Mid Ulster.
2.0	Background
2.1	<p>In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility of approving Street Naming and Numbering of buildings erected thereon.</p> <p>The Policy for Street Naming and Dual Language Signage Policy – Section 5.0: Naming of New Streets, as adopted (See Appendix 1) forms the basis for considering proposals for the street naming of new developments.</p>
3.0	Main Report
3.1	<p>Following concerns raised with regards to the naming of each road separately in relation to the “site off Ranfurly Road, Dungannon” at the Environment Committee on 10th April 2018, discussions took place with applicant’s agent with regards to the issues raised.</p> <p>The agent has subsequently submitted a letter as contained in “Appendix 3” outlining his reasoning for naming the streets separately as originally requested.</p> <p>The application had been submitted by Farasha Property Ltd for the naming of streets within a residential development off Ranfurly Road, Dungannon with the name “Castle Glen” being subsequently agreed by the Environment Committee on 13th February 2018. The developer submitted proposed names for individual streets within the development for consideration (See Appendix 2).</p> <p style="text-align: center;">Road 1</p> <ol style="list-style-type: none"> 1. Castle Glen Avenue 2. Castle Glen Drive

	<p style="text-align: center;">Road 2</p> <p style="text-align: center;">1. Castle Glen Park 2. Castle Glen Mill</p> <p style="text-align: center;">Road 3</p> <p style="text-align: center;">1. Castle Glen Ponds 2. Castle Glen Meadows</p> <p style="text-align: center;">Road 4</p> <p style="text-align: center;">1. Castle Glen Wood 2. Castle Glen Heights</p> <p style="text-align: center;">Road 5</p> <p style="text-align: center;">1. Castle Glen Manor 2. Castle Glen Close</p> <p>As the options submitted are linked to the locality in each case, it is considered that each option demonstrates compliance with the policy as adopted.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: None
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	<p>It is recommended that consideration is given to the approval of the following proposals for the Street Naming of new residential developments within Mid Ulster.</p> <p style="text-align: center;">1. Site off Ranfurly Road, Dungannon.</p> <p style="text-align: center;">Road 1</p> <p style="text-align: center;">Either Castle Glen Avenue Or Castle Glen Drive</p>

	<p>Road 2</p> <p>Either Castle Glen Park Or Castle Glen Mill</p> <p>Road 3</p> <p>Either Castle Glen Ponds Or Castle Glen Meadows</p> <p>Road 4</p> <p>Either Castle Glen Wood Or Castle Glen Heights</p> <p>Road 5</p> <p>Either Castle Glen Manor Or Castle Glen Close</p>
6.0	Documents Attached & References
	<p>Appendix 1 – Street Naming and Dual Language Signage Policy – Section 5.0, Naming of New Streets</p> <p>Appendix 2 – Pro-forma containing street naming proposals, location map and site layout plan for new street off Ranfurly Road, Dungannon.</p> <p>Appendix 3 – Letter submitted by Applicant's agent.</p>

MID ULSTER DISTRICT COUNCIL

Street Naming and Property Numbering Policy for New Developments (Article 11 of The Local Government (Miscellaneous Provisions) (NI) Order 1995)

Revised Policy and Procedure

5.0 NAMING OF NEW STREETS

- 5.1 Proposals for new street names linked to traditional place names will be favorably considered and that if such a place name is traditionally in a language other than English, that name may also be considered as the name by which that place may be known.

5.2 Criteria - General

To maintain the heritage and identity of the area administered by Mid Ulster District Council in naming a new Street and/ or Housing Development the following criteria shall be adhered to. The name chosen shall:

1. Reflect the local townland name, or a local geographical/ topographical, social or historical feature.
2. The name shall not use the townland name within which the street and/ or the housing development is situated. The townland name shall still form part of the postal address.
3. The name should not mark any historical or political event or any individual or family, living or deceased.
4. The prefix of the name can only be the same as an existing Street or Road name prefix in the locality if it is accessed from that street or road.
5. To avoid confusion over addresses the name should not sound similar to an existing Street or Road name in that District Electoral Area.
6. The erected nameplate shall express the name in English; and may express that name in any other language other than English in accordance with Article 11 of the 1995 Order.
7. Although not prescriptive or exhaustive the running order/hierarchy for Street naming should follow an easily understood pattern, for example:
 - Road–Street–Avenue–Mews–Drive–Lane–Close–Alley

Naming of New Streets and Housing Developments: *Procedure*

- Developers should submit an application for a new Street/ Development naming to the Council's Building Control service within the Public Health and Infrastructure Department ("the Department") before any promotional activity on the sale of properties commences.
- The applicant should recommend at least 2 but no more than 3 names per street for consideration, outlining how they consider the proposed names comply with the criteria referred to within Section 5.2 above.
- If the Department determines that the name(s) does not conform to the criteria within 5.2 of this Policy, the developer/ applicant will be informed of this and asked to submit an alternative name(s) and/or written representations as to why they disagree. When the Council receives an alternative name(s) and the Council Officer deems that it meets the criteria then it will be recommended to the Council's Environment Committee for consideration.
- If the developer/ applicant is not in agreement with the Department's evaluation they can make written representations which will be considered at the next available meeting of the Environment Committee.
- The developer/ applicant will be informed of the approved name following approval of the Environment Committee minutes at the next available Council meeting of Mid Ulster District Council.
- Should the Committee not accept any of the presented options the applicant/ developer will be informed of the Council's decision.
- If following the non-acceptance of a proposed name the applicant/ developer does not resubmit an alternative name to the Council within 8 weeks of the date of the decision letter, the Council may identify a name and notify the applicant/ developer of their intention to approve that name. The Council shall allow four weeks to elapse from the date of the notification of the name before presenting it to the next available Environment Committee.
- If a street name has been approved by the Council it shall not be considered for change within 6 months from the date of approval, unless in accordance with the Council's Standing Orders.
- Names shall be shown on nameplates which will include the townland where relevant.
 - New buildings will be allocated numbers consecutively with odd numbers to the right hand side and even numbers to the left hand side.



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: Farasha Properties Ltd
34 Culrevoey Rd, Dungannon, BT71 7PY
Description: Housing Development at Ranfurly Rd, Dungannon
Ref: F/2017/0473

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	Castle Glen Avenue	Dungannon Castle and Glen were the site is located	Derived from Glen leading to Castle Hill
Option 2	Castle Glen Drive	Dungannon Castle and Glen were the site is located	Derived from Glen leading to Castle Hill
Option 3			

* Please avoid the use of apostrophes, hyphens, full stops and commas.

Please note that street naming proposals should be in accordance with Mid Ulster Council Policy (Attached)

Signed

Dated 15/3/18



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address:

Farasha Properties Ltd
34 Culrevog Rd, Dungannon BT71 7PY
Description: Housing Development at Ranfurly Rd, Dungannon
Ref: F/2017/0473

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	Castle Glen Park	Dungannon Castle and Glen were the Site is located	Derived from Glen leading to Castlehill adjacent to Windrill Park
Option 2	Castle Glen Mill	Dungannon Castle and Glen were the Site is located	Derived from Glen leading to Castlehill adjacent to Windrill Park
Option 3			

* Please avoid the use of apostrophes, hyphens, full stops and commas.

Please note that street naming proposals should be in accordance with Mid Ulster Council Policy (Attached)

Signed

Dated 15/3/18



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: Farasha Properties Ltd
34 Culreagh Rd, Dungannon, BT71 7PY

Description: Housing Development at Ranfurly Rd, DUNGANNON

Ref: F/2017/0473

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	Castle Glen Ponds	Dungannon Castle and Glen were the Site is located	Glen leading to Castle Hill adjacent to existing Ponds
Option 2	Castle Glen Meadows	Dungannon Castle and Glen were the Site is located	Low level part of Glen leading to Castle Hill
Option 3			

* Please avoid the use of apostrophes, hyphens, full stops and commas.

Please note that street naming proposals should be in accordance with Mid Ulster Council Policy (Attached)

Signed

Dated 15/3/18

MID ULSTER DISTRICT COUNCILNew Street Name Proposals

Applicants Name & Address:

Farasha Properties Ltd

34 Culreagh Rd, Dungannon, BT71 7PY

Description:

Housing Development at Ranfurly Rd, Dungannon

Ref: F/2017/0473



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	Castle Glen Wood	Dungannon Castle and Glen, were the site is located	Derived from Glen leading to Castle Hill adjacent to Windmill Park Wood
Option 2	Castle Glen Heights	Dungannon Castle and Glen were the site is located	High part of Glen
Option 3			

* Please avoid the use of apostrophes, hyphens, full stops and commas.

Please note that street naming proposals should be in accordance with Mid Ulster Council Policy (Attached)

Signed

Dated 15/3/18



MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: Farasha Properties Ltd
 34 Culrevog Rd Dungannon, BT71 7PY
 Description: Housing Development at Ranfurly Rd, Dungannon
 Ref: F/2017/0473

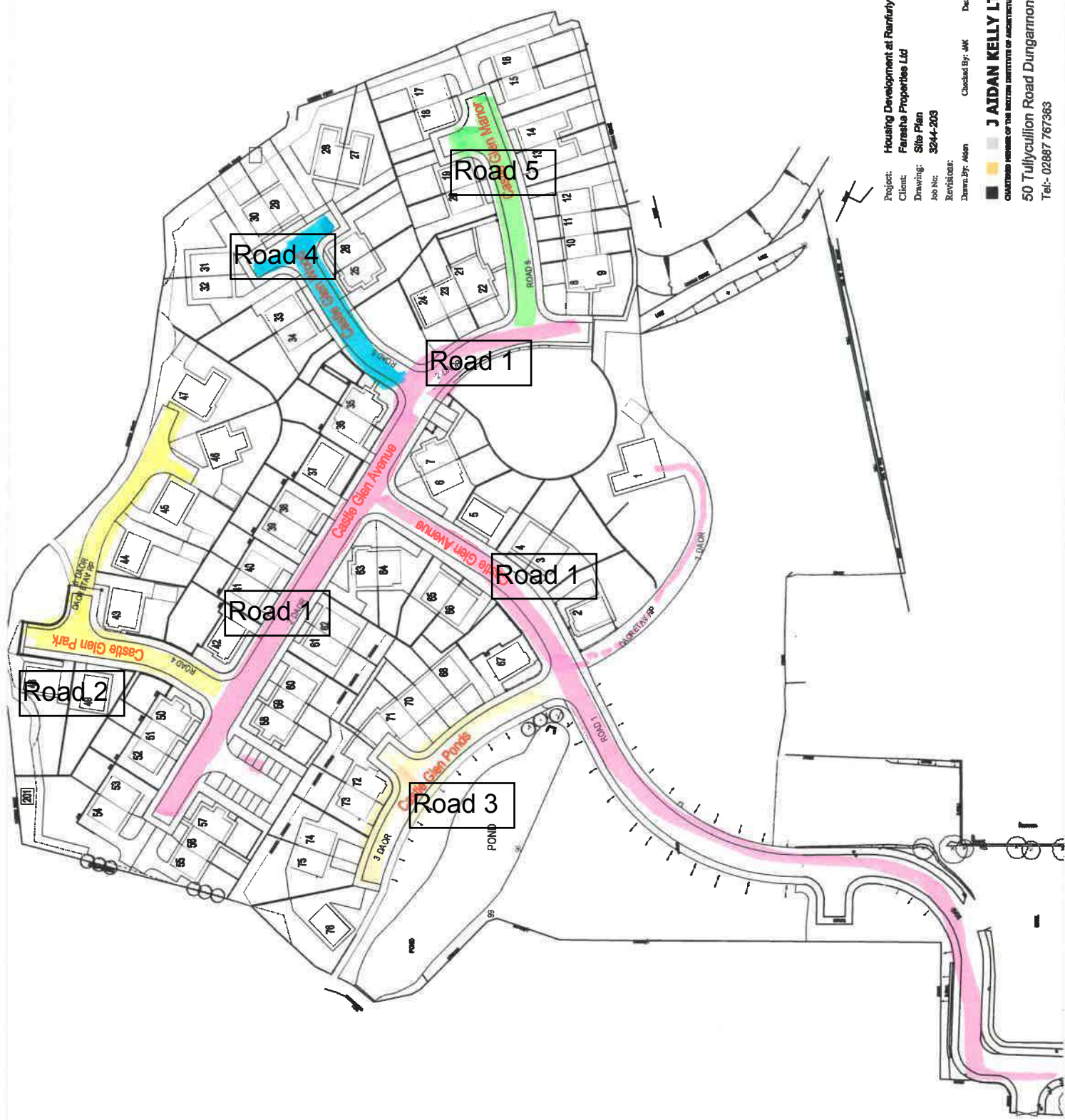
Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1 Castle Glen Manor	Dungannon Castle and Glen were the Site is located	Derived from Glen leading to Castle Hill
Option 2 Castle Glen Close	Dungannon Castle and Glen were the Site is located	Derived from Glen leading to Castle Hill
Option 3		

* Please avoid the use of apostrophes, hyphens, full stops and commas.

Please note that street naming proposals should be in accordance with Mid Ulster Council Policy (Attached)

Signed

Dated 15/3/18



Project: Housing Development at Rinfury Road Dungannon
Client: Farasha Properties Ltd
Drawing: Site Plan
Job No: 3244-203
Revisions:
Drawn By: Aidan
Checked By: JMK
Date: March 2017
Scale: 1:500

J AIDAN KELLY LTD
CHARTERED MEMBERS OF THE INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS
50 Tullycullion Road Dungannon Co Tyrone BT70 3LY
info@jakelly.co.uk
Tel: 02887 767363

Single

Customer Ref:

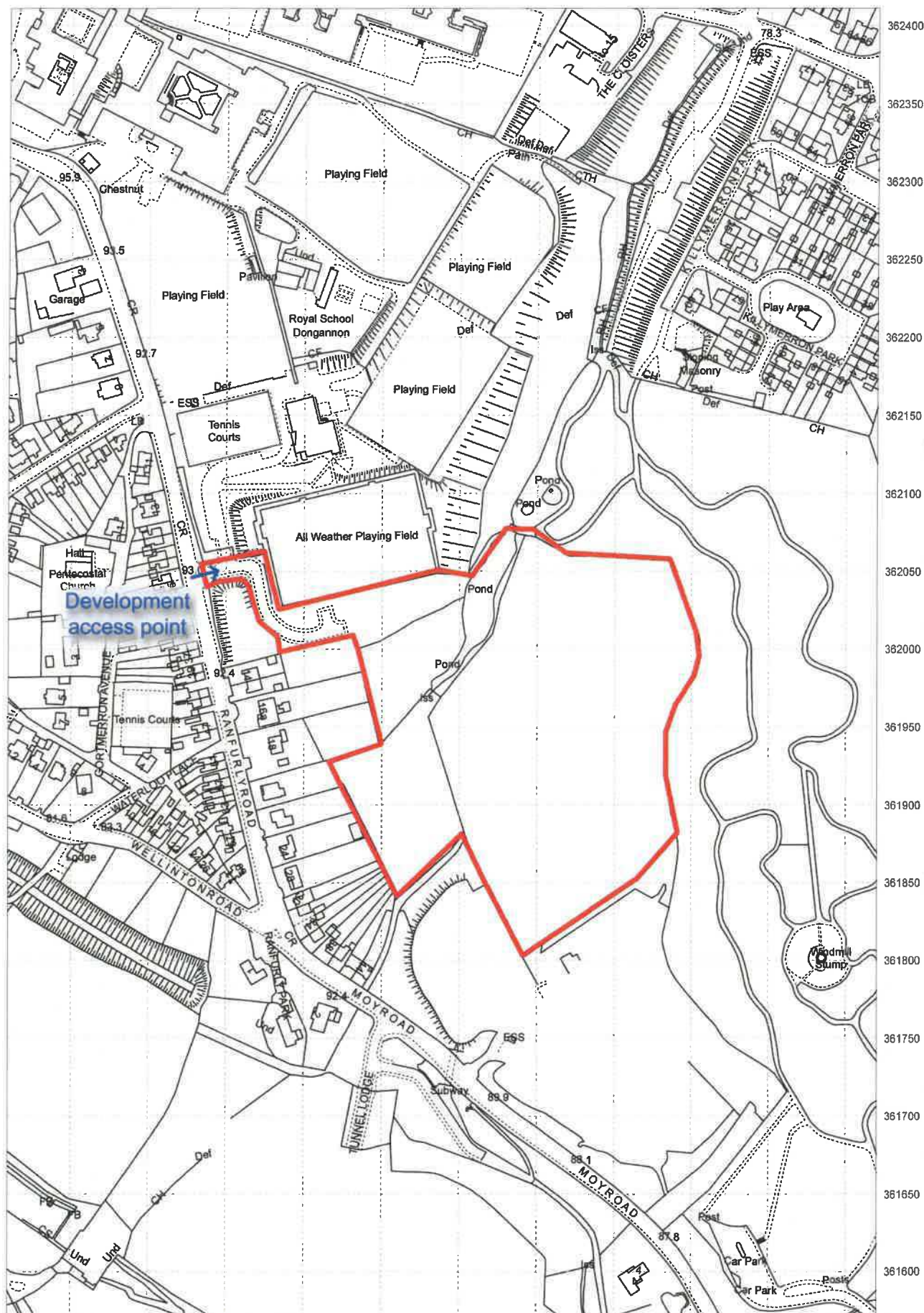
Scale: 1:2,500

Order no. ORD37140

Plan No. 16015NW4

280619

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361571

280059

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Mr Damien Loughran
Building Control Dept.
Mid Ulster Council
Council Offices
Circular Rd
Dungannon
Co. Tyrone

50 Tullycullion Road
Dungannon
Co Tyrone
BT70 3LY

Tel 028 8776 7363
Fax 028 8776 7313
e-mail info@jakelly.co.uk

17 April 2018

Our Ref: 3244

Your Ref: F/2017/0473

Dear Sir

RE: HOUSING DEVELOPMENT AT RANFURLY RD, DUNGANNON FOR FARASHA PROPERTIES LTD

With reference to our proposal to estate name it is proposed to use the following street names:-

- Castle Glen Ponds - 10 houses
- Castle Glen Avenue - 34 houses
- Castle Glen Park - 7 houses
- Castle Glen Wood - 10 houses
- Castle Glen Manor - 15 houses

Having designed other large housing developments with various developers we find that the occupiers prefer road names to highlight each area.

This makes it easy for the visitor to navigate their way through the development, gives each house owner a sense of place and creates interest within the development.

When we design development layouts we like to give the layout a human scale by creating spaces within the development and using names for each element helps to achieve same.

Yours Faithfully



AIDAN KELLY
J. AIDAN KELLY LTD

Report on	Dual Language Signage Requests
Date of Meeting	8th May 2018
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

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	<p>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.</p> <p>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.</p>
3.0	Main Report
3.1	<p>The Building Control Service within the Public Health and Infrastructure Department 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. Greenvale Drive, Cookstown – (See Appendix 2) 2. Drummuck Road, Maghera – (See Appendix 3) 3. Gortalowry Park, Cookstown – (See Appendix 4) 4. Mayogall Road, Magherafelt – (See Appendix 5) 5. Hillhead Road, Castledawson – (See Appendix 6) 6. Lisnastrane Park, Coalisland – (See Appendix 7) 7. Mulinderg, Draperstown – (See Appendix 8) <p>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).</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications

	Financial: Within Current Resources
	<p>Human: Within Current Resources</p> <p>With regards to resourcing in relation to Dual Language Signage requests, the service has the input primarily from one Licensing Support Officer. The Officer's primary duties include the administration for entertainment, petroleum, cinema and place approvals for civil partnerships applications as well as administering requests for dual language signage across the District.</p> <p>The breakdown of the process of dual language signage applications can be seen in Appendix 9.</p> <p>The process which is carried out in accordance with the Policy for Street Naming and Dual Language Signage, involves considerable business administration including necessary visits to the Electoral Office of Northern Ireland in Newtownabbey.</p> <p>The correspondence, which is required to be prepared for each application, is substantial with as many as 200-300 residents requiring unique correspondence in every case both at the survey stage and at the confirmation of decision stage.</p> <p>The completed surveys being returned must be correctly assessed or collated prior to preparing the report to the Environment Committee for consideration. When the dual language signage request has been approved, correspondence confirming the decision of the Council is prepared and forwarded to each resident. The procedure followed in accordance with the Policy is heavily dependent on the Licensing Support Officer due to the extent of correspondence required for each application.</p> <p>Where resources permit, there may be an opportunity to receive additional assistance from the Licensing Officer where it is identified that their workload can allow.</p> <p>In addition, consideration could be given to the revision of the Policy in relation to the confirmation of Council decisions regarding survey requests being confirmed. Currently, each resident on a street is notified by correspondence of the decision to erect dual language signage or not as the case may be.</p> <p>If the decision were published on the Council website, this would reduce and streamline the input required by the Licensing Support Officer in terms of correspondence required for each request submitted.</p>
	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 and agree to proceed to survey.

6.0	Documents Attached & References
6.1	<p>Appendix 1 – Street Naming and Dual Language Signage – Section 6.0 : Dual Language Signage Nameplates Policy</p> <p>Appendix 2 – Letter received from resident of Greenvale Drive, Cookstown</p> <p>Appendix 3 – Letter received from resident of Drummuck Road, Maghera</p> <p>Appendix 4 – Letter received from resident of Gortalowry Park, Cookstown</p> <p>Appendix 5 – Letter received from resident of Mayogall Road, Magherafelt</p> <p>Appendix 6 – Letter received from resident of Hillhead Road, Castledawson</p> <p>Appendix 7 – Letter received from resident of Lisnastrane Park, Coalisland</p> <p>Appendix 8 – Letter received from resident of Mulinderg, Draperstown</p> <p>Appendix 9 – Process for Dual Language Signage Applications</p>

MID ULSTER DISTRICT COUNCIL

Dual Language Signage Nameplates

(Article 11 of The Local Government (Miscellaneous Provisions) (NI) Order 1995)

Revised Policy and Procedure

6.0 DUAL LANGUAGE SIGNAGE NAMEPLATES

6.1 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.

6.2 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.

6.3 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, “occupiers” shall mean any person who resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which has its frontage immediately adjoining the street, hereafter referred to as ‘property’. Only the views of occupiers aged 18 or over in 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.

6.4 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.

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 petition or letter, signed by occupiers of the street must be made to Council to enable this matter to be considered. Requests should be made to Building Control Service within the Public Health and Infrastructure Department. A petition / letter 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 address of the petitioner is contained on the petition / letter and; the individuals name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A petition / 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 petition as referenced at 1, above. A petition will be deemed to be valid where it is completed by a minimum of one householder on that street. Approval will be sought from the Environment Committee to undertake the survey requested by the valid petition / letter.
3. Upon agreement, the Council will canvass, by post, all occupiers listed on the Electoral Register and the Pointer addressing system of that street; seeking their views on the request to erect a dual-language street nameplate. Each letter will contain survey forms for the number of occupiers registered on the Electoral Register for that property at that time.
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 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 the occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then this shall be presented to the Environment Committee for decision recommending that the dual language street nameplate be approved and erected. The Environment Committee having considered the request and the result of the survey may agree to permit or not permit the erection of the dual language nameplate.
6. Where 51 % of occupiers (rounded to nearest whole number) that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then this shall be presented to the Environment Committee for decision recommending that the dual language street nameplate shall not be approved or erected.
7. 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.

Adopted by Council 23/03/17

8. Where the request is granted and the other language is Irish, the Irish Language Section within Department of Culture and Leisure and / or an approved translator will provide the Irish language form 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 other language will not be used to express the name of the street for statutory purposes
9. The font and size of lettering of the other language shall be in accordance with that as shown in Appendix E.
10. Following the Council's decision on the matter all occupiers of the street will be notified of the decision.
11. 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 2

Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council

Greenvale Drive
Cookstown
BT80 8HW

12th April 2018

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 Greenvale Drive

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,



Appendix 3

Mr William Wilkinson
Public Health and Infrastructure Department
Building Control Services
Mid-Ulster District Council
50 Ballyronan Road
Magherafelt
Co Derry
BT45 6EN

Dear Sir/madam

I am a resident of Drumuck R.d Maghera
.....and I wish to make a formal request to have my road/street name in the Irish language
as per Mid-Ulster District Council's bi-lingual Street name policy.

Regards



Appendix 4

Gortalowry Park
Cookstown
BT80 8JJ

26-3-2018
~~26-3-2018~~

Mr Willie Wilkinson
Building Control Service
Public Health and Infrastructure Department
Comhairle Ceantair Lar Uladh/ Mid Ulster District Council

Dear Mr Wilkinson,

I would like to request that you give consideration to providing bilingual (Irish/English) street signage for the Gortalowry Park area, where I live

Kind regards,



Appendix 5

Mr William Wilkinson

Public Health and Infrastructure Department

Building Control Services

Mid Ulster District Council

50 Ballyronan Road

Magherafelt

BT45 6EN

Dear William

I am a resident of MANOGALL ROAD and I wish to make a formal request to have my road/street name in the Irish Language as per Mid Ulster District Council's bi-lingual Street name policy.

Regards

Signed _____

BLOCK CAPITALS _____



Appendix 6

Mr William Wilkinson

Public Health and Infrastructure Department

Building Control Services

Mid-Ulster District Council

50 Ballyronan Road

Magherafelt

Co Derry

BT45 6EN



Dear Sir/madam

I am a resident of *Hillhead Road, Castledawson* and I wish to make a formal request to have my road/street name in the Irish language as per Mid-Ulster District Council's bi-lingual Street name policy.

Regards

Appendix 7

Willie Wilkinson
C/O Mid-Ulster District Council

Lisnistrane Park
Coalisland
BT71 4PW

26/03/2018

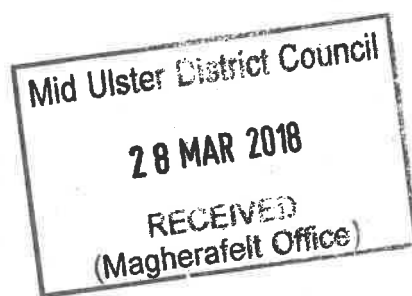
Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language signage on Lisnistrane Park.

In accordance with the Policy, by way of my signature below, I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,



Appendix 8

Mullinderg
Ballinascreen
Co. Derry
BT45 7FD

Mid Ulster District Council

- 6 APR 2018

RECEIVED
(Magherafelt Office)

A Dhuine Uasail,

Ba mhaith liom cur in iúl dóibh nach bhfuil ach Béarla scríofa ar ár gcomhartha eastáit Mullinderg agus tá mé ag achainí go mbeidh comhartha dáttheangach curtha in airde ina áit.

Where I live, the signage for the estate Mullinderg is in English only. As an Irish speaker raising a family through the medium of Irish I would appreciate if the correct signage with the Irish translation was put in its place.

Lea dea-mheas

Process for Dual Language Signage Requests

1	Request received for dual language signage
2	Request verified, either <ul style="list-style-type: none"> i. Verified using information within Office, or ii. Verified by a Visit to local EONI
3	Acknowledgement letter sent to requester
4	Request to Environment Committee for survey to proceed in relation to Dual Language Signage
5	All residents are identified requiring a visit to Electoral Office in Newtownabbey
6	Correspondence prepared to allow survey be sent to each Resident – depending on number of Residents on a road this may result in 200-300 surveys being prepared.
7	Correspondence mailed to all residents as noted on Electoral Register
8	Survey returns collated and recorded as received
9	Following completion of survey, results are accessed and then a report prepared for approval by Environment Committee of Council
10	Following decision by Council, correspondence is prepared for each Resident of road to confirm result of survey

Report on	Dual Language Signage Survey
Date of Meeting	8th May 2018
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

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	<p>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.</p> <p>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.</p> <p>Members had previously agreed to canvass, by post, all occupiers as listed on the Electoral Register residing on the streets/roads as noted below seeking their views on the request to erect dual-language street nameplates in the Irish Language as requested in each case</p>																
3.0	Main Report																
3.1	<p>The Building Control Service within the Public Health and Infrastructure Department issued occupiers of the undernoted streets, correspondence seeking their views on the request to erect a dual-language street nameplate on that streets/roads:</p> <p>Completed surveys were received by the return date and the outcome is as follows in each case</p>																
3.2	<table border="1"> <tr> <td>Name of Street</td><td>Ballinderry Bridge Road, Coagh</td></tr> <tr> <td>Language Requested</td><td>Irish</td></tr> <tr> <td>Date Request Validated</td><td>02/11/2017</td></tr> <tr> <td>Survey Request Approved by Environment Committee</td><td>04/12/2017</td></tr> <tr> <td>Surveys Issued</td><td>14/03/2018</td></tr> <tr> <td>Surveys returned by</td><td>11/04/2018</td></tr> <tr> <td>Survey Letters Issued</td><td>216</td></tr> <tr> <td>Survey Letters Returned</td><td>129</td></tr> </table>	Name of Street	Ballinderry Bridge Road, Coagh	Language Requested	Irish	Date Request Validated	02/11/2017	Survey Request Approved by Environment Committee	04/12/2017	Surveys Issued	14/03/2018	Surveys returned by	11/04/2018	Survey Letters Issued	216	Survey Letters Returned	129
Name of Street	Ballinderry Bridge Road, Coagh																
Language Requested	Irish																
Date Request Validated	02/11/2017																
Survey Request Approved by Environment Committee	04/12/2017																
Surveys Issued	14/03/2018																
Surveys returned by	11/04/2018																
Survey Letters Issued	216																
Survey Letters Returned	129																

Replies in Favour	64
Replies not in Favour	55
Invalid	10
Valid Returns	119
Percentage in Favour	54%

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 Ballinderry Bridge Road, Coagh.

3.3

Name of Street	Eglish View, Cookstown
Language Requested	Irish
Date Request Validated	02/11/2017
Survey Request Approved by Environment Committee	04/12/2017
Surveys Issued	14/03/2018
Surveys returned by	11/04/2018
Survey Letters Issued	15
Survey Letters Returned	6
Replies in Favour	6
Replies not in Favour	0
Invalid	0
Valid Returns	6
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 Eglish View, Cookstown.

3.4

Name of Street	Scotchtown Lane, Cookstown
Language Requested	Irish
Date Request Validated	27/10/2017
Survey Request Approved by Environment Committee	04/12/2017
Surveys Issued	09/02/2018
Surveys returned by	09/03/2018
Survey Letters Issued	24
Survey Letters Returned	10
Replies in Favour	5
Replies not in Favour	5
Invalid	0
Valid Returns	10
Percentage in Favour	50%

In accordance with the Dual Language Signage Nameplates Policy, 51% of the completed replies returned by occupiers were neither in favour nor not in favour of the erection of a dual language street nameplate at Scotchtown Lane, 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	That Members note the results of the surveys and agree the application of Dual Language Nameplates in Irish for the streets/roads as noted below: <ul style="list-style-type: none"> 1. Ballinderry Bridge Road, Coagh 2. Eglish View, Cookstown
5.2	That Members note the result of the survey for Scotchtown Lane and consider the options as noted below: <ul style="list-style-type: none"> 1. Consider a further request following the expiry of 12 months from the date of this Environment Committee meeting , OR 2. Carry out a re-run of the survey on all applicable residents
6.0	Documents Attached & References
6.1	Appendix 1 – Street Naming and Dual Language Signage – Section 6.0 : Dual Language Signage Nameplates Policy Appendix 2 – Dual Language Nameplate Translation for each street/road

MID ULSTER DISTRICT COUNCIL

Dual Language Signage Nameplates

(Article 11 of The Local Government (Miscellaneous Provisions) (NI) Order 1995)

Revised Policy and Procedure

6.0 DUAL LANGUAGE SIGNAGE NAMEPLATES

6.1 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.

6.2 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.

6.3 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, “occupiers” shall mean any person who resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which has its frontage immediately adjoining the street, hereafter referred to as ‘property’. Only the views of occupiers aged 18 or over in 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.

6.4 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.

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 petition or letter, signed by occupiers of the street must be made to Council to enable this matter to be considered. Requests should be made to Building Control Service within the Public Health and Infrastructure Department. A petition / letter 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 address of the petitioner is contained on the petition / letter and; the individuals name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A petition / 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 petition as referenced at 1, above. A petition will be deemed to be valid where it is completed by a minimum of one householder on that street. Approval will be sought from the Environment Committee to undertake the survey requested by the valid petition / letter.
3. Upon agreement, the Council will canvass, by post, all occupiers listed on the Electoral Register and the Pointer addressing system of that street; seeking their views on the request to erect a dual-language street nameplate. Each letter will contain survey forms for the number of occupiers registered on the Electoral Register for that property at that time.
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 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 the occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then this shall be presented to the Environment Committee for decision recommending that the dual language street nameplate be approved and erected. The Environment Committee having considered the request and the result of the survey may agree to permit or not permit the erection of the dual language nameplate.
6. Where 51 % of occupiers (rounded to nearest whole number) that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then this shall be presented to the Environment Committee for decision recommending that the dual language street nameplate shall not be approved or erected.
7. 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.

Adopted by Council 23/03/17

8. Where the request is granted and the other language is Irish, the Irish Language Section within Department of Culture and Leisure and / or an approved translator will provide the Irish language form 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 other language will not be used to express the name of the street for statutory purposes
9. The font and size of lettering of the other language shall be in accordance with that as shown in Appendix E.
10. Following the Council's decision on the matter all occupiers of the street will be notified of the decision.
11. 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 2

Dual Language Nameplate

	Current Name	Irish Translation
Road	Ballinderry Bridge Road	Bóthar Dhroichead Bhaile an Doire
Townland	Coagh Killymuck	Baile Fearainn an Chuaich Baile Fearainn Choill na Muc

	Current Name	Irish Translation
Road	Eglish View	Bóthar Radharc na hEaglaise
Townland	Derrycrin (Eglish)	Baile Fearainn Dhoire Crainn (Eaglais)

Report on	Rural Address Initiative
Date of Meeting	8th May 2018
Contact Officer	William Wilkinson

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	The purpose of this report is to advise Members in relation to highlighting the importance of rural house owners prominently displaying their house numbers across Mid Ulster District Council area.
2.0	Background
2.1	In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council has responsibility for approving Street Naming and Numbering of buildings erected thereon.
2.2	The Pointer Addressing Database which is continuously updated with the approved street names of the roads/developments and the numbers allocated to each building, acts as the main point of reference for “Blue Light Services” in identifying the position of properties in rural locations.
3.0	Main Report
3.1	<p>Following a recent Home Fire Safety Check initiative by the NIFRS in the Mid-Ulster District Council Area, their officers noted that in many occasions dwellings in rural locations did not have their allocated postal number displayed prominently and in some cases road signage did not appear to be in place.</p> <p>When “Blue Light Services” are called to an emergency incident, it is imperative that the property being the source of the incident can be easily located as valuable time can be wasted in attempting to identify the property in question. The Emergency Services using their Satellite navigation will direct them to the general location of the property in question but delays can be encountered in identifying the property’s exact location, particular in rural locations, where house numbers are not prominently displayed in many cases.</p> <p>It would be beneficial to work in partnership with the PSNI, NIFRS and NIAS to promote the importance of having house numbers erected and clearly visible. This could be achieved through a press release including photoshoot from the Council with a representative from each of the “Blue Light Services” and an elected representative emphasising the need to prominently display house numbers at their property especially in rural locations.</p>
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: Improvement of access to “Blue Light Services” as the result of an emergency incident
5.0	Recommendation(s)
5.1	The Members consider a promotional event in partnership with the “Blue Light Services” to highlight the importance of prominently displaying house numbers especially in rural locations.
6.0	Documents Attached & References
	None

Report on	Amendments to the Fire and Rescue Service (Northern Ireland) Order 2006.
Date of Meeting	8th May 2018
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

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 Consultation document on the proposal to make amendments to the Fire and Rescue Service (Northern Ireland) Order 2006 (See Appendix 1).
2.0	Background
2.1	Under current legislation the Fire and Rescue Service has no legal avenue to pursue fire safety irregularities in the common areas of purpose built blocks of flats/apartments. The proposed amendment will make the NIFRS responsible for inspection and enforcement in these common areas.
3.0	Main Report
3.1	<p>It is proposed under the House of Multiple Occupation Act 2016 (HMO) that the operation of the licensing scheme for HMOs will be transferred in April 2019 to local councils. It will therefore be the responsibility of local councils to carry out fire safety inspections of HMO's. It is envisaged that a small number of councils will centrally employ the HMO team, which will cover all HMOs within all 11 Council areas.</p> <p>To facilitate the transfer of powers, The Fire and Rescue Services (Northern Ireland) Order 2006, requires amendment; as legislation currently stands the NIFRS can only delegate powers for fire safety enforcement for a workplace and therefore does not address or include HMOs. It also notes that only fire and rescue officers are authorised to carry out duties with regards to fire safety inspections for workplaces which does not cover HMOs. The proposed amendments to Article 33(3) and 52(1) will address this issue and allow authorised council staff (HMO trained officers) to carry out fire safety inspections on HMOs, which will be now deemed relevant premises.</p> <p>The NIFRS intends to manage delegation for fire safety inspections via an agreed Memorandum of Understanding with each District Council, which will clarify and co-ordinate all roles and responsibilities. It is envisaged nothing in the proposals will change current arrangements until the Department progress the necessary regulations to bring the new licensing arrangements into place and the Chief Fire Officer is assured of the competency of District Councils to undertake fire safety checks in HMOs. The proposed amendments to the current legislation will ease the transfer of powers to Council and</p>

	<p>should have little resource impact on Mid Ulster District Council although additional training of Building Control Officers may be necessary.</p> <p>This consultation document consults on the proposal to make amendments to the Fire and Rescue Service (Northern Ireland) Order 2006. The questions and proposed comments are as detailed below:</p> <p>Q1. Do you agree that the proposed amendments are necessary to achieve the requirements outlined previously? If not please explain why?</p> <p>Yes, the proposed amendments are essential to ensure that the current legislation is adequate to facilitate the transfer of powers to Local Councils. The Fire and Rescue Services (Northern Ireland) Order 2006 requires amendment because as legislation currently stands the NIFRS can only delegate powers for fire safety enforcement for a workplace and therefore does not address HMOs. It also notes that only Fire and Rescue Officers are authorised to carry out duties with regards to fire safety inspections for workplaces which does not cover HMOs. The proposed amendments to Article 33(3) and 52(1) will address this issue and allow authorised council staff (HMO trained officers) to carry out fire safety inspections on HMOs, which will then be deemed relevant premises.</p> <p>Q2. Are the proposed amendment sufficient to achieve the requirements outlined previously? If not please explain why?</p> <p>Yes, however it is essential for an agreed Memorandum of Understanding (MoU) with each District Council to be finalised well in advance of any transfer of powers to clarify and co-ordinate roles and responsibilities to ensure a smooth transition.</p> <p>In addition, the consultation makes reference to common areas in 'purpose built' blocks of apartment/flats however it does not appear to address those not purpose built that could be created from a change of use situation such as, a large dwelling converted or offices converted to apartments/flats etc. It is therefore assumed these potential common areas are addressed equally as 'purposed built' noted, but further clarity on the wording would be required to ensure capture of these conversions.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Dependent on service delivery arrangements agreed for HMO Regulation
	Human: Dependent on service delivery arrangements agreed for HMO Regulation
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)

5.1	For Members to consider and approve the draft responses to Questions 1 and 2 of the Public Consultation in relation to the Fire and Rescue Service (Northern Ireland) Order 2006 Amendment as detailed above to the Department of Health.
6.0	Documents Attached & References
6.1	Appendix 1 – The Public Consultation on “The Fire and Rescue Services (Northern Ireland) Order 2006 Amendment.

The Fire and Rescue Services (Northern Ireland) Order 2006 Amendment

A Public Consultation

April 2018

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Introduction

1. The Department of Health proposes to make amendments to the Fire and Rescue Service (Northern Ireland) Order 2006 and seeks your views on the proposals.

Background

2. The Northern Ireland Fire and Rescue Service (NIFRS) were asked to review the Fire and Rescue Service (Northern Ireland) Order 2006 and identify any pertinent issues within the Order. NIFRS identified risks and opportunities resulting in proposals to make amendments to the Fire and Rescue Service (Northern Ireland) Order 2006.
3. The review took place before the terrible events at Grenfell Tower. The Department of Health and NIFRS awaits the outcome of the Grenfell Inquiry and will consider the implications locally of any recommendations made in terms of Fire and Rescue responsibilities as a result of the Grenfell Inquiry. The Department believes the proposed amendments are of enough significance they should proceed at this point.
4. NIFRS identified the potential for a fire safety risk in the 2006 Order. As currently worded the Order removes responsibility for fire safety inspection and enforcement in common areas that exist in flats and apartment blocks (stairs, passage ways, gardens and yards etc.) of domestic premises from NIFRS.
5. The Department proposes to make NIFRS responsible for fire safety inspection and enforcement in the common areas of domestic premises such as flats and apartment blocks.
6. The Houses of Multiple Occupation (HMO) Act received Royal Assent in May 2016. The Act makes provision for a regulated licensing scheme for HMOs in Northern Ireland. Similar HMO licensing schemes are already in place in England Scotland and Wales.
7. The operation of the HMO licensing scheme will be the responsibility of local District Councils. It is understood District Councils will carry out all the checks/inspections (including fire safety) required to license or otherwise a HMO. Fire safety is a key element of the consideration in granting a license for a HMO.
8. It is understood the Department for Communities intends to progress regulations to enact the HMO licensing scheme at a future date.
9. To facilitate the provisions and policy intent of the HMO Act the Department of Health proposes to amend the 2006 Order to allow the Chief Fire and Rescue Officer to delegate fire safety inspection for “relevant premises” rather than just workplaces. This will allow the Chief

Fire and Rescue Officer to delegate responsibility for fire safety inspection in HMOs to local District Councils.

10. The proposed amendment to allow the Chief Fire and Rescue Officer to authorise “people” to undertake fire safety inspection/enforcement rather than the current “fire and rescue officers” will allow non-fire service staff i.e. suitably trained and competent District Council staff to undertake fire safety inspections in HMOs.
11. NIFRS intend to manage delegation for fire safety inspections through an agreed Memorandum of Understanding (MoU) with each District Council. Nothing in the proposals will change current arrangements in the interim until the HMO licensing scheme comes into operation and the Chief Fire and Rescue Officer is assured re the competency of District Councils to undertake fire safety checks in HMOs.
12. The proposed amendment in relation to “people” will also allow the Chief Fire and Rescue Officer to consider employing and training staff other than uniformed fire service staff to undertake a fire safety inspection role within NIFRS. Legislation in Scotland, England and Wales already facilitates this consideration by the Chief Fire and Rescue Officers of the respective fire and rescue services.
13. Non-uniformed fire service staff have been employed in fire safety inspection roles in Scotland, North Wales and in some English Fire and Rescue Services for at least 10 years.
14. **Proposals**

CHANGE TO DEFINITION OF DOMESTIC PREMISES

The current definition of domestic premises in the 2006 Order (Article 50(6)) states that the common areas inside (shared) domestic premises form part of the domestic premises and are therefore exempt from the 2006 Order. Under current legislation the Fire and Rescue Service has no legal avenue to pursue fire safety irregularities in the common areas of purpose built blocks of flats/apartments.

The proposed amendment effectively removes common areas from the definition of domestic premises. This amendment will give the Fire and Rescue Service responsibility for the inspection and enforcement of fire safety in the common areas of purpose built blocks of flats/apartments.

The responsibility for fire safety compliance in the common areas is the property owners, however the change in definition also results in the Fire and Rescue Service having responsibility for inspection and enforcement of fire safety in these common areas should fire safety compliance not be maintained.

The proposed amendment to Article 50(6) is:

*“domestic premises” means premises occupied as a private dwelling (**not** including a stair, passage, garden, yard, garage, or other appurtenance of such premises which is used in common by the occupants of more than one such dwelling), but does not include a house in multiple occupation”*

HOUSES IN MULTIPLE OCCUPATION (HMOs)

The Houses in Multiple Occupation Act (Northern Ireland) 2016 (HMO Act) received Royal Assent in May 2016. The Department for Communities intend to make regulations to give effect to the Act with the transfer of regulation responsibilities for HMOs from NIHE to a regulated licensing scheme with local District Councils at a future date. Fire safety is a key component of consideration of a license for a HMO. Similar licensing schemes are already in place in England, Scotland and Wales.

As legislation currently stands the Fire and Rescue Service can only delegate powers for fire safety enforcement for a workplace. This does not address the issue of HMOs.

To facilitate the introduction of the HMO Act the Department of Health is proposing to amend Article 33(5) of the 2006 Order. The proposed amendment replaces the word “workplace” with “relevant premises”.

*33(5) The Board may make arrangements with a prescribed person for such of the functions conferred on the Board by virtue of this Part as may be specified in the arrangements to be carried out (with or without payment) on its behalf by the person in relation to a ~~workplace~~ **relevant premises** so specified.*

DEFINITION OF AN AUTHORISED OFFICER

Currently Article 33(3) and 52(1) of the 2006 Order states that the Chief Fire and Rescue Officer may only authorise fire and rescue officers to enforce the legislation. The proposed amendment would allow the Chief Fire and Rescue Officer to authorise non-uniformed staff or other persons (i.e. council staff) to carry out inspections in relevant premises.

The proposed amendment to Article 33(3) and Article 52(1) is:

*33(3) The Chief Fire and Rescue Officer may authorise in writing ~~fire and rescue officers~~ **persons** to act for the purpose of carrying out the duty imposed by paragraph (1).*

52(1) In this Part-

*“authorised officer” means a ~~fire and rescue officer~~ **person** who is authorised in writing by the Chief Fire and Rescue Officer under Article 33.*

The Fire and Rescue Service intends to agree a Memorandum of Understanding with each local District Council that will clarify and co-ordinate the roles and responsibilities in the future with respect to fire safety inspection in HMO premises.

The proposals will not impact the existing fire safety arrangements in relation to HMOs while the Department for Communities progress the necessary regulations to bring the new licensing arrangements into place.

Views sought on the proposals

15. This consultation document consults on the proposal to make amendments to the Fire and Rescue Service (Northern Ireland) Order 2006. We would welcome comments on the questions below:
 - Q1. Do you agree that the proposed amendments are necessary to achieve the requirements outlined previously?
If not please explain why?
 - Q2. Are the proposed amendments sufficient to achieve the requirements outlined previously?
If not please explain why?

How to Respond

If you wish to comment on the proposals contained within this document, please e-mail firesafety@health-ni.gov.uk alternatively please send postal responses to the address below.

Please ensure that the response includes: your name, organisation (if relevant), address and telephone number, and whether your comments represent your own view or the corporate view of your organisation.

Additional copies of the consultation package can be obtained by contacting the Department's Public Safety Unit either by phone or in writing. Details of the address and telephone number are shown below. Copies can also be downloaded from the consultation section of the Department's website.

<https://www.health-ni.gov.uk/consultations>

If you require any of these documents in another format or language, please contact the Public Safety Unit.

The closing date for comments is 03 June 2018. Responses received after this date will only be considered in extreme circumstances and with prior agreement from the Department.

Please address any queries you may have regarding this consultation to Jacqui Todorov:-

By phone:	028 9052 2248
By e-mail:	firesafety@health-ni.gov.uk
In writing:	Department of Health Public Safety Unit Annex 4 Castle Buildings Stormont Estate Belfast BT4 3SQ

After the Consultation:

A summary of responses to the consultation will be published on the Department's website within three months of the end of the consultation period.

Confidentiality of information

The Information we receive, including personal information, may be published or disclosed in accordance with the access to information regimes (primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department of Health will process your personal data in accordance with the DPA and in most circumstances this will mean that your personal data will not be disclosed to third parties.

Statutory Equality Duty in Northern Ireland

Section 75 of the Northern Ireland Act 1998 placed statutory equality obligations on all public bodies. Each public authority, in carrying out its functions in relation to Northern Ireland must have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without, and
- between persons with dependants and persons without.

Public bodies are also required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

In accordance with these statutory obligations and the guidance produced by the Equality Commission for Northern Ireland, the Department has carried out a preliminary screening of the policy and has concluded that an Equality Impact Assessment is not required. If you consider this decision is not correct please advise the Department including any supporting evidence you may have. Copies of the preliminary screening are available on request.

The Department has considered the needs of people in rural areas when developing this policy and believes the policy will have a neutral impact on both rural and urban communities as geographical location is not a major factor.

Report on	Environmental Services Service Improvement Plan for 2018/19
Date of Meeting	8 th May 2018
Reporting Officer	Mark McAdoo, Head of Environmental Services
Contact Officer	Mark McAdoo, Head of Environmental Services

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 content of and to seek approval for the annual Service Improvement Plan (SIP) for Environmental Services for 2018/19.
2.0	Background
2.1	The Environmental Services Service Improvement Plan for 2017/18 was approved at the Environment Committee meeting in May 2017. A new SIP for 2018/19 is now required.
3.0	Main Report
3.1	<p>Environmental Services is part of the Environment and Property Department and is responsible for the provision and management of the following services and facilities:</p> <ul style="list-style-type: none"> • <i>Refuse and Recycling kerbside collections (domestic and commercial)</i> • <i>Recycling Centres</i> • <i>Waste Transfer Facilities</i> • <i>Landfill Site Management</i> • <i>Delivery of waste related capital projects</i> • <i>Waste recycling, treatment and processing</i> • <i>Street and road cleansing</i> • <i>Removal of fly tipping and abandoned vehicles</i> • <i>Management of Landfill Community Funding</i> • <i>Environmental Education and Awareness</i> <p>The Service Improvement Plan for 2018/19 includes the following details/sections:</p> <p><i>Purpose, scope and responsibilities of the service</i> <i>Customers and stakeholders</i> <i>Overview of performance in 2017/18</i> <i>Budget and staffing complement for 2018/19</i> <i>Work plan for 2018/19</i> <i>Service contribution to Council Corporate Improvement Objectives and Projects</i></p>

	<p><i>Measures of success</i></p> <p>A full copy of the Service Improvement Plan is attached as appendix.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial:</p> <p>The planned actions within the Service Improvement Plan will be delivered within the annual Environmental Services budget of £11,224,191 which accounts for approximately 30% of the Council's total annual budget for 2018/19.</p>
	<p>Human:</p> <p>Environmental Services employees make up over a third of the total Council workforce.</p>
	<p>Risk Management:</p> <p>The Service Plan includes a summary of the main risks facing the Service in 2018/19.</p>
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 contents of this report and to approve the Environmental Services Service Improvement Plan for 2018/19.
6.0	Documents Attached & References
6.1	2018/19 Environmental Services Service Improvement Plan



Environmental Services

SERVICE PLAN - 2018 / 19

	Date
Consulted within staff team	05/03/2018
Discussed & signed off by Director	09/03/2018

CONTENT

SECTION	TITLE	PAGE NUMBER
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1.1	Purpose and scope of the service	
1.2	Responsibilities	
1.3	Customers & Stakeholders	
1.4	Performance Overview in 2017/18	
2.0	SERVICE WORK PLAN - 2018/19	
2.1	Budget - 2018/19	
2.2	Staffing Complement – 2018/19	
2.3	Service Work Plan – 2018/ 19	
3.0	IMPROVING OUR SERVICE AND MANAGING PERFORMANCE - 2018/19	
3.1	Council's Improvement Objectives and Associated Programs - 2018/19	
3.2	Service Contribution to the Corporate Improvement Objectives	
3.3	Risk Management of Service	

1.0 OVERALL PURPOSE AND SCOPE OF THE SERVICE

1.1 Purpose and Scope of the Service

Environmental Services is part of the Environment and Property Department and is responsible for contributing to the improvement of the local environment through the provision of all waste management and cleansing related services. Expenditure on Environmental Services accounts for around one third of the Councils total annual budget.

The facilities currently used in the delivery of the Environmental Services are as follows:

- *Cookstown Depot*
- *Dungannon Depot*
- *Magherafelt Depot*

- *Ballymacombs Recycling Centre*
- *Castledawson Recycling Centre*
- *Clogher Recycling Centre*
- *Coalisland Recycling Centre*
- *Cookstown Recycling Centre*
- *Draperstown Recycling Centre*
- *Drumcoo Recycling Centre*
- *Fivemiletown Recycling Centre*
- *Maghera Recycling Centre*
- *Magherafelt Recycling Centre*
- *Moneymore Recycling Centre*
- *Tullyvar Recycling Centre*

- *Ballymacombs Landfill Site*
- *Magheraglass Landfill Site/Waste Transfer Station*
- *Tullyvar Landfill Site/Waste Transfer Station*

1.2 Responsibilities

Environmental Services is responsible for the following functions/activities:

- *Refuse and Recycling kerbside collections (domestic and commercial)*
- *Provision of Recycling Centres*
- *Waste Transfer Facilities*
- *Landfill Site Management*
- *Delivery of waste related capital projects*
- *Waste recycling, treatment and processing*
- *Street and road cleansing*
- *Removal of fly tipping and abandoned vehicles*
- *Management of Landfill Community Funding Scheme*
- *Environmental Education and Awareness*

1.3 Customers & Stakeholders

Customers & Stakeholders
• All householders
• Commercial/trade customers
• Councillors/MLAs
• Local community groups/schools
• Central Government Departments
• Trade Union representatives
• Health and Safety Executive
• Other Council departments/staff

1.4 Performance Overview in 2017/18

The following table provides a progress summary and the impact made by last years' Service Plan (2017-2018). With regard to the Council's 2017/18 Corporate Improvement Objective to "help manage our waste and environment by reducing the amount of waste sent to landfill" during the year the Council maintained its position as the top performing local authority in Northern Ireland by achieving the highest household waste recycling rate of all eleven Councils and by further exceeding the 50% EU target set for 2020. The Council was also a top performer in street cleansing as evidenced by the results of the Annual Northern Ireland Cleanliness Survey carried out by Keep Northern Ireland Beautiful in 2017/18.

2017/18 Performance Overview
• Achieved a household waste recycling and composting rate of over 51%
• Utilised under 60% of our annual NI Landfill Allowance Scheme (NILAS) allocation
• Restricted the percentage of household waste landfilled to under 35% (of the total)
• Completion of phase three interim capping capital works at Tullyvar landfill site
• Obtained approval and started construction on Drumcoo waste transfer station
• Completed refuse collection route optimisation project within Magherafelt area
• Delivered comprehensive food waste and dry recycling communication schemes
• Implemented new (winter) opening hours at all Household Waste Recycling Centres
• Reviewed and reduced number of approved second bin collections across the district
• Awarded new contracts for processing of kerbside dry recyclables and bio wastes
• Participated in Northern Ireland wide Waste Compositional Analysis Study
• Introduced online application to allow mobile reporting of litter, fly tipping etc.
• Completed an Outline Business Case (OBC) for a Materials Recovery Facility (MRF)
• Achieved satisfactory ratings in Waste Management and Street Cleansing audits
• Obtained the highest litter LEAMS score in the KNIB 2017/18 Annual Litter Survey

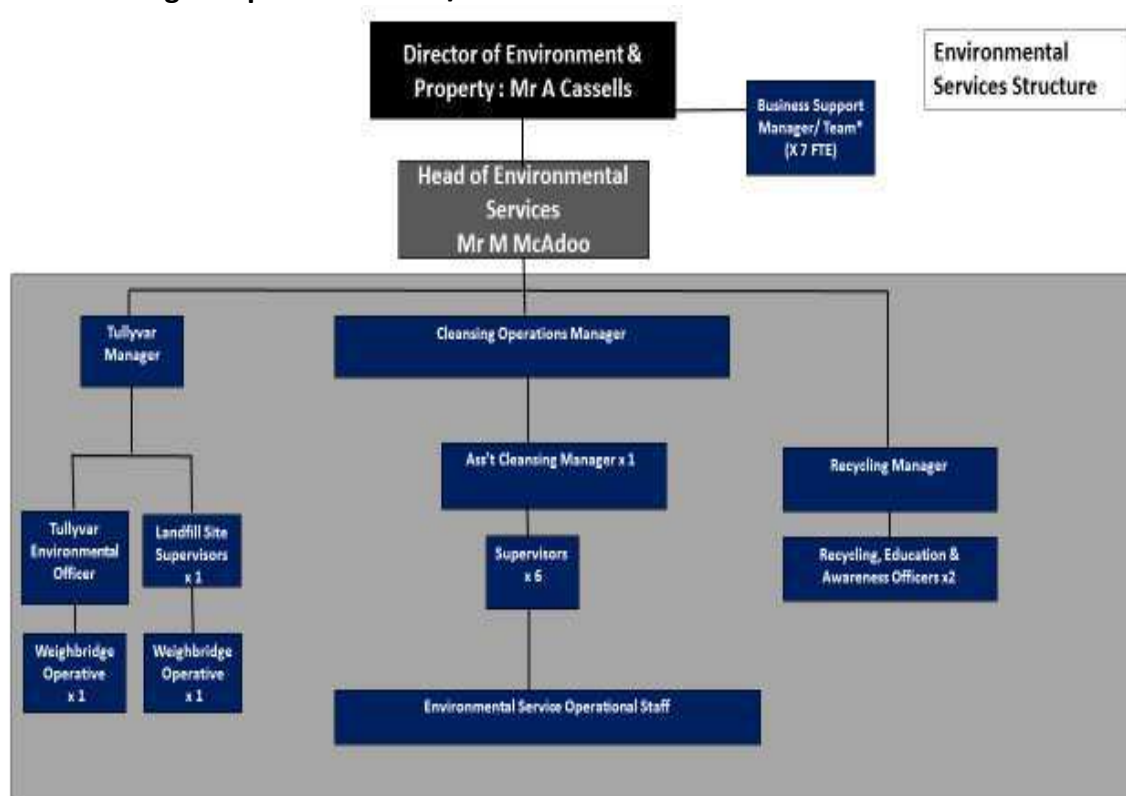
2.0 SERVICE WORKPLAN 2018/19

The following tables confirm the resources, financial and people, which the Service has access to throughout 2018-19 to deliver its actions, activities and core business.

2.1 Budget 2018/19

Service Budget Headings	£
Waste Recycling, Treatment and Processing	£4.9m
Refuse and Recycling Collection	£2.4m
Street and other Cleansing	£1.7m
Landfill Sites/Refuse Disposal	£1.3m
Recycling Centres	£0.7m
Environmental Education/Awareness	£0.2m
Net Budget for 2018-19	£11.2m

2.2 Staffing Complement - 2018/19



Staffing	No. of Staff
Head of Service	1
Managers	3
Supervisors/Officers	10
Remaining Team	183
Total	197

2.3 SERVICE WORK PLAN

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To recycle/compost at least 52% of our household waste	Quarterly returns (WasteDataFlow)	51.% achieved in 2016/17	At least 38,000 tonnes of household waste recycled or composted by 31 st March 2019	<ul style="list-style-type: none"> Collections of kerbside recyclable and compostable waste every two weeks Operation of Recycling Centres Delivery of Recycling Environmental Education programme/activities Management of Waste/Recycling Contracts 	April 18 – March 19	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it for our children</i>	<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To ensure that our Northern Ireland Landfill Allowance Scheme (NILAS) annual allocation is not exceeded	Quarterly returns (WasteDataFlow)	73.4% of annual allowance used in 2016/17 by the landfilling of 14,846 tonnes of BMW (Biodegradable Municipal Waste)	To landfill no more than 18,032 tonnes of BMW (Biodegradable Municipal Waste) by 31 st Mar 2019	<ul style="list-style-type: none"> Collections of kerbside recyclable and compostable waste every two weeks Operation of Recycling Centres Delivery of Recycling Environmental Education programme/activities Management of Waste/Recycling Contracts 	April 18 - March 19	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To restrict the amount of household waste landfilled to no more than 30% of the total	Quarterly returns (WasteDataFlow)	26,514 tonnes of household waste landfilled (36.13%) in 2016/17	To landfill no more than 25,000 tonnes of our household waste by 31 st Mar 2019	<ul style="list-style-type: none"> • Collections of kerbside recyclable and compostable waste every two weeks • Operation of Recycling Centres • Delivery of Recycling Environmental Education programme/activities • Management of Waste/Recycling Contracts 	April 18 – March 19	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.1 Infrastructure - We are better connected through appropriate</i>	<i>CRP 2.2 Creating Growth - Delivery of a rolling capital investment and improvement programme</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To complete the capital project for construction of a new waste transfer station at Drumcoo	Regular project risk reduction meetings on site Budget delivered on time and within budget	Construction work commenced in Feb 2018 with a 26 week programme	Facility to be operational in September 2018	<ul style="list-style-type: none"> • Construction work complete • Facility commissioning complete • Transfer station operational 	July 18 Aug 18 Sept 18	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To complete capital project/works necessary for the final closure/capping of Magheraglass landfill	Regular project risk reduction meetings on site Project delivered on time and within budget	Landfill site closed in May 2017 and regrading works undertaken in preparation for final capping	Remainder of landfill site to be fully capped by October 2018	<ul style="list-style-type: none"> Issue invitation to tender Obtain Council approval to award contract Commence works on site Completion of works on site 	May 18 June 18 July 18 Oct 18	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.4 Sustaining our Environment - Develop & enhance parks, play areas & open spaces to encourage physical activity and open the countryside in a sustainable manner to our community.</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To provide a community woodland and integrated wetlands at Ballymacombs landfill	Number of trees/ area planted Number of local schools involved Amount of funding claimed	Landfill site awaiting final capping in 2019/20	Community woodland and integrated wetlands both in place by November 2018	<ul style="list-style-type: none"> Completion of community woodland Completion of integrated wetlands for treatment of leachate generated on site 	May 18 Nov 18	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To identify further efficiencies and increase income within the refuse collection service	Number of bulky collections Number of assisted lifts	3000 No. existing bulky collections pa 500 No. existing assisted lifts	1500 No. paid for bulky collections 10% reduction in assisted lifts for 2018/19 year	<ul style="list-style-type: none"> Introduce charge for bulky collections Complete review of all existing assisted refuse collections provided in the district 	Apr 18 Aug 18	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To reduce overtime costs via further harmonisation of service delivery for Recycling Centres and Street Cleansing	Number of hours Recycling Centres are open to public Number of hours worked in Street Cleansing over the weekends	£350,000 overtime for Recycling and Street Cleansing Centres in 2017/18	£35,000 reduction in overtime costs for 2018/19 year	<ul style="list-style-type: none"> Implement revised (summer) opening hours at all twelve Recycling Centres Introduce revised weekend street cleansing working arrangements subject to agreement with staff and Trade Unions 	Apr 18 Sept 18	MMcA	

3.0 IMPROVING OUR SERVICE AND MANAGING PERFORMANCE

3.1 Annual Improvement Objectives and Associated Programs

The Council has set a number of annual improvement objectives and associated programs (projects and activities) for 2018/19 which aim to bring about improvement. The improvement objectives and key improvement programs, set out Council's contribution to the sustainable Community Plan for the District; against which we can monitor and report progress.

Each Council department provides resources to assist with the improvement activities contained within each improvement project (individual service improvement contribution activity linked to corporate improvement programs can be found in 3.2 of the service plan). The annual improvement objectives also align to the Council's main corporate planning document (Corporate Plan 2015 - 2019), which contains the council's strategic direction and main priorities.

The Council will focus on the following improvement objectives for 2018 to 2019:

- (i) To assist in the growth of the local economy by increasing the number of visitors to our district.
- (ii) To help manage our waste and environment by reducing the amount of waste going to landfill.
- (iii) To improve the accessibility of our services by increasing the number available online.
- (iv) To support people to adopt healthier lifestyles by increasing usage of Council Recreational facilities

We utilise outcome based accountability methodology to manage our performance. This tells us the impact our services are having on communities. Further detailed information relating to Council's improvement objectives, associated activities, outcome indicators, projects and targets is available at www.midulstercouncil.org/Council/Performance (*Mid Ulster Council's Improvement Plan 2017/18 – 2018/19*) or by contacting the Democratic Services Team on 03000 132132.

3.2 Service Contribution to the Corporate Improvement Objectives/Projects

Link to Community Plan Theme:		Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it for our children</i>		<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
2.0 To help manage our waste and environment by reducing the amount of waste going to landfill	To recycle/compost at least 52% of our household waste	Quarterly returns (WasteData Flow)	51.% achieved in 2016/17	At least 38,000 tonnes of household waste recycled or composted by 31 st March 2019	<ul style="list-style-type: none"> Collections of kerbside recyclable and compostable waste every two weeks Operation of Recycling Centres Delivery of Recycling Environmental Education programme/activities Management of Waste/Recycling Contracts 	April 18 – March 19	MMcA	

Link to Community Plan Theme:		Corporate Plan Theme						
CMP 2.2 Infrastructure - We increasingly value our environment & enhance it for our children		CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
2.0 To help manage our waste and environment by reducing the amount of waste going to landfill	To ensure that our Northern Ireland Landfill Allowance Scheme (NILAS) annual allocation is not exceeded	Quarterly returns (WasteDataFlow)	73.4% of annual allowance used in 2016/17 by the landfilling of 14,846 tonnes of BMW (Biodegradable Municipal Waste)	To landfill no more than 18,032 tonnes of BMW (Biodegradable Municipal Waste) by 31 st March 2019	<ul style="list-style-type: none"> Collections of kerbside recyclable and compostable waste every two weeks Operation of Recycling Centres Delivery of Recycling Environmental Education programme/activities Management of Waste/Recycling Contracts 	April 18 – Mar 19	MMcA	

Link to Community Plan Theme:		Corporate Plan Theme						
CMP 2.2 Infrastructure - We increasingly value our environment & enhance it for our children		CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
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2.0 To help manage our waste and environment by reducing the amount of waste going to landfill	To restrict the amount of household waste landfilled to no more than 30% of the total	Quarterly returns (WasteDataFlow)	26,514 tonnes of household waste landfilled (36.13%) in 2016/17	To landfill no more than 25,000 tonnes of our household waste by 31 st March 2019	<ul style="list-style-type: none"> • Collections of kerbside recyclable and compostable waste every two weeks • Operation of Recycling Centres • Delivery of Recycling Environmental Education programme/activities • Management of Waste/Recycling Contracts 	April 18 – Mar 19	MMcA	

Link to Community Plan Theme:		Corporate Plan Theme						
CMP 2.2 Infrastructure - We increasingly value our environment & enhance it for our children		CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
2.0 To help manage our waste and environment by reducing the amount of waste going to landfill	To complete capital project/works necessary for the final closure and capping of Magheraglass landfill	Regular project risk reduction meetings on site Project delivered on time and within budget	Landfill site closed in May 2017 and regrading works undertaken in preparation for final capping	Remainder of landfill site to be fully capped by October 2018	<ul style="list-style-type: none"> • Issue invitation to tender • Council approval to award contract • Commence works on site • Completion of works on site 	May 18 June 18 July 18 Oct 18	MMcA	

3.3 RISK MANAGEMENT OF SERVICE

The purpose of risk management is to manage the barriers which prevents the Council from achieving its objectives. This section of the service plan includes space for the Service to input their key risks (in summary form), which have been identified during the business planning process. The Council uses risk management to maximize opportunities and minimize risks. This improves its ability to deliver priorities and improve outcomes. This is why the Council deems it important to link business planning and risk management. Risk Management aims to:

- Help the Council achieve its overall aims and objectives
- Manage the significant risks the Council faces to an acceptable level
- Assist with the decision making process
- Implement the most effective measures to avoid, reduce and control those risks
- Balance risk with opportunity
- Manage risk and internal controls in the most effective way.

Rating	Descriptor
16 - 25	Extreme Risk (immediate action required)
10 - 15	High Risk (urgent action required)
7 - 9	Moderate Risk (action required)
1 – 6	Low Risk (keep under review)

This table illustrates the risks identified to deliver the Services business in 2018-19.

Risk Ref Number	Description of Risk	Risk Rating	Mitigation Activity
1.	Failure to meet statutory landfill diversion and recycling targets e.g. NILAS penalties, EU infraction fines etc.	6	Statutory quarterly reporting of recycling and landfill diversion performance to NIEA via the online Waste Data Flow system (confirms NILAS target and 2020 statutory 50% recycling target achieved during 2016/17) New contracts in place (effective from 1st January 2018) for the processing of kerbside collected recyclable and compostable waste across Mid Ulster Network of Recycling Centres (12 No.) and Waste Transfer Stations (3 No.) in operation across Mid Ulster Annual Recycling and Environmental Education Programme delivered across local schools, community groups etc.
2.	Environmental pollution incident as a result of managing three landfill sites e.g. from leachate, landfill gas etc.	6	Environmental monitoring and reporting contractual arrangements in place with appropriately qualified firms Environmental pollution insurance cover in place Landfill gas collection systems in place at all three sites (for production of energy) Secure/bunded storage lagoons/tanks used for collection of leachate Technically competent (COTC qualified) staff employed on site.
3.	Fraud, bribery or theft	6	Monitoring of online CCTV at facilities and vehicle tracking Reduce/eliminate cash handling on site via installation of pre-payment system at three main Recycling Centres

4.	Failure to deliver waste related capital projects on time and within budget e.g. Dungannon Waste Transfer Station	8	Utilisation of suitably qualified and experienced consultants to assist with project delivery Regular risk reduction meetings held on site
5.	Inadequate Health and Safety systems and processes in place leading to injury to employee or member of the public	8	Health and Safety risk assessments in place for all activities Range of statutory health and safety training provided for all operatives and drivers
6.	Legal/procurement challenge in relation to the award of a major service contract e.g. treatment of residual waste	10	Undertake regular procurement training/briefings Participate in Local/Central government sub group for waste procurement and contract management Access legal advice and guidance in a timely manner

Report on	Property Services Service Improvement Plan 2018/19
Date of Meeting	8 th May 2018
Reporting Officer	Terry Scullion, Head of Property Services
Contact Officer	Terry Scullion, Head of Property Services

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 content of and to seek approval for the annual Service Improvement Plan (SIP) for Property Services for 2018/19.
2.0	Background
2.1	The Property Services Improvement Plan for 2017/18 was approved at the Environment Committee meeting in May 2017. A SIP for the new financial year (2018/19) is now required.
3.0	Main Report
3.1	Property Services is part of the Environment and Property Directorate and is responsible for the following function areas across Mid Ulster District Council: <ul style="list-style-type: none"> • Property/Asset Management and Maintenance • Compliance and Energy Management • Fleet Management and Maintenance • Cemeteries (Operational and Historical) • Grounds Maintenance • Off Street Car Parking • Public Toilets
3.2	The Service Improvement Plan includes the following areas: <ul style="list-style-type: none"> • Purpose, scope and responsibilities of the service • Customers and stakeholders • Overview of performance in 2017/18 • Budget and staffing complement for 2018/19 • Work plan for 2018/19 (linked to Corporate Improvement Objectives) • Key Risks
3.3	A full copy of the Service Improvement Plan is attached in Appendix 1.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial: The planned actions within the Service Improvement Plan will be delivered within the Service budget of approximately £5.2 for 2018/19, and other Council funds as approved to delivered services.</p>
	<p>Human: Full population of the Property Services staffing structure is required to successfully deliver all the service improvements.</p>
	<p>Risk Management: As detailed in the attached Service Improvement Plan.</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 asked to note the contents of this report and to approve the Property Services Service Improvement Plan for 2017/18.
6.0	Documents Attached & References
6.1	Appendix 1 – Property Services Improvement Plan for 2018/19



Environment & Property Services (Property Services)

SERVICE PLAN - 2018 / 19

	Date
Consulted within staff team	20/02/ 2018
Discussed & signed off by Director	26/04/ 2018

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1.0 OVERALL PURPOSE AND SCOPE OF THE SERVICE

1.1 Purpose and Scope of the Service

Property Services is part of the Environment and Property Directorate and is responsible for the following function across Mid Ulster District Council area:

- *Property/Asset Management and Maintenance*
- *Compliance and Energy Management*
- *Fleet Management and Maintenance*
- *Cemeteries (Operational and Historical)*
- *Grounds Maintenance*
- *Off Street Car Parking*
- *Public Toilets*

1.2 Responsibilities

The section is specifically responsible for the following functions:

- *All processes and procedures in relation to asset management, building maintenance and repair services of Council properties, including structural, preventative, reactive maintenance, and emergency works that may arise.*
- *Compliance activities to ensure works and services enable Council to meet statutory and regulatory requirements in relation to its Building and Assets, including Safety, Energy Management, Asset management and inspections, Asbestos, and Legionella management.*
- *Management, maintenance, replacement and disposal of the Council's fleet, including compliance with Council's Fleet Operator's Licence (Goods Vehicles Licensing of Operators Act (NI) 2010) requirements.*
- *Management and administration of an efficient Customer focused Cemeteries service, ensuring that all legal statutes are complied with in the Council's active and historical cemeteries.*
- *The development, delivery and maintenance of a quality grounds maintenance and horticultural services across Council sites, public amenities, towns and villages.*
- *Management, development and performance monitoring of Council's Off Street Car Parks*

- *Front end service delivery of key amenities including Public Toilets and Maghera Walled Garden*
- *The provision and management of third party contracts, services and supplies to deliver an efficient and responsive service to internal and external services and facilities.*

1.3 Customers & Stakeholders

Customers & Stakeholders
• Elected members
• Council staff/Internal Client Services
• Trade Union representatives
• Ratepayers/Public
• Central Government (e.g. Transport NI, DfI, NIEA,)
• Third party Contractors/service providers
• Clergy/Undertakers/Funeral Directors
• Awards/Accreditation bodies (e.g. NI Amenity Council, Tidy Towns, OHSAS 18001)
• Community groups (e.g. Horticultural & Regeneration groups)
• Other Councils/groups (e.g. Energy Manager's Forum)

1.4 Performance Overview in 2017/18

The following table provides a progress summary and the impact made by last years' Service Plan (2017-2018). It also details key successes, remaining challenges for the Service and how it made a difference.

2017/18 Performance Overview
• Directorate Pay, Grading and Harmonisation for frontline staff implemented, including annualised hours that has helped reduce overtime costs
• High level exploratory work carried out on Estate Strategy with SIB
• Continued office accommodation improvements and relocation for staff to aid business alignment
• Completion of Stakeholder engagement on the 10 year Off Street Car Park Strategy and Action Plan
• Improvements to Council's Transport Management undertaking and compliance with Council's Operator's Licence with the introduction on driver licence checking system, Digi-cards for commercial drivers and Fleet Transport Association monitoring support of same
• Improved Estate compliance reports on Energy management benchmarking of high demand buildings and updated Asbestos surveys completed

• Roll out programme to Internal Client Services of the computerised Asset Management Information and Maintenance system
• Investment approved to replace Rainey Street public toilets in Magherafelt
• Site specific clarity on responsibilities on maintenance of old/historic burial grounds
• Improved service delivery standards on grounds maintenance activities
Challenges Include:
• Consistent Implementation of grounds maintenance delivery standards and outcomes
• Implementation of pilot management model for the Off Street Car Park
• Implementation of energy management improvement measures for Council facilities
• Development of an asset management strategy for Council's estate
• Full population of the Service staff structure (e.g. Fleet Supervisor)
• Management of available maintenance budgets to ensure all aspects of statutory maintenance is actioned across the Council estate and its assets

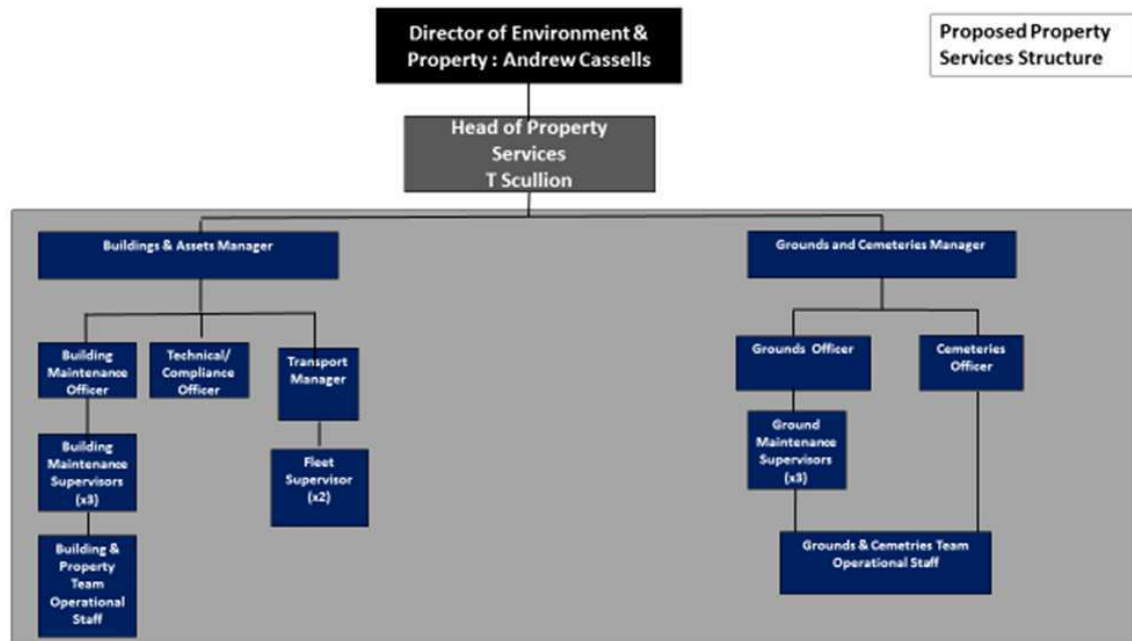
2.0 SERVICE WORKPLAN 2018/19

The following tables confirm the resources, financial and people, which the Service has access to throughout 2018-19 to deliver its actions, activities and core business.

2.1 Budget 2018/19

Service Budget Headings	£
Building Maintenance	1,565,148
Properties (Offices/Depots Utility & Energy)	334,456
Public conveniences	198,787
Vehicle Maintenance	1,308,762
Festive Lighting	19,816
Grounds Maintenance	1,332,333
Cemeteries	83,537
Off Street Car Parks	(275,485)
Property Services corporate cost	643,561
Net Budget for 2018-19	5,265,945

2.2 Staffing Complement - 2018/19



Staffing	No. of Staff
Head of Service	1
Managers	3
Officers	4
Remaining Team (not all posts filled)	88+ FTE
Total	96

2.3 Service Work Plan - 2018/19

This plan confirms the core activities and actions which will form your Service Work Plan for 2018-19. This should be a high level capture of the Service activities and work which it will focus on throughout 2018-19. The Plan links to the Council's 2015-2019 Corporate Plan priorities, Annual Corporate Improvement Plan Objectives, Corporate Indicators and Mid Ulster Sustainable Community Plan themes & outcomes:

SERVICE WORK PLAN

Link to Community Plan Theme:		Corporate Plan Theme					
CMP 4.2 Health & Wellbeing - We have better availability to the		CRP 1.6 Delivering for Our People - Integration of a culture of service improvement as the key to service delivery.					
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Development and introduction of a Fleet Management Framework to comply with Fleet Operator Licensing Standard by March 2019.	Fleet Transport Association (FTA) Audit of MUDC Fleet completed by.	No comprehensive baseline in place	August 2018	<ul style="list-style-type: none"> FTA to undertake a baseline audit of fleet services. Production of a Fleet policy for the council fleet to ensure all legislation and regulations are adhered to. A fleet working group shall be established within council to ensure interdepartmental working is achieved as well as improvement objectives. This will also help develop and establish a platform for improving other department's fleet compliance. A legal register shall be developed to ensure relevant legislation is recorded and evidenced. A driver's handbook shall be developed to ensure all drivers of council vehicles adhere to the legislation and council policy. A full suite of procedures and standard operation procedures shall be developed as a guide on how achieve to compliance. Risk assessments and COSHH assessments will be reviewed and circulated to all staff. A fleet management manual will be developed to provide a road map to all relevant fleet functions. 	August 2018	T Scullion Head of Property Services	MUDC complies with Operators Licensing Standard.
	Fleet Policy Developed by	Legacy Fleet policies??procedures	October 2018		October 2018	P Conlon Building and Asset Manager	
	MUDC Fleet Working Group In place by	Baseline year	June 2018		June 2018	S O'Neill Fleet Manager	
	MUDC Fleet Legislative Compliance Register developed by	Baseline year Legacy handbooks	June 2018		June 2018		
	MUDC Drivers developed by	Legacy SOP for each depot	October 2018		October 2018		
	Standard Operation Procedure Model for Fleet in place by	Upto 15 Risk and COSSH assessments	December 2018		December 2018		
			March 2019		March 2019		

	Number of Risk Assessments & COSHH assessments reviewed and revised			<ul style="list-style-type: none"> Fleet services want to gain a fleet management system to ensure all aspects of fleet are outlined right through from the fleet policy to the driver's handbook ensuring all levels of staff are aware of their role in achieving compliance. 			
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Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the right service in the right</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To develop an electronic register of Council assets and associated regulatory compliance standards by March 2019.	Conduct Council Wide Audit of Fire, Water , asbestos, Electrical and mechanical Detection Systems Compliance by	Fire Risk assessments, Legionella monitoring, Asbestos Management Surveys, Electrical test certificates and Insurance reports	October 2018	<ul style="list-style-type: none"> Gathering of all existing compliance information such as fire detection systems, emergency lighting, asbestos, LEV's, LOLER etc. Conduct audit of current asset records, identify gaps (missing/outdated)in records and if necessary procure new compliance records d. Uploading of all compliance documents onto the AMS (electronic System) with retest dates being entered also to create early warning notifications for retests. Property services will be centrally storing all statutory compliance information in the asset management system with viewing portals for relevant department and services. A full schedule of Estate compliance testing will be programmed with reports and certificates being retained centrally. This will ensure compliance is achieves with double test being eliminated 	October 2018	T Scullion Head of Property Services	MUDC has an ordered, structured, disciplined way of controlling and regulating assets
	Populating audit findings into AMS system register by		January 2019		January 2019	P Conlon Building and Asset Manager	
	Full Estates schedule of compliance in place by		March 2018		March 2019	E McDonnell Compliance Officer	
	Electronic Council Asset Compliance Register in place by	Hard copy	March 2019				

Link to Community Plan Theme:	Corporate Plan Theme						
CMP 4.2 Health & Wellbeing - We have better availability to the right service in the right	CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Carry out a feasibility study/business case for the introduction of piped gas into Council's estate as an alternative to Oil and Biomass at the five largest consuming properties by March 2019	The number of Energy Solution Reports for Council Properties completed by January 2019	An energy consumption baseline data for the properties exists.	5	<ul style="list-style-type: none"> Review baseline energy consumption data and trends Research other industry/sector models Engage with the gas providers Consider legislative and environmental compliance with current or future arrangements Prepare costed feasibility options for SMT consideration Complete a business case for each property to inform the capital programme and seek investment approval from Council if required A business case to inform an investment decisions on a change to short or medium terms to how such properties are powered and the associated benefits. 	June 2018 August 2018 September 2018 November 2018 January 2019	P Conlon Building and Asset Manager E McDonnell Compliance Officer	Informed decision about future energy source of Council's largest consuming properties.

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 4.3 Building Unity - Implement an organisational strategy for a modern workplace</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop a longer term Council Estates Strategy and Asset Management Plan by March 2019.	Completion of a strategy and asset management plan by March 2019	Baseline year		<ul style="list-style-type: none"> Procurement of a specialist third party provider to develop an Estates Strategy and Asset Management Plan Production of a condition survey template for building/asset condition ratings. Internal Client Services engagement Targeted External stakeholder engagement Agree a programme of condition surveys of property groupings Present Draft Final Strategy and Asset Management Plan to Committee/Council A documented Strategy and Asset Management Plan for the management, acquisition and disposal of Council property assets. A baseline of the condition of each property to inform a programme of maintenance or capital improvements for the estate with a cyclical programme of review agreed. 	June 2018	T Scullion Head of Property Services P Conlon Building and Asset Manager	Effective maintenance programmes to direct money effectively and wisely.
	Develop specification, and procure External Consultant firm by		June 2018		June 2018		
	Condition Survey Template developed by		June 2018		October 2018		
	Develop SMART condition survey programme by		Dec 2018		December 2018 March 2109		

Link to Community Plan Theme:		Corporate Plan Theme					
CMP 2.2 Infrastructure - We increasingly value our environment & enhance it		CRP 3.4 Sustaining our Environment - Develop & enhance parks, play areas & open spaces to encourage physical activity and open the countryside in a sustainable manner to our community.					
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop a two year Council wide invasive species Maintenance programme for Council owned sites	Progress against Yr 1 plan Number of sites inspected and treated	Baseline year	Number of Council sites placed on register 10	<ul style="list-style-type: none"> Carry out training with staff in regards to the identification of invasive species Formulate and produce an invasive species work book and inspection programme Develop invasive species register and management plan and integrate on the Alcumus MIS Carry out training with GM personnel in the treatment of invasive species Notification to affected person(s) of the presence of invasive species near or on their properties Conduct invasive species site inspection and treatment 	June 2018 June 2018 August 2018 October 2018 March 2019	Grounds Officer Service Manager Grounds Officer Grounds Officer	Production of an inclusive and comprehensive electronic register and management plan for invasive species within council owned and neighbouring sites

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 1.6 Delivering for Our People - Integration of a culture of service improvement as the key to service delivery.</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Inspect 100% of cemeteries memorials for safety in operational cemeteries and 50% in old burial grounds	% of cemetery memorials safety reports completed in operational cemeteries % of cemetery memorial records completed in old burial grounds	50% Baseline year	100% of 50%	<ul style="list-style-type: none"> Train personnel on testing for memorial safety Formulated a procedure, and management plan including risk assessment for memorial inspection Co-ordinate inspection regime and create checklists Carry out inspections Issue letters of remedial requirements to grave owners 	June 2018 July 2018 August 2018 August – March 2018 On Going	Cemetery Officer Service Manager Cemetery Officer Cemetery Officer Cemetery Officer	Safe Memorial space for the community

Link to Community Plan Theme:	Corporate Plan Theme						
CMP 1.3 Economic Growth - Our Towns & Villages are vibrant &	CRP 3.3 Sustaining our Environment - Create and build a sense of civic pride in towns and villages across mid ulster						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop a Winter Maintenance Policy for Council's Estate, including Off Street Car Parks by October 2018	MUDC Winter Maintenance Policy in place	At present there is no policy	October 2018	<ul style="list-style-type: none"> Research industry best practice Internal Client Services engagement Equality Screening and Rural Proofing Present Draft Policy to Committee/Council Policy Implementation 	May 2018 June 2018 August 2018 September 2018 October 2018	Service Manager Head of Service	A Strategy and Asset Management Plan, a condition survey template and cyclic programme of maintenance for the estate.

Link to Community Plan Theme:	Corporate Plan Theme						
CMP 1.3 Economic Growth - Our Towns & Villages are vibrant &	CRP 3.3 Sustaining our Environment - Create and build a sense of civic pride in towns and villages across mid ulster						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Implement a Pay on Foot pilot in one Council owned Off Street Car Park by March 2019	Pilot "Pay On Foot" Off Street Car Park Operating Model launch	Baseline year	March 2019	<ul style="list-style-type: none"> Research industry best practice Engage with DfI to consider the operating model is feasible Carry out scheme design and costs for Council approval Carry out civil works and implement physical infrastructure Launch pilot Monitor and report back to Council on pilot success 	May 2018 June 2018 August 2018 October 2018 November 2018 March 2019	Head of Service	Implementation of a pay on foot operating system in one Mid Ulster Off Street Car Park that can be used to consider the consequences of roll out other car parks in the district.

3.0 IMPROVING OUR SERVICE AND MANAGING PERFORMANCE

3.1 Annual Improvement Objectives and Associated Programs

The Council has set a number of annual improvement objectives and associated programs (projects and activities) for 2018/19 which aim to bring about improvement. The improvement objectives and key improvement programs, set out Council's contribution to the sustainable Community Plan for the District; against which we can monitor and report progress.

Each Council department provides resources to assist with the improvement activities contained within each improvement project (individual service improvement contribution activity linked to corporate improvement programs can be found in 3.2 of the service plan). The annual improvement objectives also align to the Council's main corporate planning document (Corporate Plan 2015 - 2019), which contains the council's strategic direction and main priorities.

The Council will focus on the following improvement objectives for 2018 to 2019:

- (i) To assist in the growth of the local economy by increasing the number of visitors to our district.
- (ii) To help manage our waste and environment by reducing the amount of waste going to landfill.
- (iii) To improve the accessibility of our services by increasing the number available online.
- (iv) To support people to adopt healthier lifestyles by increasing usage of Council Recreational facilities

We utilise outcome based accountability methodology to manage our performance. This tells us the impact our services are having on communities. Further detailed information relating to Council's improvement objectives, associated activities, outcome indicators, projects and targets is available at www.midulstercouncil.org/Council/Performance (*Mid Ulster Council's Improvement Plan 2017/18 – 2018/19*) or by contacting the Democratic Services Team on 03000 132132.

3.2 Service Contribution to the Corporate Improvement Objectives/Projects

Property Services at this juncture have no direct service priorities linking to Council's current Corporate Improvement Objectives.

Link to Community Plan Theme:		Corporate Plan Theme						
Choose an item.		Choose an item.						
Improvement Plan Objective	Service Objective	How Will we measure the impact	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
Choose an item.					<ul style="list-style-type: none"> 			

3.3 RISK MANAGEMENT OF SERVICE

The purpose of risk management is to manage the barriers which prevents the Council from achieving its objectives. This section of the service plan includes space for the Service to input their key risks (in summary form), which have been identified during the business planning process. The Council uses risk management to maximize opportunities and minimize risks. This improves its ability to deliver priorities and improve outcomes. This is why the Council deems it important to link business planning and risk management. Risk Management aims to:

- Help the Council achieve its overall aims and objectives
- Manage the significant risks the Council faces to an acceptable level
- Assist with the decision making process
- Implement the most effective measures to avoid, reduce and control those risks
- Balance risk with opportunity
- Manage risk and internal controls in the most effective way.

This table illustrates the risks identified to deliver the Services business in 2018-19.

Risk Ref Number	Description of Risk	Risk Rating	Mitigation Activity
1.	Compliance and Risk in terms of statutory asset compliance and energy management	8	Development of an Estates Strategy and Asset Management Plan to help inform maintenance
2.	Potential failure to manage and exploit assets by failure to utilise asset or poorly maintain	8	Computerised asset management and maintenance information system being rolled out
3.	Procurement of Services, Contracts and consumables to aid alignment of third party providers in compliance with procurement policy	9	Service work plan developed and being actioned in conjunction with Procurement staff
4.	Fleet Management, compliance with MUDC's Operator's licence and Transport Management Undertaking	9	Transport Manager appointed and one supervisor pending
5.			

Rating	Descriptor
16 - 25	Extreme Risk (immediate action required)
10 - 15	High Risk (urgent action required)
7 - 9	Moderate Risk (action required)
1 – 6	Low Risk (keep under review)

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 10 April 2018 in Council Offices, Ballyronan Road, Magherafelt**

Members Present

Councillor McGinley, Chair

Councillors Buchanan, Cuthbertson, Gillespie, Glasgow,
Kearney, B McGuigan, S McGuigan, McNamee, M Quinn,
Reid, Totten

**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
Mrs McClements, Head of Environmental Health
Mr Scullion, Head of Property Services
Mr Wilkinson, Head of Building Control
Mrs Grogan, Committee Services Officer

The meeting commenced at 7.03 pm

E100/18 Apologies

Councillor Burton, McFlynn, Mulligan and O'Neill.

E101/18 Declarations of Interest

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

E102/18 Chair's Business

The Chair, Councillor McGinley referred to the ongoing issues relating to the group of Travellers which have moved into the Ballyronan area and said that he was disappointed to hear that there had been little progress between Council and the Northern Ireland Housing Executive. He said that it was important that a halting site be identified in the Mid Ulster area to address such issues.

The Director of Public Health and Infrastructure advised that it was his understanding that the Travellers had recently moved into a Council carpark at the Shore Road , Ballyronan and that the Director of Leisure and Outdoor Recreation had issued a 7-Day Enforcement Notice to vacate the site and that this was being progressed . He said that the Council were working closely with the NI Housing Executive on the issues.

The Director of Public Health and Infrastructure advised a decision was taken to appoint a design team to identify some potential sites in the Ballyronan / Toome area which NIHE could review and possibly progress as a halting site for the provision of traveller accommodation . It was hoped to bring the findings of the scoping exercise for members consideration at the next meeting of Committee.

The Chair advised that the Council had a responsibility to address this issue, but would like a meeting arranged between the Council and the Housing Executive so that a way forward could be identified and a favourable outcome achieved.

The Director of Public Health and Infrastructure advised a meeting would be arranged with NI Housing Executive personnel to progress the issues.

The Chair said that it would be important to have a meeting arranged as soon as possible, maybe within the next two weeks as there was a responsibility to the Travelling Community as they are being moved around and would be concerned regarding their Human Rights and enquired if there was a policy in place.

The Director of Public Health advised that statutory responsibility for halting site provision rests with the Northern Ireland Housing Executive. NIHE are aware of this and are working with Council to seek to progress the issue. He said that there was a requirement to address the issue of Travellers illegally parked on Council premises, which resulted in a 7 day Enforcement Notice being issued.

The Chair asked that a formal paper be brought back to the next Environment Committee meeting on the scoping exercise and the work, which has been done to date.

Councillor Reid advised that during the term of Dungannon Council, there was ongoing work carried out to accommodate the Travelling Community in Coalisland, but there was an issue with some Travellers wanting to move around and not wanting to settle. He said something needs to be done as they are using Council carparks and suggested high barriers being installed at sites to deter them from entering.

The Chair said that he took on board members comments about Travellers not wanting to settle in static homes, but that it was important that a halting site be identified within the area. He said that his comments were relating to identifying a halting site only.

Councillor Reid stated that the Council had a responsibility to protect their property any way they seem fit.

The Director of Environment and Property advised that there was a robust restrictor set in place at Ballyronan but that this was removed to gain access.

Councillor B McGuigan said that a halting site was required in the Mid Ulster area and that he was involved in discussions with the Housing Executive regarding the issue and that Mr Michael Dallat, Mid Ulster Area Manager said that the Housing Executive was not holding up the process but blamed the Council. He said that it was the Council's responsibility to identify a site and progress the matter.

Councillor McNamee agreed with the Chair that a meeting with the Housing Executive was a good way of moving things forward and that he also heard within Executive meetings that the Council were to blame for holding things up.

Proposed by Councillor McGinley
Seconded by Councillor B McNamee and

Resolved: That it be recommended to Council that a meeting be arranged between the Council and the Northern Ireland Housing Executive as soon as possible to discuss a way forward on the provision of a halting site for Travellers within the Mid Ulster area. Scoping exercise and update on work to date to be brought back to Committee.

The Chair raised concern about the erection of signs across the area, which demonstrated threatening language towards staff and councillors. He said that it was up to all members of the Council to condemn such behaviour.

Matters for Decision

E103/18 DfI Roads Proposals to Mid Ulster District Council – Proposed Provision of two Disabled Persons’ Parking Bays – Castledawson Road, Magherafelt

The Director of Environment & Property presented previously circulated report and sought agreement from 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.

Proposed by Councillor Reid
Seconded by Councillor S McGuigan and

Resolved: That it be recommended to Council to endorse the proposals submitted by DfI Roads in relation to the provision of two Disabled Persons’ Parking Bays at Castledawson Road, Magherafelt.

E104/18 DfI Roads Proposals to Mid Ulster Council – Proposed 30mph Speed Limit, Moor Road and Annaghmore Road, Coalisland

The Director of Environment & Property presented previously circulated report and sought 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.

Proposed by Councillor Reid
Seconded by Councillor S McGuigan and

Resolved: That it be recommended to Council to endorse the proposals submitted by DfI Roads in relation to proposed 30mph Speed Limit, Moor Road and Annaghmore Road, Coalisland.

Councillor M Quinn said that he welcomed the introduction of measures to enhance the safety and development at Moor Road and Annaghmore Road, Coalisland as it was a long time coming.

E105/18 DfI Roads Proposals to Mid Ulster District Council – Proposed No Waiting at Any Time Restriction – Westland Road, Magherafelt

The Director of Environment & Property presented previously circulated report and sought 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.

Proposed by Councillor Reid
Seconded by Councillor S McGuigan

Resolved: That it be recommended to Council to endorse the proposals submitted by DfI Roads in relation to proposed No Waiting at Any Time Restriction, Westland Road, Magherafelt.

E106/18 Off Street Car Parking Strategy

The Director of Environment & Property presented previously circulated report and sought the approval of Members in relation to the implementation of the Strategy and Action Plan for Off Street Car Parking. Members will note that this report was deferred for one month at the March 2018 meeting of the Environment Committee.

Councillor B McGuigan stated that following on from a meeting with the Director of Environment & Property, he said that his party had drawn up a draft proposal, which he read out to the Committee as follows:

“The Committee is committed to Pay on Foot as a more user friendly payment mechanism and would ultimately support Pay on Foot being implemented across all of the Councils charged Off-Street Car Parks.

In Order to properly evaluate the impact of the strategy it is therefore proposed that a pilot utilising Pay on Foot, be conducted for a period of not less than six months based on the Central Car Park in Magherafelt with the standard tariff applied (40p per hour) with the proviso that the first two hours are provided without charge (free) for all spaces within the car park.

That the Officers subsequently bring back a report to the Committee following the implementation of the pilot along with the indicative implications for the car parks detailed in Option 4 in terms of the cost of implementation of Pay on Foot along with the anticipated income.

The Committee also notes that the Council has already approved (as part of the rates setting process) the replacement of the £1 for five hours with a £1 for three hours tariff in the existing charged car parks and that this will be implemented through the Agency Agreement with DfI Roads provisionally by 1 June 2018.”

Proposed by Councillor B McGuigan
Seconded by Councillor S McGuigan

To proceed with Option 4, Charging in all Towns (but not in all sites) as outlined above.

Councillor Cuthbertson advised that he was unable to attend the meeting on behalf of his party, but referred to page 19 of the strategy and said that it seemed to have changed from the previous month as it stated that half of Scotch Street, Dungannon would be Pay on Foot and the rest Pay and Display.

The Director of Environment & Property stated that there was no change on the number of free spaces as the only thing that was changing would be the Pay and Display would be changing to Pay on Foot.

Councillor Cuthbertson agreed that Pay on Foot seems to be the most favourable if this was the case, as Dungannon and Cookstown would receive 2 free carparking hours. He said that by looking at the Strategy with no Option to take things in or out, then he would have to disagree with charging for carparking i.e. Perry Street and would disagree on those grounds. He said that he wouldn't be confident on the findings of one pilot scheme in Magherafelt as this should show a complete reflection of the whole Mid Ulster area to include Cookstown and Dungannon.

Councillor Buchanan stated that Cookstown was different to Dungannon and Magherafelt as it was a very vibrant town which brought a lot of people to the area and carparking charges could deter people from coming to the town and shop elsewhere like retail parks. He said that speaking to the retailers in Cookstown they agreed that free carparking is working very well and that he would have to disagree with the implementation of charges.

Councillor Glasgow advised that it was good that each party had an opportunity to meet to discuss options as this was not a party discussion but what was best for the towns. He said if a pilot scheme comes to Cookstown that he would not be supporting it as carparking charges would be detrimental to the area and whilst listening to retailers concerns, he would be proposing to go with Option 1 to do nothing.

Proposed by Councillor Glasgow
Seconded by Councillor Reid

To proceed with Option 1, To Do Nothing

Councillor Kearney agreed with Councillor B McGuigan's proposal to proceed with Option 4, with free carparking for the first two hours.

Councillor B McGuigan advised that after the pilot was complete, results from the data would indicate the way forward, but he said that there was a need to show equality going forward.

Councillor Glasgow's proposal was put to the vote:

For	4
Against	8

Councillor B McGuigan's proposal was put to the vote:

For	8
Against	4

Councillor B McGuigan's proposal was carried.

Resolved: That it be recommended to Council that approval be given to:

1. Commitment to Pay on Foot as a more user friendly payment mechanism within the Council's Off Street Car Parks with Pay on Foot ultimately being implemented across all of the Councils charged Off-Street Car Parks.
2. In Order to properly evaluate the impact of the proposed strategy that a pilot utilising Pay on Foot, be conducted for a period of not less than six months based on the Central Car Park in Magherafelt with the standard tariff applied (40p per hour) with the proviso that the first two hours are provided without charge (free) for all spaces within the car park.
3. That the Officers subsequently bring back a report to the Committee following the implementation of the pilot along with the indicative implications for the car parks detailed in Option 4 in terms of the cost of implementation of Pay on Foot along with the anticipated income.
4. Notes that the Council has already approved (as part of the rates setting process) the replacement of the £1 for five hours with a £1 for three hours tariff in the existing charged car parks and that this will be implemented through the Agency Agreement with DfI Roads provisionally by 1 June 2018

E107/18 Authorisation of EHOs for Micro Beads Legislation

The Director of Public Health & Infrastructure presented previously circulated report to update the Committee following receipt of request from the Department of Agriculture, Environment and Rural Affairs (DAERA) regarding the designation of Environmental Health Officers as "authorised persons" for the purposes of enforcing legislation to ban the manufacture and sale of rinse-off cosmetic products containing plastic micro-beads.

Councillor Reid enquired what harm plastic was doing to people's overall health if this was the harm that was being caused to the marine environment and said that he would be very concerned.

Councillor M Quinn advised that the effects to humans was not the concern, but that the plastic was having a detrimental effect on the animals and the ocean life.

Councillor Reid that he felt that this could be an issue for humans also and enquired if this could be investigated through the relevant agencies.

The Director of Health & Infrastructure advised that Environmental Health would follow up on any concerns with the Public Health Agency.

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee and

Resolved: That it be recommended to the Council to approve the authorisation of Environmental Health staff for the purposes of Micro Bead regulation under the scheme of delegation to the Director of Public Health & Infrastructure.

E108/18 Dual Language Signage Request

The Head of Building Control presented previously circulated report to advise Members of requests for Dual Language Signage from residents on the streets/roads in question.

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan and

Resolved: That it be recommended to the Council to proceed to survey the following roads on which a request for Dual Language Signage has been received –

- Hall Lane, Gulladuff
- Tullagh View, Cookstown

E109/18 Dual Language Signage Survey

The Head of Building Control presented previously circulated report to advise Members on the result of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplates requests.

Councillor McNamee enquired if the Building Control department had the required resources to deal with dual language requests as people had indicated to him that they hadn't the opportunity to participate in the survey and asked if the Council were content with their resources.

The Director of Public Health and Infrastructure advised that there was a significant process in managing applications and that the officers involved had to liaise with the Electoral Office and be in attendance during administration.

The Head of Building Control advised that he had one dedicated officer to deal with the survey and to deal with other duties like licencing i.e. petroleum etc.

Councillor McNamee felt that there was a lot of pressure being put on the individual officer and that they may need assistance to help speed the process up.

The Director of Public Health and Infrastructure advised that the resource allocation would be reviewed although this may be difficult due to budget restraints and service requirements , further detail would be provided to Committee .

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan

To agree to the recommendation as outlined.

Councillor Cuthbertson proposed not to proceed with the recommendation as outlined. He said that there seemed to be endless money for Dual Language and felt that staff should be prioritising their workload where there was payments being received i.e. planning fees.

Proposed by Councillor Cuthbertson
Seconded by Councillor Buchanan

To not proceed with the recommendation.

Councillor McNamee said that he wanted it recorded that this was Council Policy, which had to be adhered too.

The Chair said that he took on board comments made and put the two proposals to the vote:

Councillor Cuthbertson's proposal was put to the vote:

For	4
Against	8

Councillor McNamee's proposal was put to the vote:

For	8
Against	4

Councillor McNamee's proposal was carried.

Resolved: That it be recommended to the Council that Members:

- 1) Note the survey and agree the application of Dual Language Nameplates in Irish for the street/road as noted below:
 - Kinturk Road, Cookstown
- 2) Note the results of the survey and to refuse the application of Dual Language Nameplates in Irish for the street/road as noted below:
 - Ardagh Road, Cookstown
- 3) Paper on resources dealing with Dual Language applications to be brought back to committee.

E110/18 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report for Members to consider the street naming of new residential Housing Developments within Mid-Ulster.

Councillor Cuthbertson enquired if it was necessary to have 5 different names within one development as he would fear that this would cause confusion and suggested that the Developer be asked to reconsider this and just call the development one name.

The Head of Building Control advised that the original proposal was to call it one complete name, but after consideration the Developer must have reflected on this decision and made an application as he was initially questioned at the beginning on what his intention was.

Councillor Cuthbertson enquired if the Developer could be asked to reconsider and give thought to calling the development one name only as there was no through road and would be less confusing.

The Head of Building Control advised that this was the decision for the committee to make.

Councillor Cuthbertson proposed to go back to the Developer and ask him to reconsider calling the development one complete name and bring back to committee.

Councillor McNamee enquired if this could be done before the Council meeting the Developer may have promotional material printed and should be done as soon as possible.

The Director of Public Health and Infrastructure said that review findings would be brought to the next Environment Committee unless the timescales did not permit this.

Proposed by Councillor Cuthbertson
Seconded by Councillor Reid and

Resolved: That it be recommended to the Council to go back to the Developer and ask him to reconsider calling the development one complete name and bring back to committee.

1) Site off Clady Road, Portglenone

Proposed by Councillor Kearney
Seconded by Councillor B McGuigan and

Resolved: That it be recommended to the Council to call the street within a residential development off Clady Road, Portglenone as River Grove.

Matters for Information

E111/18 Minutes of Environment Committee held on Tuesday 13 March 2018

Members noted Minutes of Environment Committee held on Tuesday 13 March 2018.

E112/18 Building Control Workload

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

E113/18 Entertainment Licensing Applications

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

E114/18 Energy Saving in Buildings

Members noted previously circulated report which provided update on Energy Saving in Buildings.

E115/18 Tullyvar Joint Committee Update

Members noted previously circulated report which provided update on Tullyvar Joint Committee.

E116/18 Bank/Public Holiday Working Arrangements for 2018/19 – Environmental Services

Members noted previously circulated report which provided information on Bank/Public Holiday working arrangements for Environmental Health Services during 2018/19 and revised Recycling Centre opening hours from 1st April 2018.

Councillor Glasgow referred to opening hours during the week and said that it was causing some inconvenience as summer hours and winter hours are different and would it not be better to keep the same opening hours throughout the year.

The Head of Environmental Services stated that a survey had been carried out in 2016 on usage during the summer and winter months and based on findings it was felt that it was more beneficial to have three late evenings in the summer, but decrease hours in the winter.

Councillor Glasgow said that it wasn't practical to ask people from Cookstown to drive to Magherafelt to use the amenity site and this could result in some fly tipping and this would need to be prevented.

The Director of Environment and Property advised that opening hours were based on different tiers, categories and that harmonisation was based on usage. He said that he would be happy to review the policy if required.

The Chair said that the best time to review this would be before the setting of the rates next year.

Councillor Cuthbertson said that he welcomed the news especially for Dungannon staff where they wouldn't be required to work on Boxing Day and would be able to spend time with their families.

E117/18 Fairtrade Fortnight Schools Event

Members noted previously circulated report which provided information on the recent Fairtrade Schools Event held as part of Fairtrade Fortnight 2018.

E118/18 Allergen Compliance Initiative

Members noted previously circulated report which provided an update on Environmental Health Team's progress with the Allergen Compliance Strategy which has been ongoing since April 2017.

E119/18 Mid Ulster Community Pharmacy Partnership – Networking Event “Making Links to Lighten the Load”

Members noted previously circulated report which provided an update on the Mid Ulster Community Pharmacy Partnership Networking Event, “Making Links to Lighten the Load” which was held in the Greenvale Hotel, Cookstown on the 21st March 2018.

E120/18 The Calorie Wise Scheme

Members noted previously circulated report which provided an update on the Calorie Wise Scheme and the recent Calorie Wise Workshop which was held for local businesses. Also update on Mid Ulster Hospital in Magherafelt which was the first business in Mid Ulster and Northern Ireland to receive the Calorie Wise award.

E121/18 Signage Vandalism Repairs

Members noted previously circulated report which provided an update on the ongoing repairs and costs associated with damage to Council signage in 2017/18.

Councillor McNamee referred to the vandalism of signage and said that it was a disgrace and should be condemned by everyone within this committee. He said that over 20 attacks have taken place on signage resulting in a financial cost of £1,882 to repair or replace defaced signage on roadsides. He said that this now seems to be a trend and this is escalating on a monthly basis and to go to the extreme of taking a blowtorch to a boundary sign was outrageous and would ask that these are reported to PSNI and if this trend continues, would suggest that the committee meet with the PSNI. He said that he would ask this committee to condemn this vandalism but felt that the silence in the room said it all.

Councillor Buchanan said that English signs were also being defaced for a number of years, Londonderry sign for instance was continuously damaged and no one came out to condemn it.

Councillor B McGuigan said that he had previously brought up the issue of damage to bilingual signs in last few weeks, as English words have been painted out and it seemed to be the same people doing the damage but trying to do so in a different way and that he would condemn the damage to any sign.

Councillor Cuthbertson stated that Councillor Robinson had this week in the local press highlighted the criminal damage to signs in the Clogher Valley area with some signs being defaced and ripped out of the ground in the Claremore Road area and said that this needs to be condemned. He referred to signage, which is covered in algae and dirt and asked if these were included within the associated costs.

The Director of Environment and Property said that such incidents have not been reported to the PSNI and if the committee so wishes this can be done to try and apprehend the culprits.

The Director of Environment and Property in referring to the algae and dirt on signage advised that the street signs would be cleaned if brought to his attention.

In response to Councillor Cuthbertson's query about nameplates being checked, the Director of Environment and Property advised that when staff are out strimming or doing other works that they may be identified, but that no member of staff goes out willingly to check them.

Councillor Glasgow enquired what budget was this coming out of and asked if what was being reported here, was what was paid out to date.

The Director of Environment and Property advised that costs include staff time and wages, and small costs for fuel and that there isn't a specify budget for this kind of issue.

Councillor B McGuigan referred to the cleaning of the signage and said that he had brought this to the attention of an officer this week and suggested that when strimming takes places that the operative cleans the sign at the same time, as this would save time on double jobbing.

Councillor Kearney referred to item 14, Clady Road, Portglenone and advised that the sign was to be removed but an alert member of the public decided to highlight the matter before it was done so.

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan and

Resolved: That it be recommended to the Council that any such incidents of criminal damage to signage be reported to the PSNI.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Glasgow
Seconded by Councillor Gillespie 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 E122/18 to E131/18.

Matters for Decision

- E122/18 Joint Tender for Appointment of Electricity Supplier
- E123/18 Update in Relation to Procurement Framework for Fleet Consumables
- E124/18 Affordable Warmth
- E125/18 Waste Tyres/Hazardous Waste Initiative
- E126/18 Davagh Forest – Capital Project
- E127/18 ESPO Framework for Refuse and Recycling Products

Matters for Information

- E128/18 Confidential Minutes of Environment Committee held on Tuesday 13 March 2018
- E129/18 Capital Works – Interim Capping (Phase 3) at Tullyvar Landfill Site
- E130/18 Capital Works Update – Construction of Waste Transfer Station
- E131/18 Capital Projects Update

E132/18 Duration of Meeting

The meeting was called for 7 pm and ended at 8.30 pm.

CHAIR _____

DATE _____

Report on	NIHE – Traveller Provision
Date of Meeting	8 th May 2018
Reporting Officer	Mark Kelso - Director Public Health & Infrastructure

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 NIHE – Traveller provision within Mid Ulster District Council and progress on site assessment .
2.0	Background
2.1	Members will be aware of travellers who have taken up temporary residence in recent years on unapproved sites in the Toomebridge / Ballyronan area due to the lack of adequate halting site facilities.
2.2	The Northern Ireland Housing Executive have statutory responsibility for assessing and determining the needs and provision of temporary and permanent “halting” sites for travellers under the Housing (NI) Order 1981 – Article 28. Under this legislation, the Executive have a “duty” to provide caravan site facilities where this is deemed appropriate. This duty takes effect when a Needs Assessment confirms that traveller accommodation is required.
2.3	To help progress this work Council appointed a local architect team – Michael Herron – Architects in January of this year to assist with the process and undertake a scoping study of potential available sites in this locality.
3.0	Main Report
3.1	Following discussion at the April meeting of Committee a briefing meeting was arranged with NIHE representatives and members to update on the traveller site assessment .
3.2	Michael Herron Architects had engaged discussions with both NIHE officials and Planning Department and prepared a scoping report for consideration (see Appendix 1). This report was presented on 18 th April 2018 in Magherafelt Council Offices where representatives from NIHE, Mid Ulster Council Officers and Elected Members were briefed on the current findings.
3.3	Following the presentation a number of sites were discounted due to location and accessibility. Three sites from the initial scoping work were identified for the NIHE

	Planning and Place Shaping team to review for the purposes of further screening for suitability for their purposes .
3.4	<p>The site options to be considered by NIHE were:</p> <ul style="list-style-type: none"> • Pitch area , O'Neill Park, Ballymaguigan • Roadside Lay Bys - Aughrim Road / Airfield Road • Traad Point Facility , Shore Road , Ballyronan <p>The Northern Ireland Housing Executive's Place Shaping Team reviewed the summary of information provided on the three sites for the purpose of their feasibility for development as a Traveller Halting site (See Appendix 2) . Following their assessment the NIHE have confirmed that the Council owned Traad Point site is their preferred site to take forward for a further feasibility study, followed by the Aughrim Road / Airfield Road site. It is understood that this facility is under the ownership of the Department for Infrastructure (DfI).</p>
3.5	<p>In light of these findings, it was agreed at the April meeting of Council that Members put forward the Traad Point site for further investigation and liaise with DfI in relation to the site at Aughrim Road / Airfield Road. The NIHE design guide would be used to assess each site. The design guide addresses the following areas:</p> <ul style="list-style-type: none"> • Housing • Hard standing or a caravan • Space to park cars and other vehicles • Space for additional caravans to provide for guests • Toilets • Showers or baths • Storage space • A secure mailbox
3.6	<p>NIHE are keen to commence formal feasibility work, which would consider the most suitable location for a possible site within the broad footprint at Traad Point , Ballyronan. NIHE propose to complete this feasibility with a view to the potential submission of a planning application once a suitable site has been identified. NIHE will revert to Council once the feasibility work has been completed to seek agreement from Council in relation to any proposed site and prior to the submission of a planning application.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: ICT Costs to prepare scoping report
	Human: Officer time to liaise with NIHE officials
	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 status of the Travellers site provision in the Mid Ulster District Council area and await the outcome of the NIHE Feasibility Study on Traad Point , Shore Road , Ballyronan .
6.0	Documents Attached & References
6.1	Appendix 1 – Scoping report by Michael Herron Architects.
6.2	Appendix 2 – NIHE assessment of site options.



Scoping Study of available sites in North region of Mid Ulster District Council Area.

Prepared by:

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4.	Existing Travellers	10-11
5.	Opportunity Sites	12-17
6.	Conclusion	18

1.0 **Background**

- 1.01 **mha** were appointed on 18th January 2018 to conduct research within the Northern region of Mid Ulster District Council to identify lands available for potential future development of council facilities for the travelling community. It was requested that all unused council owned land, lands owned or registered by the Northern Ireland Housing Executive and other statutory bodies, and lands available to purchase on the open market be considered for this exercise.
- 1.02 The Irish Traveller Community has been long established in Northern Ireland, dating back to 1970's. Traveller history and traditions stretch back many years within the Mid Ulster Council Area.
- 1.03 Mid Ulster District Council have realised that travellers have distinctive housing needs. The Northern Ireland Housing Executive are responsible for the provision and management of accommodation for the Traveller Community and to this end are responsible for establishing the accommodation needs for the Traveller Community across Northern Ireland.

1.1 NIHE Involvement:

1.1.1 Comprehensive Traveller Accommodation Needs Assessments:

To establish the accommodation needs (for social housing, Traveller specific Group Housing, serviced sites and transit sites) of the Traveller Community across Northern Ireland, NIHE commissioned Comprehensive Traveller Accommodation Needs Assessments in 2002, 2008 and 2015.

1.1.2 NIHE Traveller Accommodation Programme:

The needs assessment informs the development of the Traveller Accommodation Programme. Currently the accommodation programme is reviewed on a yearly basis in conjunction with all interested stakeholders, to reflect the changing needs and aspirations of the Traveller Community. A new Traveller Accommodation Programme will be developed following analysis of the findings from the forthcoming Comprehensive Needs Assessment.

1.1.3 Land identification process:

In terms of future accommodation provision, the NIHE has completed a comprehensive review of all NIHE land and non-NIHE land in areas of identified accommodation need. This includes extensive advertising in the local press in all the areas where accommodation need has been identified, for expressions of interest in selling private lands for Traveller accommodation.

NIHE manage a co-operation policy that allows Travellers to camp on a temporary basis. However, this is not a substitute for permanent or transit sites. It is meant as a way of dealing with a humane requirement rather than an alternative to the permanent sites.

1.1.4 What does the policy allow?

This policy allows Travellers to remain on public land subject to the following conditions:

- Occupation does not constitute a measurable public health hazard or cause pollution to water supplies - district councils should liaise with the landowner, support groups and Traveller families to ensure services (eg, refuse collection) are in place to eliminate any public health hazard
- Occupation does not create a traffic hazard.
- Occupation does not create a right to long-term use of the site. The situation should be reviewed at regular intervals not exceeding 3 months.
- There is no current or immediate use for the land.
- The Travellers behave in a reasonable and orderly manner.
- NIHE recognise that there will always be exceptional cases with special circumstances which would require a different approach.

1.2 Planning:

PPS 12 policy HS 3 (amended) Travellers Accommodation (see below fig .1) recommends, that where possible, specific sites for travellers accommodation be identified within local development plans. When considering potential sites for traveller specific accommodation, planning would give due consideration when housing need cannot be met with existing settlements. Planning may be granted as part of a grouped housing scheme, serviced site or transit site. Where a service site or transit site has been identified as a need type, planning applications are required under PPS 21 CTY5 – social and affordable housing.

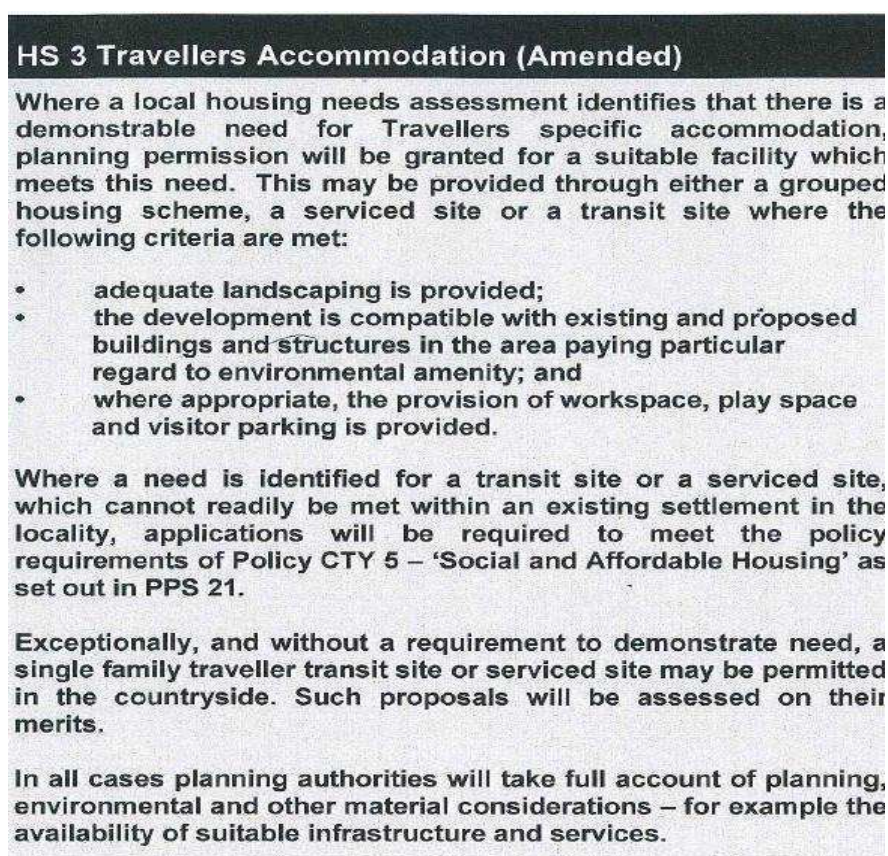


Fig 1. HS3 – Travellers Accommodation Planning Policy

2.0 **Brief**

2.01 The brief is to provide Mid Ulster District Council with a range of sites that can be developed / redeveloped into a grouped housing scheme, services site or transit site from members of the Irish Travelling Community within the following areas:

- Ballyronan;
- Magherafelt;
- Castledawson;
- Bellaghy;
- Tobermore;
- Maghera;
- Knockloughrim;
- Gulladuff;
- Culnady;
- Upperlands;
- Maghera;
- Swatragh;
- Clady;

2.02 This study will focus on all available sites within the North region of Mid Ulster District Council areas. Sites are considered across all sectors including:

- Unused council owned land;
- Unused lands owned by statutory bodies;
- Lands for sale on open market;
- Lands that can be obtained on a long term lease;

2.03 Traveller sites that will be evaluated should be between 0.5 -1.0 acres in size and can facilitate the following:

- Housing (approximately 6 no. units);
- Hard standing for a caravan;
- Space to park cars and other vehicles;
- Space for additional caravans to provide for guests;
- Toilets;
- Showers or baths;
- Storage space;
- A secure mailbox.

2.04 As part of our brief, **mha** will investigate the following:

- Identify sites that can potentially be utilised for traveller accommodation;
- Site description;
- Location details;
- Size and cost of site;
- Services / non-serviced highlighting issues;
- Valuation details for site;
- Ownership;
- Planning matters/issues;
- Planning history on site;
- Potential impacts on surrounding areas;
- Access to facilities and services;
- Risk considerations to all noted sites;
- Recommendations.

3.0 **Best Practice**

3.01 Michael Herron met the following persons from NIHE on 14th February 2018 to discuss the Travelling community within the Northern area of Mid Ulster Council . The following NIHE personnel were in attendance:

- Comghal McQuillan, Regional Manager (South)
- Ailbhe Hickey, Head of PlaceShaping, South
- Kevin Corrigan, Town Planner, PlaceShaping South
- Connor Smith, Traveller's Unit (Strategic Partnerships)

3.02 During discussion with NIHE, it was noted that they had carried out a project 'Acorn Grove' in Craigavon (see fig. 2) which they considered as a example of best practice that could be used as benchmark in design, scope, scale and complexity for a scheme in the Mid Ulster Area although this project consisted of 8 no. dwellings; Fig 3 Entrance (overleaf) Fig 4 Aerial View (overleaf)

3.03 The following areas were addressed within this scheme:

- Housing ;
- Hard standing or a caravan;
- Space to park cars and other vehicles;
- Space for additional caravans to provide for guests;
- Toilets
- Showers or baths
- Storage space
- A secure mailbox

The added advantage here was good screen planting.



Fig. 2, sample completed project 'Acorn Grove'



Fig. 3 - Entrance of Acorn Grove



Fig. 4 - Aerial view of Acorn Grove

4.0 **Existing Travellers**

4.1 M Herron discussed the various villages and towns with NIHE as follows:

- Ballyronan;
- Magherafelt;
- Castledawson;
- Bellaghy;
- Tobermore;
- Maghera;
- Knockloughrim;
- Gulladuff;
- Culnady;
- Upperlands;
- Maghera;
- Swatragh;
- Clady;

4.2 It was concluded from the NIHE findings, within the above areas there were 2 separate distinct families located within Ballyronan and Toomebridge areas respectively.

4.2.1 **Ballyronan:**

This family were classified as 'English Travellers' and were located at the Gaugers site, Ballyronan – see below map; Representatives from NIHE noted that as they were English Travellers, legislation that pertains to Irish travellers is not applicable and they are under no obligation to re-house them.

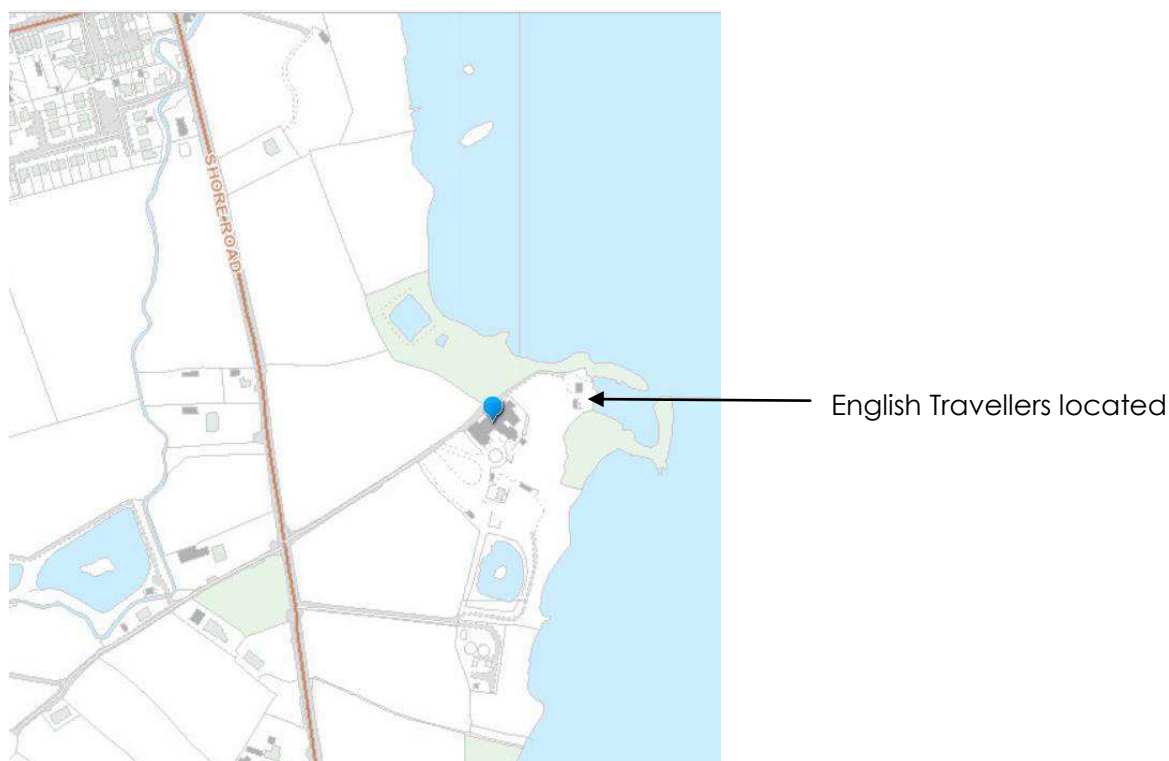


Fig. 5 – Site of English Travellers @ Gaugers site

4.2.2 Invest NI site, Toomebridge – Family of Irish Travellers, McDonnells, who wishes to remain in this area as children are schooled nearby. NIHE have a strategic responsibility for accommodating for the Irish Traveller community in Northern Ireland. The Housing Order (NI) 2003 transferred ownership of and responsibility for Traveller serviced sites from District Councils to the Housing Executive.

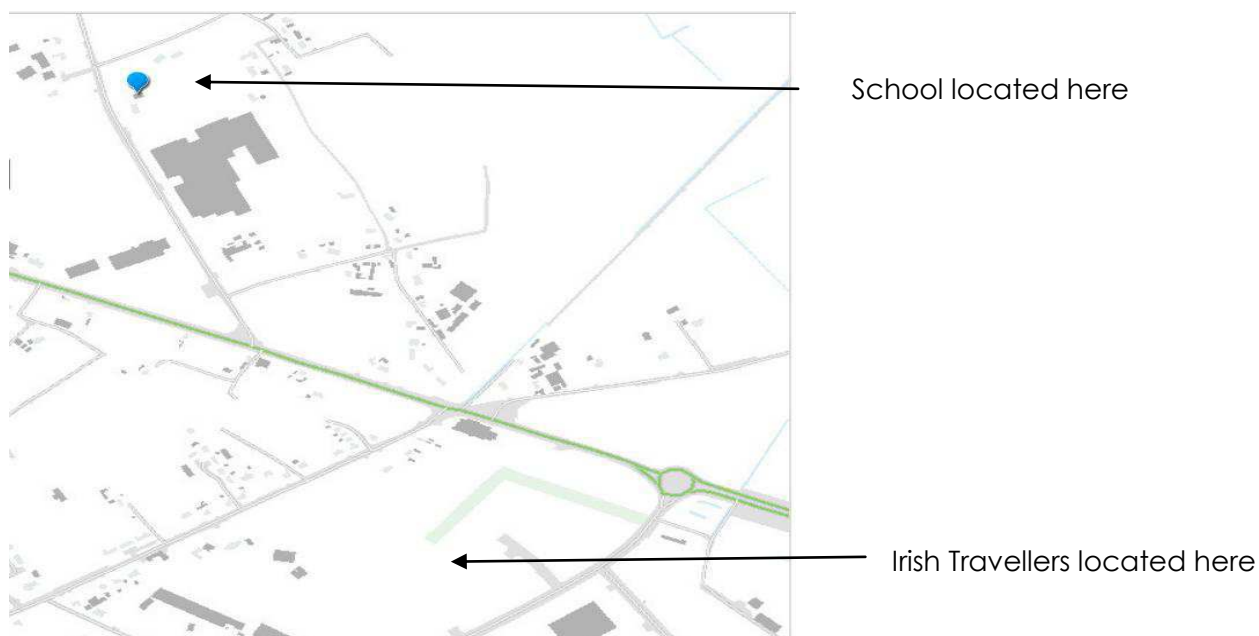
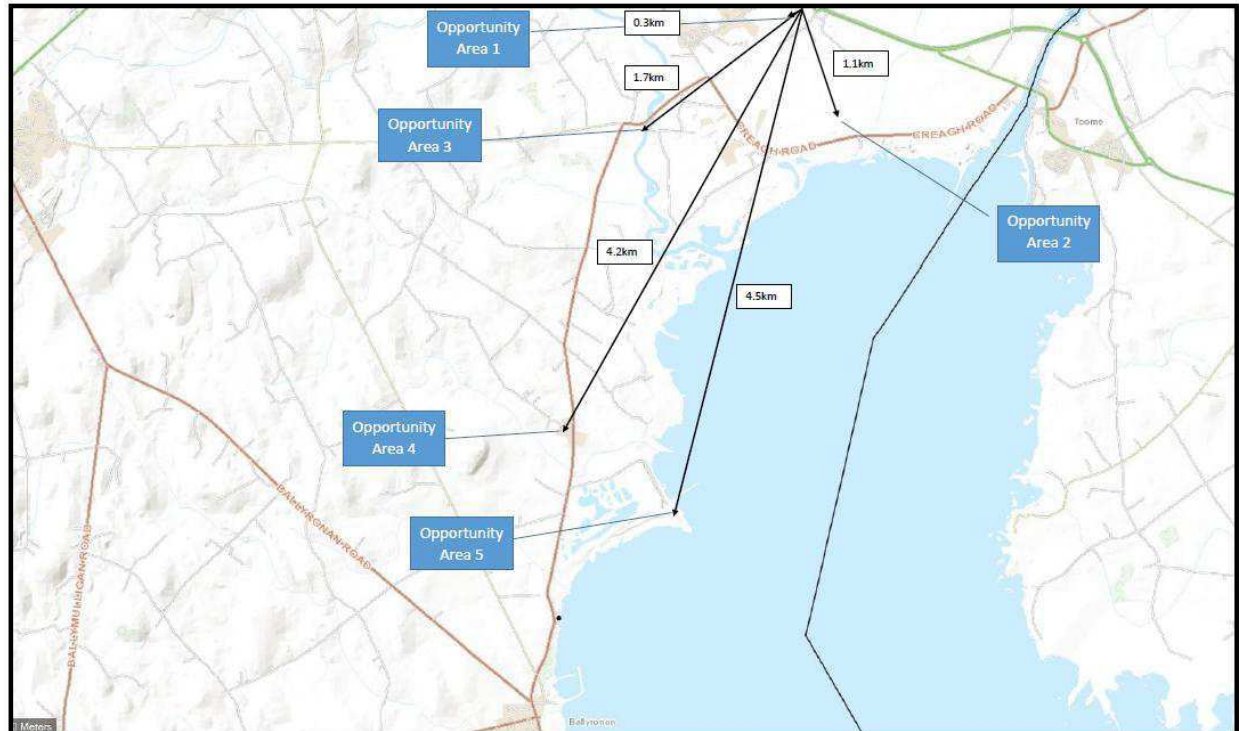
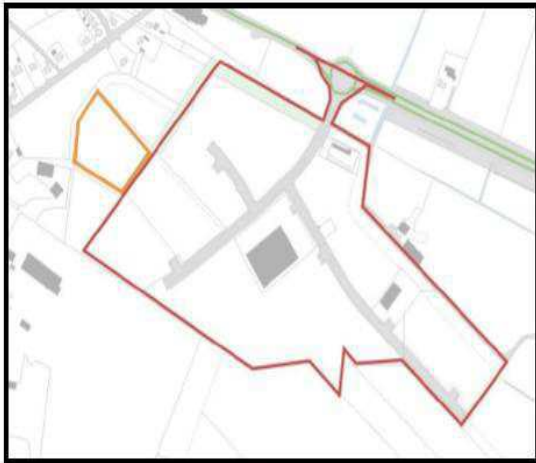


Fig. 6 – Site of Irish Travellers @ Invest NI site

5.0 Opportunity Areas



Opportunity Area 1 – Map

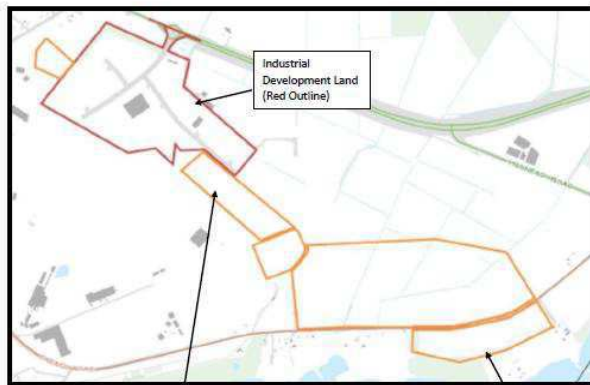


Opportunity Area 1 – Map

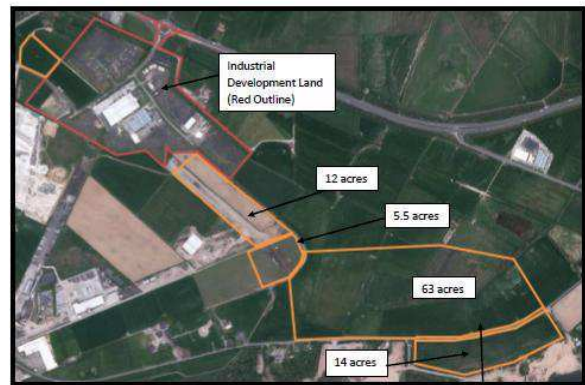


Opportunity Area 1 – Map

Opportunity Area 2 – Map



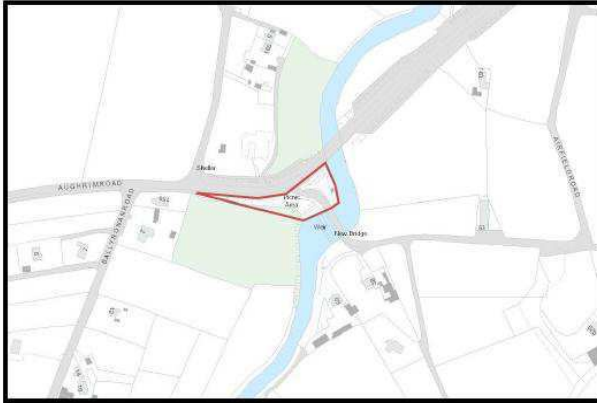
Opportunity Area 2 – Map



Opportunity Area 2 – Ariel Photo



Opportunity Area 3 – Map



Opportunity Area 3 – Map



Opportunity Area 3 – Ariel Photo



Opportunity Area 4 – Map



Opportunity Area 4 – Map



Opportunity Area 4 – Ariel Photo



Opportunity Area 5 – Map



Opportunity Area 5 – Map



Opportunity Area 5 – Ariel Photo

6.0 Conclusion

On Wednesday 18th April 2018, Michael Herron presented a power point presentation at Mid Ulster District Council office in Magherafelt to Council representatives, Michael Dallat NIHE and Ailbhe Hickey, NIHE. Mark Kelso, Director of Public Health & Infrastructure chaired the meeting.

Michael Herron explained the background to the situation in the Mid Ulster area with regards lack of facilities for the travelling community. The main body of the presentation looked at 5 no. opportunity sites as follows:

Opportunity site no. 1:

3 acres of land adjacent to Creagh Industrial site.

Local councillors present felt it would be difficult to convince land owners s this site was privately owned.

Opportunity site no. 2:

Runway portion of land adjacent to Creagh Industrial site.

Again, Local councillors present felt it would be difficult to convince land owners s this site was privately owned.

Opportunity site no. 3:

Picnic area site adjacent to Moyola River

Local councillors present felt there was possibility here. NIHE agreed to look at further from a feasibility point of view.

Opportunity site no. 4:

1.1 acre site, O'Neill Park,

NIHE felt that this site was too small.

Opportunity site no. 4:

9.5 acre site, Traad Point, Ballyronan

Local Councillors felt this was the best site of the 5, NIHE agreed to look at further from a feasibility point of view.



Signed: _____

Michael Herron RIBA
Chartered Architect

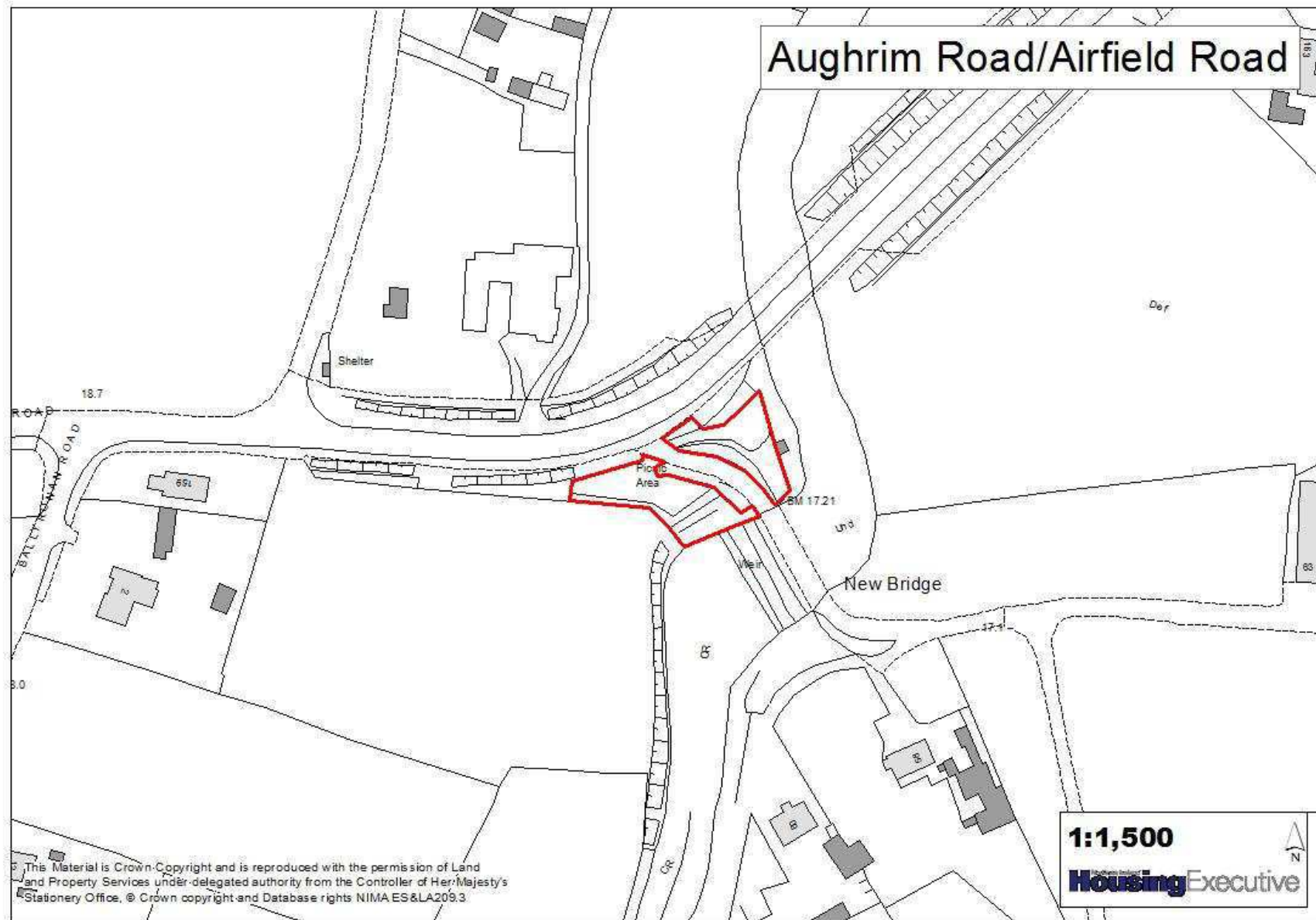
Date: 27.04.18

Potential Traveller Sites in Mid Ulster – Initial Feasibility

Below is an initial study of three opportunity areas provided by Michael Herron Architects for the provision of traveller accommodation in the North Region of Mid Ulster District Council. On review of the three sites, the site at Traad Point is the preferred option, however further feasibility would be required as access was not available to the site. See further details on each site below.

Site Location	Area (ha)	Planning Context/History	Comments
Aughrim Road/Airfield Road	0.14	<p>Site is not within any settlement limit and is within Local Landscape Policy Area CH02 as designated in the Magherafelt Area Plan 2015. This includes the listed bridge over the Moyola River, including its setting and views.</p> <p>No planning history as per EPIC Planning Portal.</p>	<p>Site is in use as a recreational/picnic area adjacent to Moyola River/Bridge to the east and Aughrim Road to the west.</p> <p>Site is constrained by its size and layout as it is split in two across Airfield Road.</p> <p>Access to the site may be an issue due to intensification at junction, consultation with Transport NI would be required.</p> <p>PPS 21 applies to the site.</p> <p>Likely to be high level of objection due to amenity, aesthetics and recreational value of the area.</p> <p>The portion of land to the south west of the site is in private ownership but could be investigated to extend the proposed site.</p>

O'Neill Park, Ballymaguigan	0.45	<p>Site is just outside the settlement limit of Ballymaguigan as designated in the Magherafelt Area Plan 2015.</p> <p>A portion of the site to the east has planning approval for a car park. LA09/2015/0049/F - Proposed car park adjacent to existing minor playing fields.</p>	<p>Site is in use as a maintained playing field serving O'Neill Park, it is the only area of open space within the estate.</p> <p>Planning application for a car park on the eastern portion of the site has been approved, the remaining site will be constrained by size for any development.</p> <p>No. 7-12 O'Neill Park are overlooking the site.</p> <p>Although the site is outside the settlement limit, PPS 8 would still apply as it is an area of existing open space.</p> <p>PPS 21 applies to the site.</p> <p>Likely to be high level of objection from adjacent residents due to the loss of the open space.</p>
Traad Point	1.40	<p>Site is not within any settlement limit. The area along the shores of Lough Neagh as a whole has been designated as an Area of High Scenic Value by the Magherafelt Area Plan 2015.</p> <p>No planning history as per EPIC Planning Portal.</p>	<p>Site is accessed via a long narrow road (Point Road) approx. 0.75 miles from Shore Road, consultation with Transport NI required to assess suitability of access.</p> <p>Site is a University of Ulster building and is surrounded by mature trees with Lough Neagh further east and ponds to the west.</p> <p>Access not available to the site due to padlocked gate, access would be required to provide further feasibility.</p> <p>Due to the location in close proximity to Lough Neagh a drainage assessment and bio diversity survey may be required.</p> <p>PPS 21 applies to the site.</p>



Aughrim Road/Airfield Road Site Photos



View of site looking south west



View of site looking west



View of site looking north west



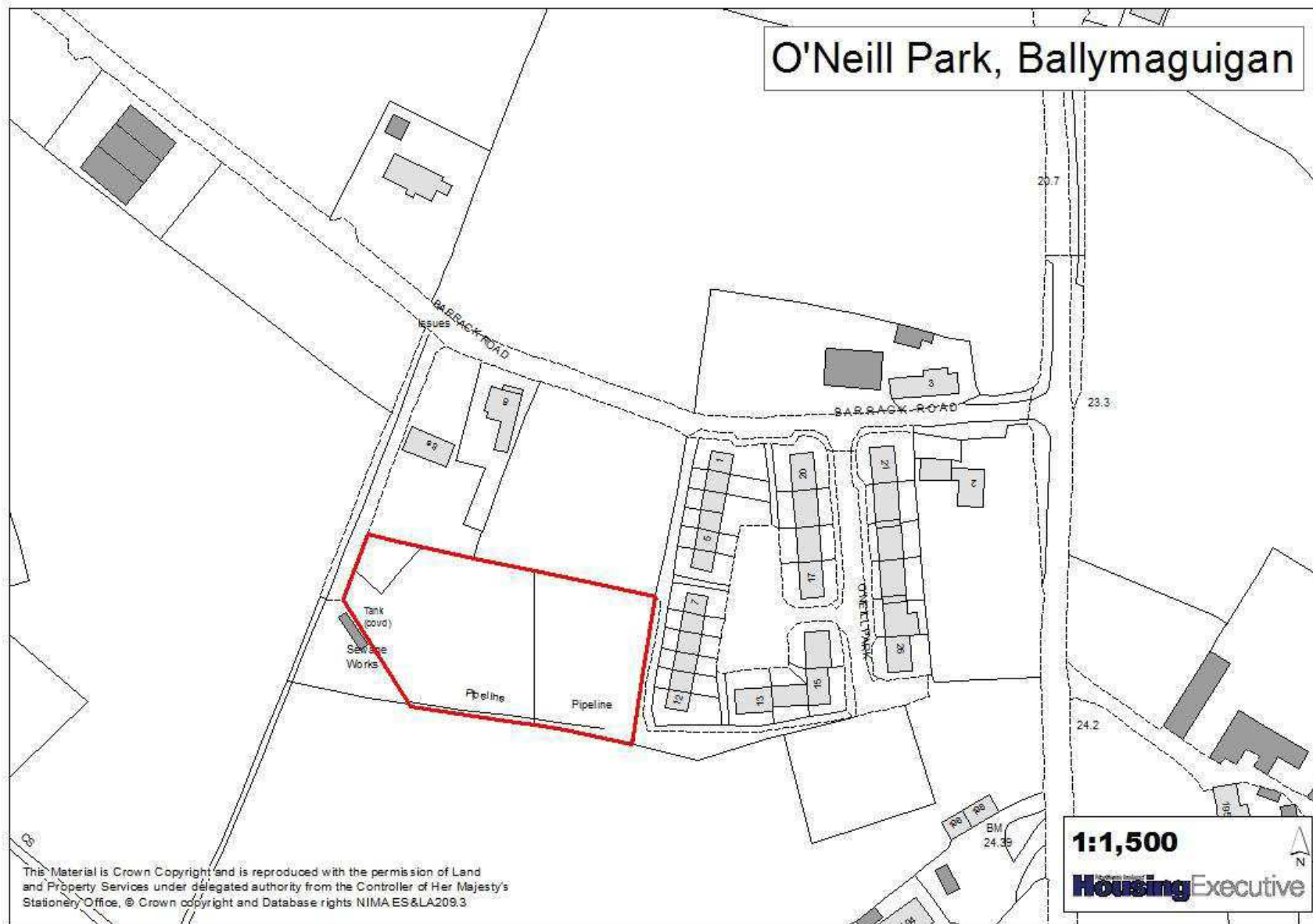
View of site looking north



View of eastern portion of site



View of site looking south east



O'Neill Park, Ballymaguigan Site Photos



View of site looking south west



View of site looking south



View of site looking east



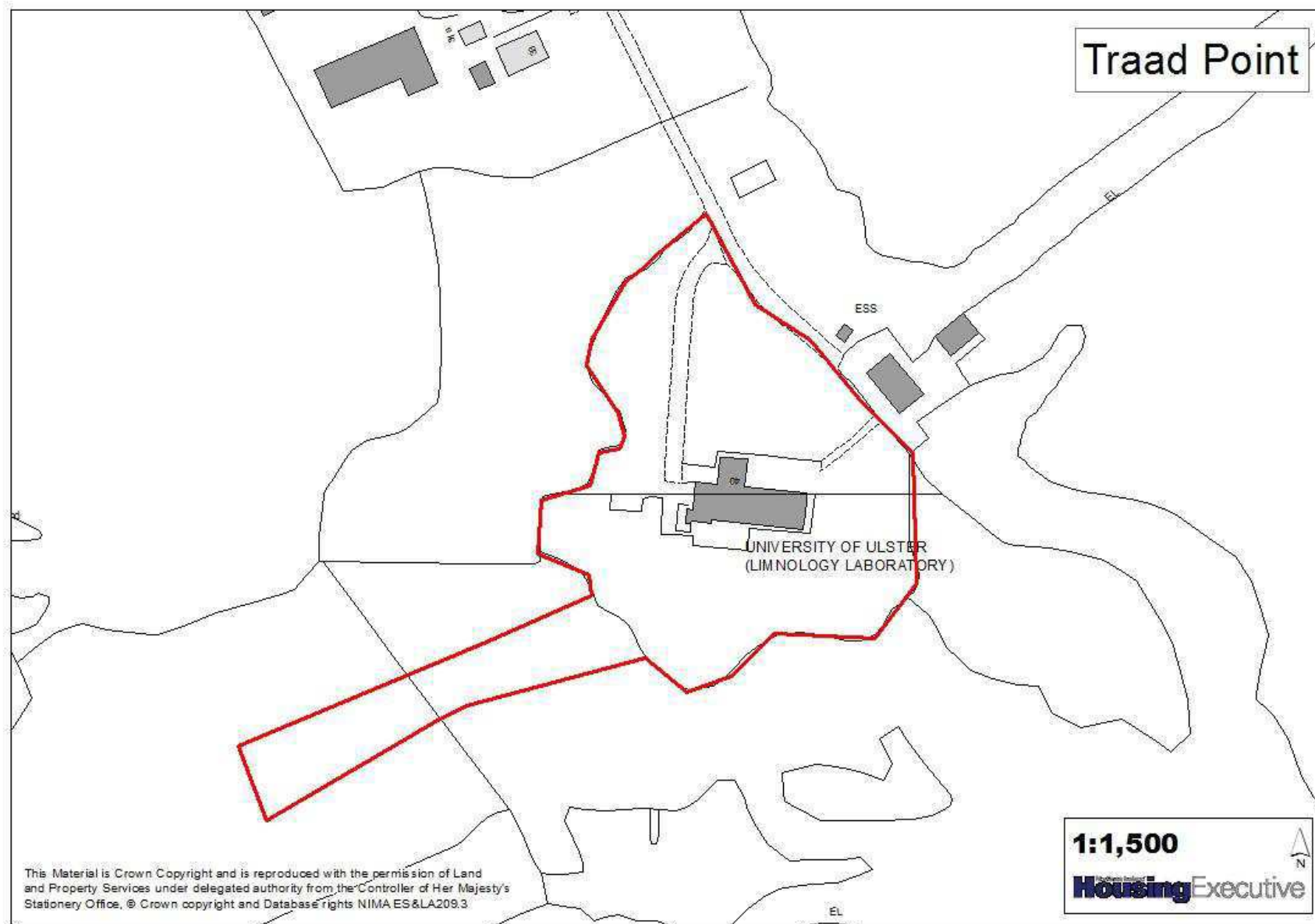
View of site looking west



View of site looking south west
Page 256 of 352



View of adjacent properties to north



Report on	Animal Welfare Service Delivery Statistics 2016/17
Date of Meeting	8 th May 2018
Reporting Officer	Fiona McClements, Head of Environmental Health
Contact Officer	Fiona McClements

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	DAERA has recently published an annual report on animal welfare. The purpose of the report is to set out information relevant to the public in relation to the animal welfare service provided by each of three different enforcement bodies. This report is the first such report and reflects statistical information that has been provided to DAERA.
2.0	Background
2.1	<p>In Northern Ireland, the welfare of animals is protected by the Welfare of Animals Act (Northern Ireland) 2011 (the 2011 Act). The 2011 Act includes a duty of care in respect of all "protected animals" (i.e. animals under the control of a person whether permanently or temporarily). Responsibility for the welfare of an animal remains with the owner at all times. The 2011 Act sets out offences regarding animal welfare, for example: it is an offence to fail to take reasonable steps to ensure that the welfare needs of an animal are met; and it is an offence to take action, or fail to take action, that causes an animal to suffer unnecessarily.</p> <p>The three bodies that are responsible for the enforcement of the 2011 Act are:</p> <ul style="list-style-type: none"> • Department of Agriculture, Environment and Rural Affairs (DAERA) (farmed animals only); • Councils (non-farmed animals, such as domestic pets and horses); • Police Service of Northern Ireland (PSNI) (wildlife crime, animals on the road and other criminal activity such as dog fighting). <p>Enforcement officers investigate complaints and take action to ensure the owner or keeper complies with the legislation.</p>
3.0	Main Report
3.1	The full report attached provides information relating to Enforcement Activity undertaken by all three enforcement authorities outlined above, and is attached to this document for full consideration.
3.2	As mentioned in the background to this report Councils are responsible for enforcement of the Welfare of Animals (NI) Act 2011, as it applies to Non-Farmed Animals. This means domestic pets of any vertebrate species such as cats, dogs, horses and donkeys.

	Animal welfare cases in the Mid Ulster District Council area are investigated by the shared 'Western Area Animal Welfare Team' that also covers the Fermanagh & Omagh District Council and the Derry & Strabane District Council areas.			
3.3	The Officers have statutory enforcement powers and can take a range of action to improve the welfare of non-farmed animals including, providing advice, issuing an improvement notice, taking animals into their possession (in extreme cases of suffering), and initiating prosecution action. The following information outlines enforcement actions by the Animal Welfare Service during the period 01 April 2016 to 31 March 2017.			
3.4	The table below is broken down by NI wide figures, Western Region figures and finally Mid Ulster District figures.			
	Period 01/04/16- 31/03/17	NI	Western Region	Mid Ulster
	No. of calls received	6332	1340	395
	No. of referrals to other agencies	1291	364	104
	No. of animal welfare cases	5041	976	291
	No. of AWO inspection visits. (each call may require more than one visit)	9460	1930	540
	No. of Improvement Notices Served	235	21	5
	No. of Animals Seized	283	14	2
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	Members to note the main issues with regard to animal welfare highlighted in this report. A copy of the attached report will be made available to the public via the Council website.			
6.0	Documents Attached & References			
6.1	Appendix 1 – Animal welfare service delivery statistical bulletin 2016/17			



Animal Welfare
Service Delivery
Statistical Bulletin
2016/17



Department of
**Agriculture, Environment
and Rural Affairs**
www.daera-ni.gov.uk



Background

In Northern Ireland, the welfare of animals is protected by the Welfare of Animals Act (Northern Ireland) 2011 (the 2011 Act). The 2011 Act includes a duty of care in respect of all “protected animals” (i.e. animals under the control of a person whether permanently or temporarily). Responsibility for the welfare of an animal remains with the owner at all times.

The 2011 Act sets out offences regarding animal welfare, for example: it is an offence to fail to take reasonable steps to ensure that the welfare needs of an animal are met; and it is an offence to take action, or fail to take action, that causes an animal to suffer unnecessarily.

The three bodies that are responsible for the enforcement of the 2011 Act are:

- **Department of Agriculture, Environment and Rural Affairs (DAERA)** (farmed animals only);
- **Councils** (non-farmed animals, such as domestic pets and horses);
- **Police Service of Northern Ireland (PSNI)** (wildlife crime, animals on the road and other criminal activity such as dog fighting).

Enforcement officers will investigate complaints and take action to ensure the owner or keeper complies with the legislation.

A review of implementation of the 2011 Act was completed in 2015 and, as a result, a number of recommendations were made regarding the animal welfare service. One such recommendation (recommendation no. 40) is that DAERA should produce an annual report setting out information relevant to the public in relation to the animal welfare service provided by each of the three enforcement bodies. This report is the first such report and reflects statistical information that has been provided to DAERA.

Department of Agriculture, Environment & Rural Affairs (DAERA)

Welfare and Enforcement Branch

DAERA enforces the Welfare of Farmed Animals Regulations (NI) 2012 (the 2012 Regulations), which were made under the 2011 Act. The work on the ground is delivered by DAERA Veterinary Service Inspectors and Veterinary Officers (VOs) located across 10 local DAERA Direct offices. DAERA also has responsibility for the licensing and inspection of petshops, and of animal boarding, riding and zoological establishments, under the Welfare of Animals Act (NI) 1972. During these inspections, animal welfare is considered.

Veterinary Service Inspectors have a range of options when dealing with an animal welfare case: providing advice; giving a warning; issuing the owner with a legally binding Improvement Notice; and prosecution.

The following information outlines enforcement actions by DAERA.

Farmed Animal Welfare Inspections

During period 01 January 2016 to 31 December 2016, 1,100 production site inspections for compliance with animal welfare requirements were completed. The overall compliance rate was 90%, a result which includes risk based and randomly selected sites.

Inspections carried out, as a result of a complaint being received:

No. of inspections carried out following anonymous complaint.	125
No. of inspections where a breach was detected.	10
No. of inspections where no breach was detected.	115

No. of inspections carried out following non-anonymous complaint.	101
No. of inspections where a breach was detected.	12
No. of inspections where no breach was detected.	89

Welfare of Animals investigations closed during period 01 April 2016 to 31 March 2017

Case dropped	Compliance achieved	Warning letter issued	Formal caution delivered	Convicted in Court	Dismissed in Court	TOTAL
13	2	2	0	20	2	39

The penalties for animal welfare convictions included fines, liability for costs, community service and disqualifications from keeping animals.

Regional Councils' Animal Welfare Service

The 2011 Act enables Councils to enforce the legislation in respect of non-farmed animals, for example, domestic pets of any vertebrate species and equines. Councils have adopted a collaborative regional approach to delivering the animal welfare legislation, and 9 Animal Welfare Officers enforce the Act. The Officers have statutory enforcement powers and can take a range of action to improve the welfare of non-farmed animals including, providing advice, issuing an improvement notice, taking animals into their possession (in extreme cases of suffering), and initiating prosecution action.

The following information outlines enforcement actions by the Regional Councils' Animal Welfare Service during the period **01 April 2016 to 31 March 2017**.

No. of complaints received by Animal Welfare April 2016 - March 2017.	6332
No. of those established to be Non Welfare Related cases.	1291
No. of those established to be Animal Welfare related cases.	5041

Breakdown of follow up action taken on 5041 Animal Welfare related cases:

No. of visits carried out.* (NB - some cases may have required more than one visit).	9460
No. of cases established to be unfounded following visits.	618
No. of improvement notices issued.	235
No. of formal cautions issued.	13
No. of disposal orders issued.	21
No. of cases where seizures took place.	173
Total animals seized.	283
No. of April16 - March17 cases where prosecution action commenced.	25
No. of prosecutions completed during April 16 - March 17. (NB - figure includes cases commenced prior to Apr 16).	21
Outcome of completed prosecutions during April 16 - March 17.	21 convictions

*** All contact visits receive informal advice, unless they result in formal action.**

The 21 convictions resulted in a variety of penalties comprising of fines; liability for costs; community service; conditional discharge; restrictions or bans on keeping animals for varying periods; custodial sentences.

Breakdown of follow up action taken on 1291 Non Welfare Related cases

No. referred to DAERA, (e.g. farmed animal complaints).	86
No. referred to dog wardens (e.g. stray dogs).	499
No. referred to Environmental Health (e.g. dirty yards/noise complaints).	21
No. referred to PSNI (e.g. animal fighting/snared animals/straying on roads).	81
No. classified as others (e.g. queries relating to rehoming or adopting referred to animal sanctuaries).	604

Police Service of Northern Ireland (PSNI)

The 2011 Act gives the PSNI power to deal with welfare offences involving wild animals, and offences such as animal fighting, or where other criminal activities are involved. In addition to its responsibilities under the 2011 Act, the PSNI has responsibility for animals on roads and wildlife crime.

The following information outlines enforcement actions by the PSNI during the period **01 January 2016 to 31 December 2016**.

No. of calls received which were in respect of animal related incidents.	8833
No. of which were in respect of non-welfare cases (e.g. animals on the road, wildlife queries).	8109
No. of which were animal welfare/cruelty related.	724
No. of incidents which led to seizure.	6
Total no. of animals seized.	25
No. of offences prosecuted.	13
No. of prosecutions resulting in conviction.	5
Penalties incurred in relation to the 5 convictions.	Suspended sentences

A variety of actions were taken on the 724 reported animal welfare/cruelty related cases which included:

- information/advice dispensed with no visit required;
- visit carried out and information/advice dispensed;
- referrals made to another agency as appropriate, e.g. local council Animal Welfare Officer/Dog Warden/Department of Agriculture, Environment and Rural Affairs;
- no offence disclosed.

**PLEASE REFER TO THE DAERA WEBSITE FOR FURTHER INFORMATION,
INCLUDING CONTACT DETAILS IF YOU WISH TO SPEAK TO SOMEONE ABOUT
AN ANIMAL WELARE ISSUE.**

<https://www.daera-ni.gov.uk/articles/introduction-animal-welfare>



Department of
**Agriculture, Environment
and Rural Affairs**
www.daera-ni.gov.uk



Report on	Correspondence Reply From Northern Ireland Environment Agency Regarding Seasonal Bonfires
Date of Meeting	8 th May 2018
Reporting Officer	Fiona McClements, Head of Environmental Health
Contact Officer	Fiona McClements

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	The purpose of this report is to update Members on the Northern Ireland Environment Agency position, on matters relating to bonfires in the run up to the July bonfire season. The Environmental Health Service had previously sent correspondence to the NIEA requesting clarification on the Agency's position in relation to a number of issues.
2.0	Background
2.1	A number of queries had been raised to Environmental Health regarding the role of the NIEA and what steps they intended to take this year regarding the collection of tyres stockpiled for bonfires and also in relation to possible visits to tyre suppliers in the District with Council officers. The Environmental Health Service had sent correspondence further to this request (see Appendix 1). The NIEA have since replied addressing some of the issues raised. (Appendix 2). A summary of the points is included in the Main Report (3.0).
3.0	Main Report
3.1	<p>The NIEA commented on what they see as their main role with regard to bonfires. They specifically addressed areas that they see as their main aims and objectives:</p> <p><u>Specific aims and objectives:</u></p> <ul style="list-style-type: none"> • Support work within Council/ NIHE or other statutory agency led multi-agency fora. • Provide effective targeted regulation of waste treatment facilities, which have the potential to provide material for burning on problematic bonfire sites. • Provide effective targeted regulation of specific waste producers and controlled waste streams to include tyres and asbestos. • Assist the development of an intelligence picture of wider waste issues affecting bonfires. • Develop targeted strategies for dealing with illegal waste offenders who provide controlled waste to bonfires.

3.2	<p>They also outlined what the NIEA will not undertake:</p> <p><u>The NIEA will not:</u></p> <ul style="list-style-type: none"> • Intervene directly at bonfire sites or remove hazardous waste unless in exceptional circumstances, and then only if the approach is agreed through a Council led partnership. • Jeopardise their staff's security. <p>The correspondence notes that the NIEA has no legal authority to remove controlled waste from bonfire sites.</p>
3.3	<p><u>Dealing with Tyres Dumped at Local Bonfire Sites</u></p> <p>The NIEA continues to utilise the fly-tipping protocol previously operated across the majority of Northern Ireland. They will continue to utilise these arrangements to deal with controlled waste in excess of 20m³ or hazardous materials unable to be accepted at Council civic amenity sites.</p> <p>With specific regard to tyres the NIEA do not define these as hazardous waste. However, as part of the NIEA's partnership approach to the issues of risk and harm surrounding bonfires, they will, where local agreement has been brokered through Councils / NIHE or other statutory agencies use the fly-tipping protocol to remove tyres being stockpiled for use on bonfires. (Up to date referral forms for this matter were also forwarded).</p>
3.4	<p><u>Tyre Retailers</u></p> <p>The NIEA has no direct responsibility for the regulation of tyre suppliers, and do not maintain a database of such retailers or keep audit records of any visits, which have been previously undertaken. They have in the past conducted checks on the retailers, usually in conjunction with the Northern Ireland Fire & Rescue service or Local Authorities.</p> <p>In general, given the numbers involved, the NIEA do not believe that a blanket approach to visits is the best way forward, but that the matter is best approached on a targeted basis, conducting visits and investigations where matters of concern are found or referred. They expect that such referrals will come from other Statutory Agencies including Councils. It is anticipated that this will be the approach for the coming year as well.</p>
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: The potential costs of dealing with bonfires / clean ups on Council grounds. However, it is noted that the NIEA will collect hazardous waste from bonfire areas in exceptional circumstances where a local agreement is brokered. It should be further noted that the NIEA do not consider tyres to be hazardous waste but will collect tyres being stockpiled for bonfire use where a local agreement is brokered on their behalf.</p> <p>Human: Staff time in the investigation of complaints relating to tyres / waste on bonfire sites and the subsequent liaison /referral to the NIEA following receipt of complaints.</p> <p>Risk Management: Council Employee health and safety will be a priority at all times. Any visits to sites will cease if staff welfare is at risk .</p>

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: There are good relations sensitivities given the cultural aspects of bonfires.
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members to note the content of this report .
6.0	Documents Attached & References
6.1	Appendix 1- Correspondence sent by Environmental Health Service to NIEA.
6.2	Appendix 2- Response from NIEA to initial correspondence.

Mr Derek Williamson
Head of Environmental Crime
Northern Ireland Environment Agency
Klondyke Building
Cromac Avenue
Gasworks Business Park
Lower Ormeau Road
Belfast
BT7 2JA

15th March 2018

Dear Sir,

Re: Seasonal Bonfires in the Mid Ulster District Council Area

Within Mid Ulster District Council there have been discussions regarding the anticipated seasonal bonfires that take place across the District annually. An internal working group has been set up to develop a structured procedure for dealing with bonfires on Council land. I have been asked to contact you to clarify ways in which the NIEA and Mid Ulster District Council can work in partnership in order to minimize any adverse pollution effects that could potentially arise from the burning of tyres within bonfires.

Waste Tyre Stream

It is Mid Ulster District Council's understanding that the NIEA has responsibility under Article 5 of The Waste and Contaminated Land (NI) Order 1997 (as amended) to ensure that tyre retailers dispose of their waste tyres in a responsible manner and records are maintained. It would be appreciated if you could advise as to the number of audits and advisory visits that were carried out by NIEA on tyre retailers within the MUDC area within this current financial year and to advise on what audits or advisory visits are planned for 2018/19.

It is envisaged that sufficient number of visits by NIEA to tyre retailers will be effective in raising the regulatory aspects of suitable waste disposal within this retail sector and help to influence behaviors when tyre dealers are approached for bonfire materials. In conjunction with the NIEA regulatory approach, MUDC are exploring a voluntary colour coding system which requires participating tyre retailers to mark their waste tyres with an identifying colour. Mid Ulster District Council would welcome input from the NIEA particularly in respect of simultaneous checks being carried out under the 'Duty of Care' requirements.

Dealing with Tyres Dumped at Local Bonfire Sites

In previous years tyres and various other items fly-tipped at local bonfire sites have been referred to the NIEA for removal as hazardous waste, as per the draft fly-tipping

protocol between the NIEA and Local Councils. I would like to take this opportunity to check that this is still the correct method of proceeding with complaints of this nature and would welcome a copy of the most up to date referral form. In instances where the Council is able to gain relevant evidence as to the identity of fly-tippers on bonfire land, it would intend to refer fly-tippers details to the NIEA for potential enforcement action. Could you please clarify NIEA's preferred method for such referrals?

If you wish to discuss any matters relating to this letter please do not hesitate to telephone me at 03000 132 132 or contacting me at my email address of Fiona.McClements@midulstercouncil.org.
I look forward to your response.

Yours faithfully,

29 MAR 2018

Environmental Health Department
(Dungannon Office)

Environmental Crime Unit
Northern Ireland Environment Agency
Klondyke Building, Gasworks Business Park

Belfast

BT7 2JA

26 March 2018

Ms F McClements
Head of Environmental Health
Mid Ulster District Council
Dungannon Office
Circular Road
Dungannon
BT7 6 DT

27 March 2018

Dear Ms McClements

Re: Seasonal Bonfires in the Mid Ulster District Council Area

Thank you for your letter of 16 March 2018 in respect of the above. I welcome the opportunity to further a partnership approach to the matter of bonfires and also to clarify the NIEA position in relation to these matters. As you will no doubt be aware, bonfires are a controversial issue and occur in many areas across Northern Ireland and in a variety of settings, not exclusively on Council property. NIEA have worked closely with all Councils for a considerable period on issues surrounding bonfires and we are clear that this work will continue, subject to legal, practical and other resource considerations.

NIEA Role

NIEA's role in relation to the controversial issues of bonfires obviously surrounds our role in protecting the environment and in waste management. The primary legislation is that contained in the Waste & Contaminated Land (Northern Ireland) Order 1997 [the Order].

NIEA is not the lead agency for bonfires and primarily works within local Council-led fora to address issues of risk and harm. As part of that work, NIEA will take enforcement action in appropriate circumstances and in line with our enforcement policy. Often, in the context of the Waste & Contaminated Land (Northern Ireland Order) 1997, that may mean enforcement against the landowner and, with regard to bonfires, could well mean other public bodies such as Councils. Articles 4, 5 and 27 of the Order are normally the powers which might be used in this context. With regard to the latter, an analogous power is available to Councils under Article 28 of the Order.

NIEA's approach to the issue of bonfires relies primarily on preventative work and dealing with the source of the problem, rather than the consequences (the bonfire). In

addition to prevention measures, we will concentrate available resources on reducing hazardous waste from being burnt on bonfires. However, we firmly believe the long term solution to bonfires is in the community management of them alongside statutory partners.

NIEA's specific aims and objectives in this context are to:

- Support work within Council/NIHE or other statutory agency led multi-agency fora;
- Provide effective targeted regulation of waste treatment facilities which have the potential to provide material for burning on problematic bonfire sites;
- Provide effective targeted regulation of specific waste producers and controlled waste streams to include tyres and asbestos;
- Assist the development of an intelligence picture of wider waste issues affecting bonfires; and
- Develop targeted strategies for dealing with illegal waste offenders who provide controlled wastes to bonfires.

I believe it is important to highlight what NIEA cannot do in relation to the control of issues of risk and harm surrounding bonfires.

For clarity, NIEA will not:

- Intervene directly at bonfire sites or remove hazardous waste unless in exceptional circumstances and then only if the approach is agreed through a Council led partnership.
- Jeopardise our staff's personal safety.

It may also be important to note that NIEA has no legal authority to itself remove controlled waste from bonfire sites.

With regard to the fly-tipping protocol previously operated across Northern Ireland, NIEA continues to utilise these arrangements to deal with controlled waste in excess of 20m³ or hazardous materials unable to be accepted at Council civic amenity sites. As for tyres, these are not by definition hazardous waste. However, as part of NIEA's partnership approach to the issues of risk and harm surrounding bonfires, we will, where local agreement has been brokered through Councils/NIHE or other statutory agencies, use the fly-tipping protocol to remove tyres being stockpiled for use in bonfires. Hence, the approach to intervention outlined.

ARTICLE 5 AND DUTY OF CARE

You asked specifically about Article 5 and link this to tyre retailers as well as indicating

that NIEA has responsibility for Article 5. In fact, while the Department (and by extension NIEA) do have powers to enforce a range of matters under the Order, including Article 5, there are also references in Article 5 to District Councils being authorised for the purposes of paragraphs 1 (c) [i.e. the transfer of waste to authorised persons etc.] and paragraph 2A [i.e. the duty of the occupier of domestic properties to transfer waste to authorised persons].

TYRE RETAILERS

On the specific issue of tyre retailers, I can advise that NIEA has no direct responsibility for the regulation of tyre retailers and consequently does not routinely conduct audits of tyre retailers as part of its regulatory function. Similarly, as NIEA does not regulate tyre retailers, we do not hold any database of such retailers. However, in line with the approach to tackling problem waste streams and waste producers, we have on occasion conducted checks with tyre retailers as part of their 'duty of care' responsibilities under Art. 5 of the Waste & Contaminated Land (Northern Ireland Order) 1997. Often, this has previously been done in conjunction with visits from other partners such as the Northern Ireland Fire & Rescue Service and local Councils. NIEA does not currently retain records of such visits conducted to tyre retailers and hence is unable to meet your request for this data.

Further, given the numbers of tyre retailers and the available resources, NIEA does not consider that a blanket approach to visits as being the most effective response. Rather, we approach the issue on a targeted basis conducting visits and investigations where matters of concern are found or referred. We expect that referrals will come primarily from other statutory agencies and Councils. It is planned that this will continue to be the approach during the incoming year and to that extent, I would encourage Council officials to report any issues of concern to us using the methods set out post. Of course, we will also be happy to discuss where a joint approach could be of benefit.

GENERAL

The NIEA approach to waste management, enforcement and specifically issues arising from traditional bonfires is greatly assisted in many areas across Northern Ireland by initiatives supported by Councils using, for example, Police & Community Safety Partnerships, Good Relations Officers and in supporting community management of the risks associated. NIEA is keen where possible to assist those efforts recognising that the solution to those bonfires which create risks are best managed through supporting local communities to resolve the issues arising.

Please find enclosed the current NIEA/Council referral form in use for issues surrounding the clear up of relevant waste(s). Councils are encouraged to refer these, together with any available photographs, to environmentalcrime@daera-ni.gov.uk or by telephone to 02890569453.



Should you consider a meeting is necessary to discuss any matter outlined, I will be happy to facilitate. In the meantime, I look forward to hearing how MUDC intend to approach the issue of bonfires across the area and in particular its approach to voluntary marking by tyre retailers. Finally, I would be interested also to hear whether MUDC intend to create a database of tyre retailers.

Yours sincerely



Derek Williamson
Head of Enforcement
Northern Ireland Environment Agency



FLYTIPPING PILOT	File Ref
Council Incident Referral Form	FT1
	Issue Date
	26/09/2012

Council Officers Reporting Requirements

Name of Council	
Reporting Officer	
Date	

Waste	
Type of waste	
Amount (Tonnes)	

Full Postal Address of the Waste including postcode?	
What are the GPS coordinates of the waste?	

	Yes	No
Is the waste Hazardous?		
Is the amount of waste above 20m³		

	Yes/No	Detail
Has a council Officer Visited the Site? If date and time of visit.		
Is the waste confirmed as Flytipping?		

FLYTIPPING PILOT	File Ref
Council Incident Referral Form	FT1
	Issue Date
	26/09/2012

Has the Council Officer taken Photographs?		
Other detail, such as presence of gloves, clothing etc		
Has the incident been reported to PSNI/HMRC?		

Report on	Investigation Report on Keep Warm Packs- Management Implementation Plan
Date of Meeting	8 th May 2018
Reporting Officer	Fiona McClements, Head of Environmental Health
Contact Officer	Fiona McClements

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 of on the Management Action Plan associated with the recommendations of the recent Keep Warm Pack Audit.
2.0	Background
2.1	The Public Health Agency fund a number of Keep Warm Packs for the Mid Ulster area, which are distributed through the Environmental Health department. At a recent Environment Committee, an investigation report was presented. The Management Action Plan has been updated to reflect on the implementation of the recommendations.
3.0	Main Report
3.1	<p>The findings of the Keep Warm Packs audit have been considered and actions implemented to progress the recommendations made.</p> <p>Actions taken by Environmental Health are outlined in the attached Management Action plan in full and are summarised below.</p> <ul style="list-style-type: none"> • Recent liaison with PHA as core funder of programme and agreement of actions to be taken forward. • Agreed Distribution Strategy / Protocol documented and attached • Distribution plan being put in place for Sept 18, subject to packs being available for distribution. • Distribution through Agewell in short term based on identification of eligible clients • Stock Control record sheet developed and used to provide a transparent audit trail from April 2018 to monitor stock levels, receipt of packs and distribution of packs. • Retention of records as per funding requirements and Council retention and disposal policy.
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	Members note the Actions taken in response to the Keep Warm Pack audit findings.
6.0	Documents Attached & References
6.1	Appendix 1 – Keep Warm Pack Audit Management Action Plan
6.2	Appendix 2 – Keep warm Pack Distribution Strategy / Protocol

MANAGEMENT ACTION PLAN

Audit Recommendation	Status (Accept / Not Accept)	Management Comments	Responsible office:	Implement by:
1. Council should consult with the PHA to provide further guidance on the accountability and distribution of the packs.	Accept further discussion to be beneficial	Partnership working between the PHA and Council staff has been ongoing in relation to Keep Warm Packs and other Health & Wellbeing programmes. Since the scheme commenced, the PHA have stipulated guidelines for eligibility but have left the distribution process primarily under the control of each individual Council. However as a result of the audit recommendations, a specific meeting to discuss accountability and distribution took place between PHA and MUDC rep on Tuesday 10 th April at 2pm in Magherafelt about future arrangements. The outcome was a discussion of the distribution process moving forward as discussed at Council. PHA advised that responsibility and accountability for distribution remains with Councils but methods outlined in the Env. Committee minutes would be acceptable.	EH	End April 18
2. Present the agreed distribution strategy to Council after consultation with the SMT.	Accept	Council was presented with distribution information at the Environment Committee meeting in February 2018 and it was agreed that “distribution is managed through Environmental Health – Health and Well Being staff visiting homes through Affordable Warmth or Home Accident / Energy Efficiency Programmes and liaising directly with the Community and statutory organisations working in this area.” This would be available to SMT members as circulated with the	EH	End March 18

		Environment committee papers as part of the council governance process. Also discussed at SMT on 31/3/18. Further discussion took place at March. Environment Committee meeting and it was agreed in addition to the detail above that elected Members would not be part of the distribution process.		
3. Agree the distribution strategy of the packs remaining in storage urgently to allocate packs to the deprived people during this cold season.	Accept	Discussion with PHA Rep regarding the distribution of the packs in storage. Discussion around the outcome of the Environment Committees. Decision to distribute the remainder of the current stock through the main voluntary and community groups in Cookstown and Magherafelt with remainder through EH staff. Plan being put in place for September 2018. Distribution through the Agewell project in short term based on identification of eligible clients.	EH	End September 18
4. Reiterate the importance of achieving the objectives of the scheme to the Council and to ensure adherence to the Code of Conduct for Councillors whilst performing Council duties to the Public. Any activities channelled through the Council should not be used or perceived to be used for any political gain.		Outside the EH remit. Decision at Council for elected members not to be part of the distribution method.	EH	End March 18
5. Document the agreed accountability and distribution strategy.	Accept	Detail on the distribution contained in Environment Committee papers. Distribution information to be documented for EH staff.	EH	End April 18
6. Ensure there is a transparent audit trail retained on file between packs received, issued and reported to the PHA.	Accept	Spreadsheet designed for larger distribution to the C&V sector as PHA do not require individual forms for larger Distribution. Individual delivery to have individual form completion and storage of all forms for easy retrieval in	EH	End April 18

		each office location as determined by the retention and disposal policy and funding arrangements.		
7. All records should be retained in an organised manner for ease of future retrieval and supports the achievement of the objectives of the scheme.	Accept	As above as per funding requirements and the retention and disposal policy.	EH	End April 18
8. Establish a stock control system for the packs.	Accept	Stocktake spreadsheet to be compiled per batch delivery of Keep Warm Packs.	EH	End April 18

Keep Warm Packs Distribution

1.0 The Keep Warm Packs are available for distribution to those who meet ALL of the following 3 Criteria:

1. Are experiencing fuel poverty and
2. Have not received a Keep Warm Pack from a different source and
3. Fall into at least one of the following six categories:

(i) A person with a long-term health condition including; an underlying illness that makes them more vulnerable in colder weather (e.g. asthma; chronic bronchitis or emphysema; coronary heart disease; stroke) or a physical or mental health condition which results in them spending more time at home.

(ii) A person with a disability that makes them less mobile or means they need to spend more time at home.

(iii) Anyone aged over 65 years old.

(iv) A family with dependent children.

(v) Pregnant women

(vi) A person who is homeless.(Packs are primarily designed to help individuals stay warm indoors)

2.0 Following discussion at the Environment Committee in December 2017 and ratification at Full Council on 14th December 2017 it was agreed that the distribution process for **eligible** recipients would be managed through the Environmental Health Department in the following manner:

- Environmental health staff working in Heath & Wellbeing (H&WB) roles
- Environmental Health Officers carrying out visits to homes for other reasons.
- Through any referrals received from Community Planning Health Partners and local Health and Social Care Services within Mid Ulster area.
- Depending on availability, distribution can be made through established local community groups who work closely with those in poverty and/or vulnerable households. These groups will be determined based on local knowledge, previous legacy arrangements and cross referrals from other agencies.

3.0 Following further discussion at the Environment committee meeting held on 13th March 2018 it was resolved

“That it be recommended to Council that Members submit detail of those who should receive a Keep Warm Pack to Council officers for determination and distribution”

Decision ratified at Full Council meeting held on 22nd March 2018. This removed distribution through elected representatives.

4.0 All forms completed for those packs distributed to individuals require to be filled in and returned to the Senior EHO (H&WB) for retention in line with Mid Ulster District Council Retention policy.

5.0 A spreadsheet requires to be completed by V&C organisations responsible for distribution through their organisations and returned to the Senior EHO(H&WB) for retention in line with Mid Ulster District Council Retention policy.

6.0 In addition to routine supervision, a review of distribution will take place at regular intervals in year.

7.0 Keep Warm Pack stocktake spreadsheet to be kept up to date

(Updated 26th April 2018)

Report on	Building Control Workload
Date of Meeting	8th May 2018
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

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> <p>a Full Applications - submitted with detailed working drawings.</p> <p>b Building Notices - minor work not usually requiring detailed plans, e.g. provision of insulation to roof space, etc.</p> <p>c Regularisation Applications – where work has been carried out without an approval, an application must be submitted for retrospective approval.</p>		
3.0	Main Report		
3.1	Workload Analysis	April 2018	Accumulative 2018/19
	Total number of Applications	135	135
	Full plans applications received	52	52
	Building Notices applications received	60	60
	Regularisations applications received	23	23
	Estimated value of works submitted	£9,383,486	£9,383,486
	Number of inspections carried out by Building Control Officers	882	882

	Commencements	162	162
	Domestic Dwellings	51	51
	Domestic alterations and Extensions	105	105
	Non-Domestic work	6	6
	Completions	169	169
	Domestic Dwellings	46	46
	Domestic alterations and Extensions	108	108
	Non-Domestic work	15	15
	Property Certificates Received	138	138
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 - April 2018

Applicant	Location of Development	Details of Development	External value of development
Farasha Properties Ltd	Off Ballynorthland Demense, Dungannon	Erection of 19no Apartments with basement carpark (floor area 1,750m ²) B.C. fee - £6511	£1,751,650
St Marys Church	68 Mayogall Road, Gulladuff	Extension & Refurbishment of Chapel (floor area 96m ²) B.C. fee - £6,791	£1,385,202
N & R Devine	Gallion Glen Cookstown	Erection of 14no. Dwellings (Ave floor area 133m ²). B.C. fee - £3,065	£1,228,800
Upper Clonaneese Presbyterian Church	4a Clontyclevin Road Dungannon	Erection of Church Hall (floor area 657m ²) B.C. fee - £3,860	£683,937
NI031025 Ltd	Brookfield Dungannon	Erection of 8no. Dwellings. (Ave floor area 112m ²) B.C. fee - £2,229	£571,520
T Fanthorpe	Off Trewmount Road Moy	Erection of office & industrial units. (floor area 732m ²) B.C. fee - £3,060	£523,752

Appendix 1

J & V Construction Ltd	Sycamore Drive Dungannon	Erection of 6no. Dwellings (Ave floor area 81m2). B.C. fee - £1,495	£311,040
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Report on	Entertainment Licensing Applications
Date of Meeting	8th May 2018
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

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	<p>The Council has responsibility for Licensing Places of Entertainment in accordance with The Local Government (Miscellaneous Provisions) (NI) Order 1985.</p> <p>Entertainment Licensing applications are received on a continued basis across the District.</p> <p>Statutory Consultations are carried out with PSNI and NIFRS for each entertainment licence application (grant or renewal) submitted.</p>
3.0	Main Report
3.1	<p>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.</p> <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

	<p>3 Details of current public liability insurance for premises</p> <p>4 Copy of public advertisement in local press</p> <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.</p> <p>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	<p>Appendix 1 – Schedule of applications received for the Grant/Renewal of Entertainment Licences.</p> <p>Appendix 2 – Schedule of Entertainment Licence applications, which have been granted/renewed.</p>

Appendix 1

Schedule of applications received for the Grant/Renewal of Entertainment Licences in April 2018

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
G Callaghan	The Rathmore Bar	125-127 Main Street Clogher	Annual	Monday To Saturday From : 11.30 To : 01.30 Sunday From : 12.00 To : 22.00	93
P McCann	Brewery Lane Bar	58 William Street Cookstown	Annual	Monday To Saturday From : 11:30 To : 01:00 Sunday From : 12:00 To : 24:00	80
M Scott	Gauger's Inn	99 Shore Road Magherafelt	14 Unspecified Days		500

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
A Robson	Corick House Hotel	20 Corick Road Clogher	Annual	Monday To Sunday From : 09:00 To : 02:00	1362
M Wray	Clogher Valley Community Centre	9a Irish Street Augher	14 Unspecified Days	Monday To Sunday From : 10:00 To : 01:00	260
N Barnes	Drumnacross Orange Hall	15 Glenarny Road Cookstown	14 Unspecified Days	Monday To Saturday From : 18.30 To : 01.00	160
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 : 01.30	560
E McGovern	Tirgan Community Recreation & Social Club	36 Tirgan Road Moneymore	Annual	Monday To Sunday From : 10.00 To : 01.00	201

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
MUDC	Meadowbank Sports Arena	45 Ballyronan Road Magherafelt	14 Unspecified Days	Monday To Friday From: 08.00 To: 23.00 Saturday & Sunday From: 09.00 To: 23.00	500
M Roulston	Ardtara Country House	8 Gorteade Road Maghera	Annual	Monday To Sunday From : 18.00 To : 01.00	100

Appendix 2

Schedule of applications issued for the Grant/Renewal of Entertainment Licences in April 2018

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours Granted
MUDC	The Bridewell	6 Church Street Magherafelt	Annual	Monday To Friday From: 08.00 To: 01.00 Saturday & Sunday From: 08.00 To: 24.00
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

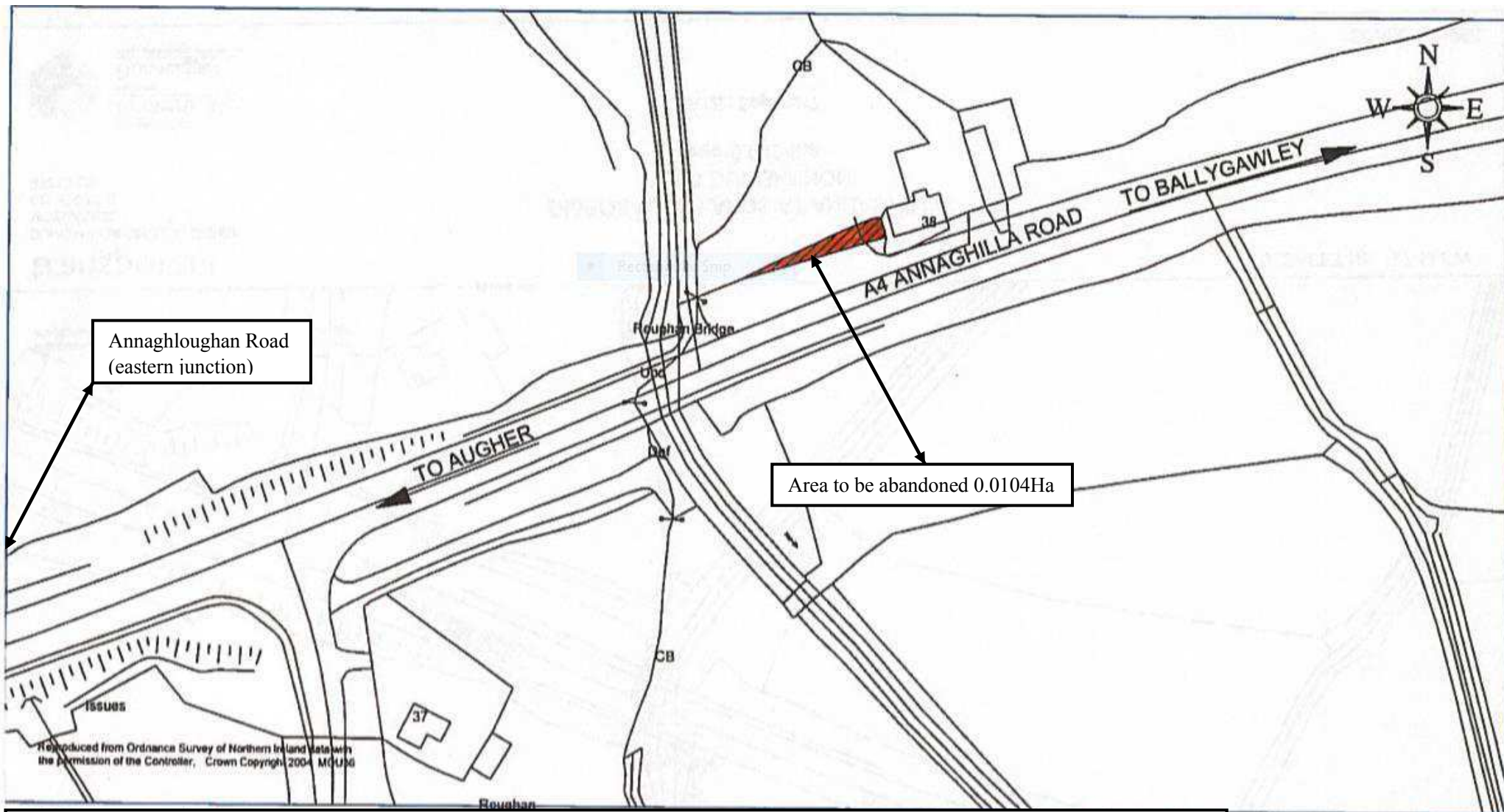
Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours Granted
O Mulligan	Mulligans	33 Chapel Street Cookstown	Annual	Monday to Thursday From: 12.00 To: 23.00 Friday & Saturday From: 12.00 To: 01.00 Sunday From: 12.00 To: 24.00
L Daly	Eglis St Patrick's GAA	109 Killyliss Road Dungannon	14 Unspecified Days	Monday To Sunday From: 18.00 To: 02.00

Report on	DfI Proposals for Abandonment of Road at Annaghilla Road, Augher
Date of Meeting	8 May 2018
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

1.0	Purpose of Report
1.1	To inform Members of the Department of Infrastructure's intention to carry out an abandonment of road at Annaghilla Road, Augher.
2.0	Background
2.1	The Department for Infrastructure are informing Council of their proposals to carry out an abandonment of road at Annaghilla Road, Augher.
3.0	Main Report
3.1	Under Article 68(1) of the Roads Order 1993, the Department for Infrastructure proposes to make an Order to abandon 104 square metres of road comprising verge at No. 38 Annaghilla Road, Augher.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None at this juncture
	Human: None at this juncture
	Risk Management: None at this juncture
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None at this juncture
	Rural Needs Implications: Nione at this juncture

5.0	Recommendation(s)
5.1	That the Environment Committee notes the content of the report.
6.0	Documents Attached & References
6.1	Appendix 1 Drawing – Proposed location of abandonment of road at 38 Annaghilla Road, Augher
6.2	Appendix 2 Roads Order – The Annaghilla Road, Augher, Dungannon (Abandonment) Order (NI) 2018
6.3	Appendix 3 Copy of the Statutory Notice



DEPARTMENT FOR INFRASTRUCTURE

Map No. IN1/18/160073 referred to in “The Annaghilla Road, Augher, Dungannon (Abandonment) Order (Northern Ireland) 2018” made by the Department on 2018 and coming into operation on 2018.

©Based upon the Ordnance Survey map with the Permission of the Director and the Chief Executive.

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SCALE 1:1250

O.S. SHEET No. 177 14 SW

SCALE 1 : 1250

2018 No.

ROADS

**The Annaghilla Road, Augher, Dungannon (Abandonment)
Order (Northern Ireland) 2018**

Made - - - - 2018

Coming into operation - 2018

The Department for Infrastructure^(a) makes the following Order in exercise of the powers conferred by Article 68(1) of the Roads (Northern Ireland) Order 1993^(b) and now vested in it^(c).

The Department in accordance with Article 68(4) of that Order proposes to abandon the area of road described in the Schedule as it is not necessary.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

(Here will follow where appropriate, recitals of the fact of any objections received or enquiry held and the outcome thereof).

Citation and commencement

1. This Order may be cited as The Annaghilla Road, Augher, Dungannon (Abandonment) Order (Northern Ireland) 2018 and shall come into operation on 2018.

Application

2. The area of road described in the Schedule is abandoned.

Sealed with the Official Seal of the Department for Infrastructure on 2018

(L.S.)

A senior officer of the Department for Infrastructure

^(a) 2016 c. 5 (N.I.)

^(b) S.I. 1993/3160 (N.I. 15)

^(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

SCHEDULE

Article 2

AREA OF ROAD TO BE ABANDONED

An area of 104 square metres of road comprising verge adjacent to No. 38 Annaghilla Road, Augher, Dungannon, extending from a point 226 metres north-east of its eastern junction with the Annaghloughan Road for a distance of 35 metres in a north-easterly direction, more particularly delineated and shown hatched and coloured red on map number IN1/18/160073.

A copy of the map has been deposited at the Department's Headquarters, Room 301, Clarence Court, 10-18 Adelaide Street, Belfast and at DfI Roads Southern Division, County Hall, Drumragh Avenue, Omagh.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abandons the area of road described in the Schedule.

Abandonment - Augher, Dungannon

The Department for Infrastructure (DfI), being of the opinion that the road is not necessary proposes to make an Order to abandon 104 square metres of road comprising verge at No. 38 Annaghilla Road, Augher, Dungannon.

The area of road proposed to be abandoned is delineated on a map which, together with a copy of a draft order, may be inspected free of charge during office hours within the period from 24 April 2018 to 4 June 2018 at DfI Roads Western Division Depot, Main Road, Moygashel, Dungannon or viewed online at www.infrastructure-ni.gov.uk

Any person may, within the period above, object to the proposal by writing to the Department at DfI Roads Western Division, County Hall, Drumragh Avenue, Omagh, BT79 7AF or by emailing dfiroads.western@infrastructure-ni.co.uk stating the grounds of the objection. Information you provide, including personal information, could be published or disclosed under the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations (EIR). For further details on confidentiality, the FOIA and the EIR please refer to www.ico.org.uk



Report on	Cleaner Neighbourhoods Survey/Report 2017/18
Date of Meeting	8 th May 2018
Reporting Officer	Mark McAdoo, Head of Environmental Services
Contact Officer	Mark McAdoo, Head of Environmental Services

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 the results of the annual Cleaner Neighbourhoods Survey/Report.
2.0	Background
2.1	Keep Northern Ireland Beautiful (KNIB) is an independent charity that works with the Department for Agriculture, Environment and Rural Affairs (DAERA) local Councils and businesses to assist in improving our local environmental quality and increasing the cleanliness of our towns and countryside.
2.2	The Cleaner Neighbourhoods Report for 2017/18 was published by KNIB on 27 th March. This report is based on a number of sources: the litter and cleanliness data comes from a survey of 1,097 individual transects covering approximately 55km (or 34 miles) of streets and parks across all 11 Council areas, while fixed penalty records, spend on street cleansing data and information on enforcement and education activities was collected directly from individual local authorities
3.0	Main Report
3.1	One of the key finding findings of the report is that for Northern Ireland, as a whole, when it comes to litter, rural areas have the highest amount of litter across the country, with up to 13 times the amount of litter found in our town and city centres.
3.2	Across all Council areas, 39% of rural transects failed the accepted standard for litter, compared to 13% for secondary retail areas and only 3% for primary retail zones. This may be due to scarce resources increasingly being focused on areas with a higher footfall, or Councils being careful not to put their staff in harm's way on country roads. Subsequently, the proportion of litter coming from motorists overall has increased from 26% to 30%, as 95% of the litter in rural areas comes from passing vehicles.
3.3	However the percentage of transects completely free of litter has seen a leap from 5% to 12%, the highest it has been since the litter reports began in 2010. Furthermore, the report also states that the average number of surveyed transects across all land uses that failed has remained steady from last year at 15%, while those suffering from dog fouling has also stayed the same at 6%.

3.4	Levels of engagement and education have also increased proportionately throughout the year, with over 111,000 people getting involved with civic pride initiatives through the Live Here Love Here campaign and 273 schools earning the right to fly the coveted Green Flag, the pinnacle of the Eco-Schools programme.
3.5	The number of Fixed Penalty Notices issued by Council Enforcement Officers has dropped however, down 13% on last year's figures.
3.6	<p>The key findings for Mid Ulster District Council; which reflect well on the operational and educational work carried out by Environmental Services staff, are as follows:</p> <ul style="list-style-type: none"> • Mid Ulster had the lowest percentage of transects which fell below the required standard for litter (7% compared to N Ireland average of 15%) • Mid Ulster District Council achieved the joint best litter LEAMS survey score (76 compared to N Ireland average of 70) despite issuing the lowest number of fixed penalty notices (12 compared to N Ireland average of 287) • Mid Ulster has the highest number (and percentage) of schools that have achieved a Green Flag under the Eco Schools Programme
3.7	The report concludes with a number of recommendations for combating the littering problem, which tie in with the publication of recent EU Waste Directive Amendments.
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: The report identifies that rural areas are disproportionately affected with 39% of rural transects surveyed with unacceptable levels of litter.
5.0	Recommendation(s)
5.1	Members are asked to note the content of this report and results of the annual survey.
6.0	Documents Attached & References
6.1	KNIB Cleaner Neighbourhoods Report 2017/18

Cleaner Neighbourhoods Report 2017/18



**KEEP
NORTHERN
IRELAND
BEAUTIFUL**


Keep Northern Ireland Beautiful is the charity that inspires people to create **cleaner, greener and more sustainable communities**. Through our behaviour change campaigns and education on local, national and global environmental issues we are working to **improve the quality of people's lives, the places they live in and the places they love.**

Key facts and figures at a glance for the period 2017-2018

15% The number of transects failing to meet the accepted standard for litter has remained at **15%** from last year

6% The percentage of transects with dog fouling present has held steady at **6%**



273  schools earned the right to fly a green flag, **25%** of all schools in the country

12% of transects surveyed were completely **free of litter**, up **7%** from last year

5% The spend on street cleaning services has gone up **5%** to **£45,562,534**

437

In 2017, there were an average of **437** litter items washed up by the tide per **100m** of Northern Irish beach, of which **82%** was plastic

3,158

Fixed Penalties were issued for **littering** during 2016-17

(the last complete year for which records are available)



30% of the operational time accrued by a mechanical sweeping machine is wasted because **obstructions prevent them from reaching the curb or pavement backline**



256

Adopt A Spot

groups have **adopted a spot** in their local area, committing to undertake four clean ups per year in 2017-18



322 

Fixed Penalties were issued for **failing to clean up dog fouling** during 2016-17

(the last complete year for which records are available)

Foreword

At last, it has dawned on us all that pollution from litter, particularly single use plastics, is having a deadly effect on our fragile Earth. The BBC's excellent Blue Planet 2 and Sky Ocean Rescue are just two of the high profile media programmes to help bring home the horrific scale of the problem. No-one can now claim ignorance as an excuse for their littering.

Perhaps we were seeing the start of that awareness in the Live Here Love Here research carried out in March 2017, when we saw the percentage of people admitting to littering dropping to one in four people, down from one in three the previous year.

Could this be part of the reason that, whilst transects failing the litter standards (15%) and prevalence of dog fouling (6%) have held steady, we have seen a significant rise of transects that are entirely free of litter, up from 5% in 2016/17 to 12% in 2017/18? We know, however, that awareness and logical arguments won't often win the day. The environmental sector needs to better communicate those impactful stories that really provoke and stimulate behaviour change. Strong government action is crucial in combatting pollution and legislation may be necessary to ensure improvements in reducing the amount of non-recyclable materials being littered on a daily basis.

With waste and litter being devolved legislative matters the lack of a Northern Ireland Assembly is a real hindrance. Such a void for such a long period of time is disturbing and prevents any progress at the very time when litter pollution is top of the global news agenda. The political context is challenging, not least for those at the Department for Agriculture, Environment and Rural Affairs (DAERA), who have championed the levy on single use carrier bags, the development of a marine litter strategy and ongoing investment in the data collection detailed in this report.

Let me conclude on a more positive note.

Keep Northern Ireland Beautiful, as the Northern Ireland member of the European Litter Prevention Association, has been working hard to get litter on the wider policy agenda. As I write, we are on the brink of an historic event, with the inclusion of litter in the EU Waste Directive amendments (see page 23). At the heart of this is the explicit requirement on both producers and member states to finance and implement litter awareness-raising and prevention campaigns. Irrespective of the impact of Brexit, this is a clear direction of travel and a real opportunity for more producers to join Wrigley's, Coca Cola and McDonald's, and show their commitment to being part of the solution to littering.

The amendments also require the development of a national litter prevention strategy to combat all forms of littering; something Keep Northern Ireland Beautiful has consistently called for in the recommendations in this report. If all goes well this should be implemented by May 2020. We may all hold our breath.

Dr Ian Humphreys

CHIEF EXECUTIVE,
KEEP NORTHERN IRELAND BEAUTIFUL



Executive summary

Keep Northern Ireland Beautiful is an independent charity that works with the Department for Agriculture, Environment and Rural Affairs, local Councils and businesses to assist in improving our local environmental quality and increasing the cleanliness of our towns and countryside.

Our work includes managing Live Here Love Here, the largest single civic pride and volunteering campaign in Northern Ireland with over 111,000 supporting our campaign in 2017/18. We also manage the Eco-Schools environmental education programme and the marine litter survey, which can be viewed and downloaded at: www.KeepNorthernIrelandBeautiful.org/marinelitter

This report is based on a number of sources: the litter and cleanliness data comes from a survey of 1,097 individual transects covering approximately 55km (or 34 miles) of streets and parks across all 11 Council areas, while fixed penalty records, spend on street cleansing data and information on enforcement and education activities was collected directly by Keep Northern Ireland Beautiful from individual local authorities.

Findings & Insight

- 15% of transects surveyed failed to make the acceptable standard for cleanliness. This is unchanged from last year and shows that more needs to be done for progress to be made across the board. However, with the number of transects completely free of litter increasing from 5% to 12%, it is clear that more resources are being deployed to certain areas. This is the highest level of total cleanliness observed since the Northern Ireland Litter Report began in 2010.
- The incidence of dog fouling has also held steady, with 6% of transects being affected once again. Although High Obstruction Residential areas had the highest percentage of transects affected at 11%, recreational areas actually had the highest fouling rate, at 2.25 per transect. This is perhaps due to the cluster effect, i.e. one dog foul attracting more dog fouts.
- Rural roads and Industrial Shed and Retail areas seem to be disproportionately affected by litter when compared to residential, recreational and other retail areas. 39% of rural transects failed in our surveys, compared to only 3% in Primary Retail. This could be because cleansing resources are being focused on the areas with higher footfall and greater visibility.
- There was also a disparity between Low Obstruction and High Obstruction Residential areas. The failure rate for the low obstruction area was only 3 transects in every 100, the joint lowest score in the survey, whereas the high obstruction areas were five times dirtier, with 15% of transects failing. This is perhaps due to the more restricted access to the kerb and pavement for mechanical sweepers in these areas.
- Obstruction to road and pavement sweeping has dropped by an average of 7% across all land uses and Council areas, increasing the amount of litter being collected by mechanical means.
- While the annual spend on cleansing has increased by 5%, the amount of fines being issued for litter and dog fouling has decreased by 13%. This perhaps shows a missed opportunity by Councils, when the cost of cleaning our streets and open spaces could be offset by the revenue generated from littering offences.

At the end of the report, a number of recommendations have been made as to how we can all move towards a litter free future together. They cover both national and local policy makers, but it has to be stressed that we can all do our part when it comes to keeping Northern Ireland beautiful.



Interpreting this report

Benchmark in this report refers to the process of comparing the performance of one council against another, or of comparing NI results to those of other regions of the UK.

Baseline refers to the average of the results of the NI Litter Surveys carried out in 2012, 2013 and 2014 with the data mathematically weighted to reflect the amended landuse ratios used in subsequent surveys. Consequently, 'weighted baseline' figures may be different from those given in previous reports.

Transect is the term given to an individual survey site. For this survey it is a length of pavement 50m long, extending from the backline into the gully. In recreational areas it is either a 50m length of path plus 1m into the grass on either side, or an area of open space approximately 100m², depending on which is more appropriate.



Keep Northern Ireland Beautiful



Keep Northern Ireland Beautiful is the charity that inspires people to create cleaner, greener and more sustainable communities.

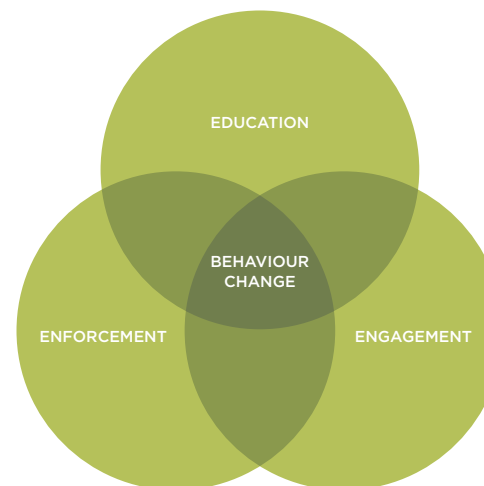
Through our behaviour change campaigns and education on local, national and global environmental issues, we are working to improve the quality of people's lives, the places they live in and the places they love.

Keep Northern Ireland Beautiful provides a range of programmes, services and initiatives that include:

Environmental Education: Eco-Schools is the world's largest environmental education programme. Focused on behaviour change, it encourages pupil led action. Northern Ireland is the first country in the world to have all its 1,152 schools participating and 25% fly the Green Flag, having reached the international standard.

Engagement and Volunteering: The BIG Spring Clean, a part of Live Here Love Here, mobilises tens of thousands of people every year in cleaning up their parks, sports pitches, streets and beaches. Live Here Love Here is raising the bar on anti-social behaviour by building civic pride and stronger communities.

Environmental Standards: Blue Flag for beaches and marinas, Seaside Awards, Green Flag for Parks, Green Key for the hospitality industry, the Green Business Award and the NI Environmental Quality Forum all help raise and maintain the quality of the places we live in and visit by setting national and international benchmarking standards.



For more information on our work contact:

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Northern Ireland Litter Survey

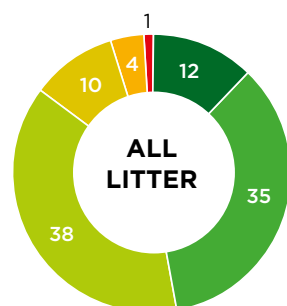
Keep Northern Ireland Beautiful have been collecting information about the amount and distribution of litter for over ten years.

Recognising in 2012 that litter was not the only indicator of the quality or cleanliness of a space, we began to monitor graffiti, flyposting and pavement staining, as well as specific information about dog fouling.

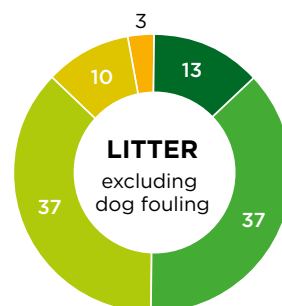
Readers should note that many of the statistics relate to the presence or absence of the indicator (e.g. litter or dog fouling), rather than the volume or amount dropped. Surveys are a snapshot of a site at the time surveyors arrive, so the results are sensitive to how thoroughly or how recently the survey site has been cleansed before data is recorded. Over the course of the 1,097 individual surveys, any effect this may have had is very likely to have been evened out.

The 2017/18 data was collected between July and October 2017.

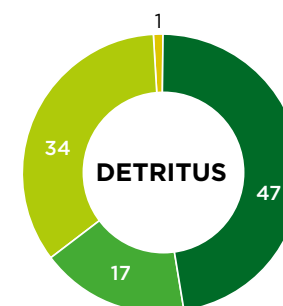
Councils that participate in the Keep Northern Ireland Beautiful Borough Cleanliness Survey receive additional detail, support and interpretation of this information online through our Data Hub resource. Currently, six Councils are participants in this programme.



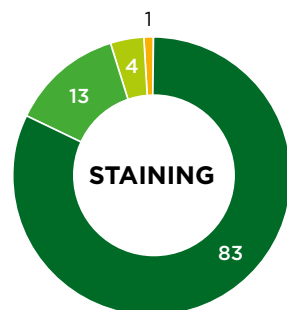
Litter is anything that is dropped, discarded or thrown down by anyone. It includes cigarettes, crisp bags, bottles and cans, receipts and many more things, as well as dog fouling.



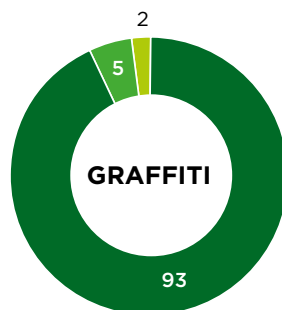
This is what the picture of litter would be like if we do not include dog fouling. We measure this because dog fouling is much more difficult for street cleansing to collect than other types of litter.



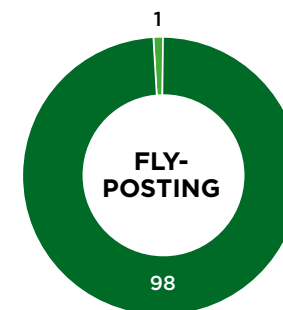
Detritus comprises small, broken down particles of synthetic and natural materials and includes dust, mud, soil, rotted leaf and vegetable residues, and fragments of twigs, glass, plastic and other finely divided materials.



Staining is all the substances that mark a pavement, and commonly includes chewing gum, oil, drinks stains and heavy discolouration.



Graffiti is writing or drawings scribbled, scratched, or sprayed illicitly on a wall or other surface in or visible from a public place. Murals and cultural artworks are not considered graffiti.



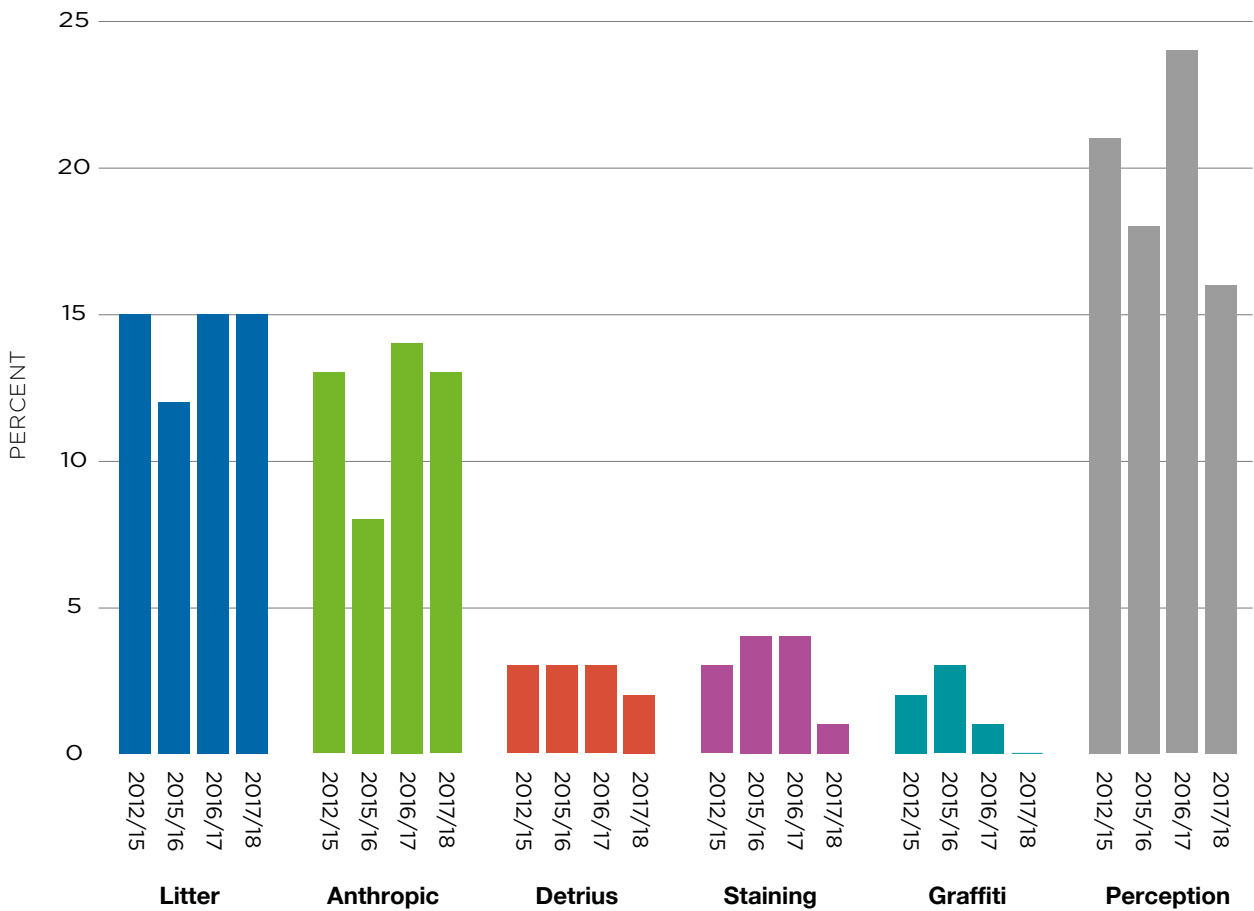
Flyposting is the placing of unauthorised advertising or posters in a public place, and includes stickers, bills and large posters.

KEY	
	Grade A (pass) Completely free of indicator (litter, detritus, graffiti etc.)
	Grade B+ (pass) Predominantly free of indicator apart from some small items
	Grade B (pass) Many small indicator items or one larger item
	Grade B- (fail) A few larger indicator items
	Grade C (fail) Many larger indicator items
	Grade C- (fail) Accumulations of larger indicator items
	Grade D (fail) Transect is heavily affected by indicator, both widespread and accumulated

The rings above show the percentage of transects surveyed that were allocated each of the seven grades available (see key). Each ring represents each of the different cleanliness indicators that we measure in our survey. Totals may not equal 100 due to the rounding up or down of figures to make whole numbers.

The trend in pollution indicators

2012-15 is the baseline against which current performance should be compared.



Flyposting has more or less been completely eradicated as a littering issue over the last few years thanks to monitoring, reporting and action from local authorities.

“Layby and area under hedge full of litter”

Rural road
Glengormley

“Pristine!”

Residential area
Ballyclare

“Build-up of detritus in parking bays”

Residential area
Antrim

“A few drinks bottles from sports events”

Playing fields
Randalstown

“No litter, but ridiculous amounts of graffiti!!”

Public walkway
Portadown

“Incredible concentration of alcoholic drinks bottles and cans”

Rural road
Armagh

“School kids smoking in the trees nearby – lots of cigarette packets and butts on the ground”

Residential area
Keady

“Cars parked all over the pavement”

Residential area
Belfast

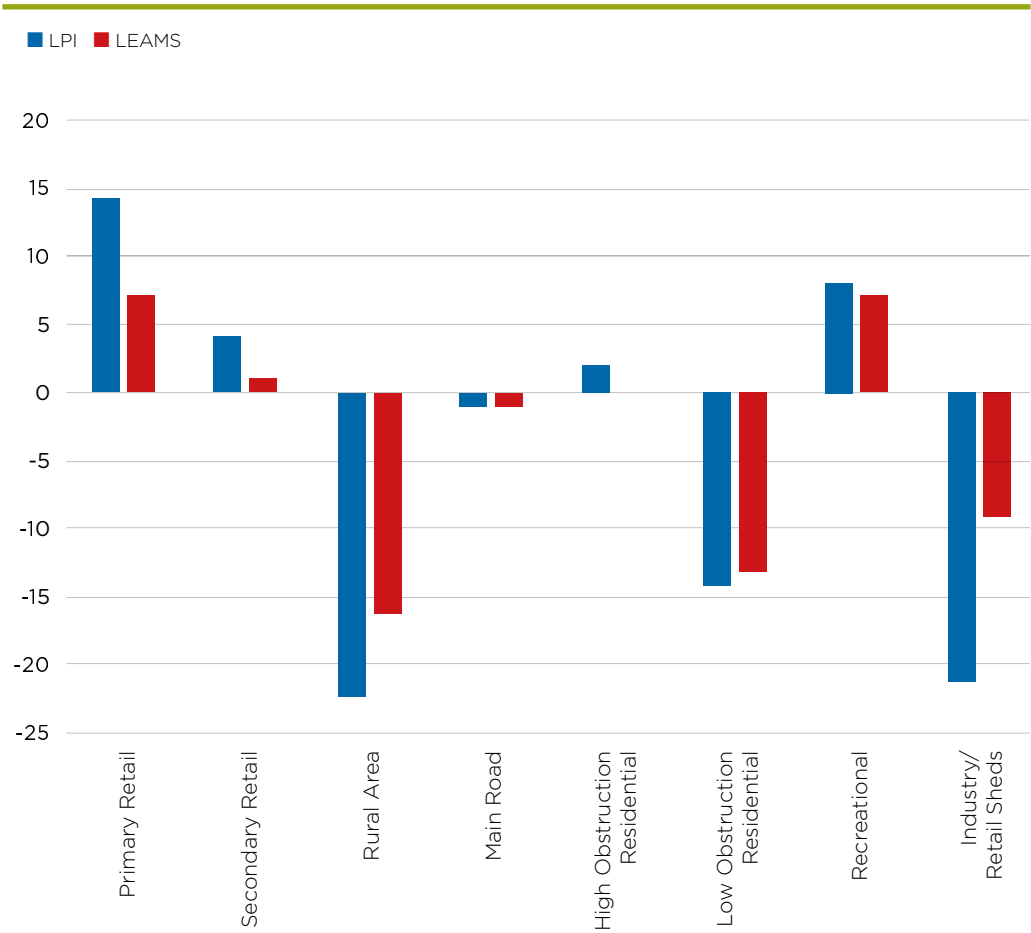
“Silly-string causing particular staining”

Children’s play area
Ballycastle

Local Environmental Audit & Management System

LEAMS is an alternative method of measuring litter and other indicators, which is used in both Scotland and Wales. Unlike the pass/fail indicator used in Northern Ireland, LEAMS scores are generated by assigning a value to each grade, and then calculating the average value of all the grades assigned. It differs from the Litter Pollution Index (LPI) in that a LEAMS score takes account of how clean or littered a transect is, rather than just whether it is a pass or a fail. For example, Councils A and B might both have an LPI of 12, indicating that 12% of their transects have failed to meet the acceptable standard for litter. However, if all of Council A's failed transects were 'grade D', but all of Council B's failed transects were 'grade C', then Council B would have a higher LEAMS score. This allows for a more accurate analysis of the survey data, which may be preferable for local authorities when setting targets or allocating resources.

LEAMS vs LPI (Relative to average)



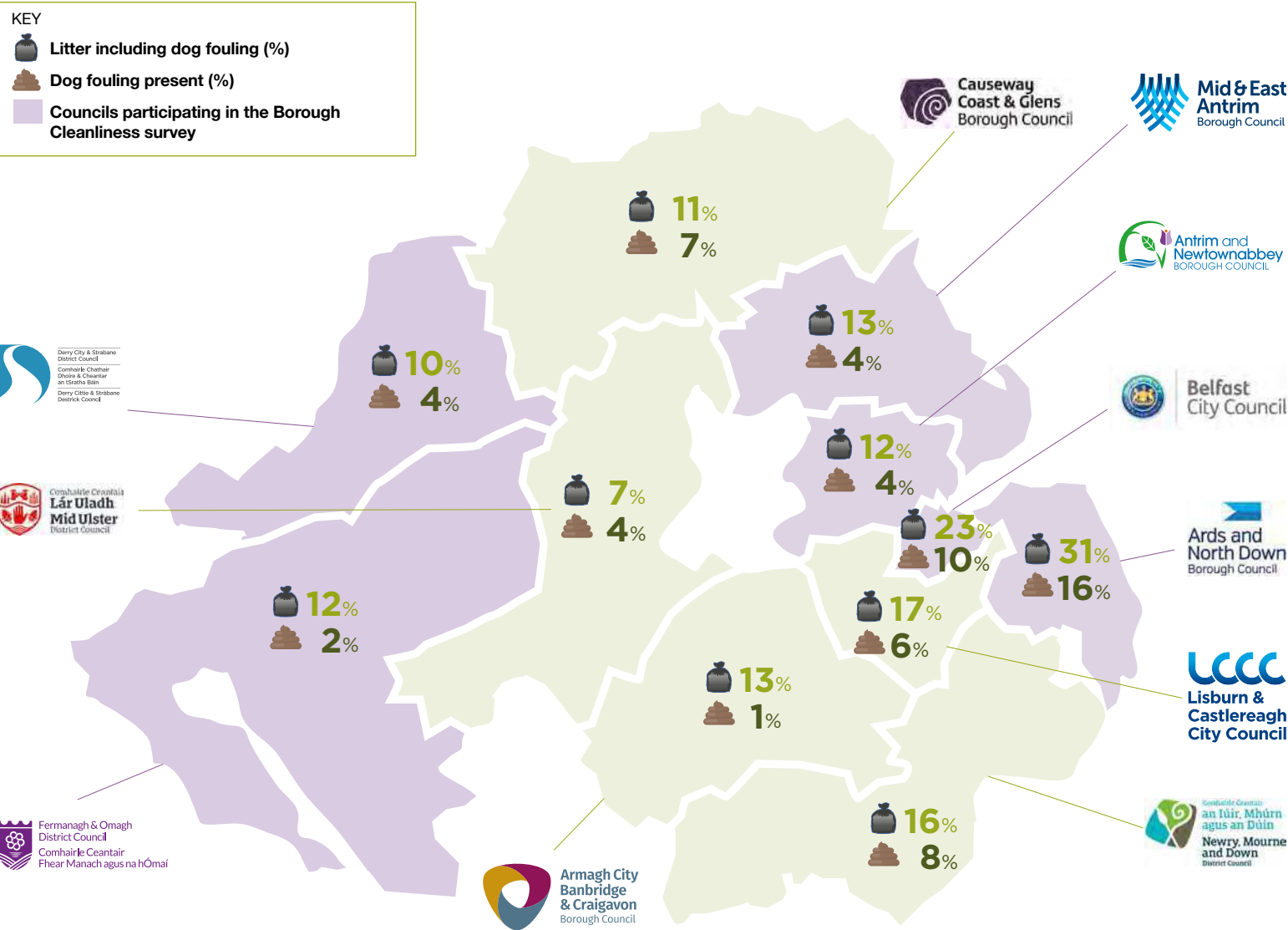
This graph gives a representation of how clean the eight land uses are in terms of both the Litter Pollution Index and the LEAMS score, relative to the mean for each system.

If we look at retail, for example, we can see that the LPI figure would suggest that the 'Primary Retail' transects are much cleaner than average (+14%), whereas the LEAMS score gives a more conservative figure (+7). This indicates that although they had a much better pass rate, they weren't completely clear of litter. Likewise, 'Industrial and Retail Shed' areas look to be much dirtier than average by their LPI (-21%), but with a LEAMS score 9 points below the average, not all the transects failed badly. Going by the LPI scores alone, a Council looking at the graph above might be tempted to divide scarce resources equally between 'Rural' and 'Industrial and Retail Shed' areas, as they appear to be equally as dirty. The LEAMS scores however, show that the rural transects surveyed were in fact dirtier than their industrial counterparts and probably have a greater need of those resources.

Mapped survey results for each Council

Transects badly affected by litter or dog fouling

The percentage of transects which fall below the required standard for litter, and the percentage of transects on which dog fouling was observed in each Council area.



Dog fouling

The improvement in rates of dog fouling across the eight different land uses has been one of the big success stories over the last two years. This year, figures have dropped in all areas apart from Main Road and High Obstruction Residential, although it should be noted that in both of these land uses the 2017/18 figures were still lower than those from 2015/16.

While High Obstruction Residential transects showed the highest incidence rate of dog fouling, it was actually recreational areas which appeared to suffer the most from the cluster effect. Transects affected by dog fouling showed an average of 1.49 dog fous across the eight land uses, whereas those in recreational areas alone had 2.25 dog fous. This may be the same dog using the same spot repeatedly, or the presence of dog fous may be signalling to other dog walkers that they don't need to pick up after their own dog.

There have been successful behavioural change, or nudging campaigns run by various Councils to directly address the issue of dog fouling. Keep Northern Ireland Beautiful has produced a number of posters to help with these initiatives, which are now available upon request. See our website for details.

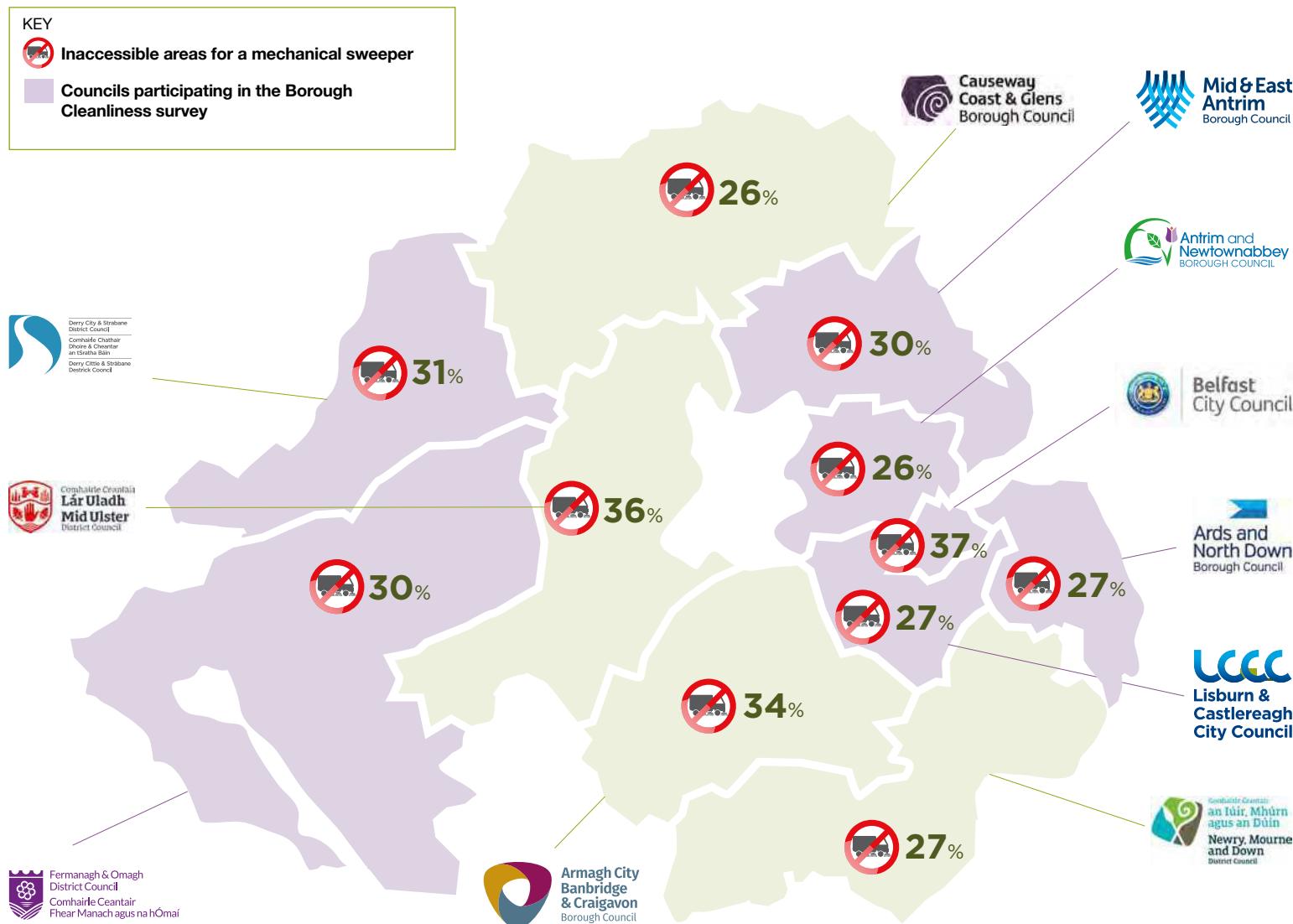
AVERAGE FOR ALL OF NI:

15%

6%

Obstruction to sweeping

The average percentage of each transect that a mechanical sweeper would not be able to access in each Council area. The analysis is based on the ability of standard-size sweepers to access the kerb and channel and for the smaller single-operator versions to travel along the pavement. The availability of such machines to Councils is not considered.



Obstruction to sweeping

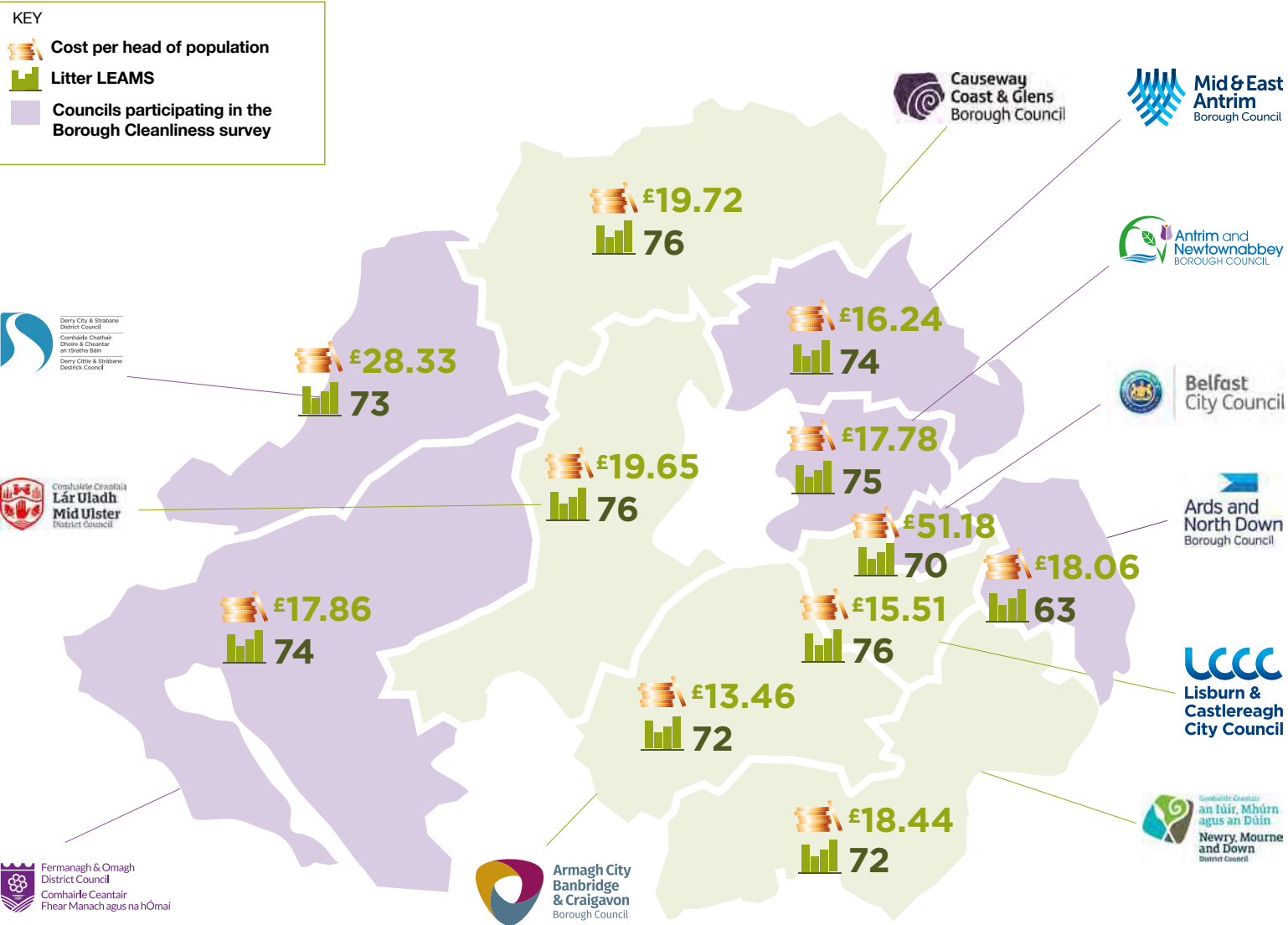
A significant issue in any cleansing routine is the ability to fully exploit the cleansing resources available. If a mechanical sweeper is unable to access an area then the choice becomes: a) leave any litter and detritus; b) task a sweeper on foot to an area, or c) schedule a return to an area in the hope that the obstructions will have moved. The majority of obstructions are parked cars preventing access to the kerb, but other obstructions, especially in retail areas, include fixed signs, movable signs, inappropriately placed street furniture and poorly designed sites that would prevent access, especially outside retail areas.

AVERAGE FOR ALL OF NI:

30%

Cleansing spend vs LEAMS

Litter LEAMS was calculated from survey data collected by trained surveyors between August and October 2017. Spending figures were collected from individual Council financial statements, which are available on Council websites (reported on 30/01/18), and the projected population of each Area from the NI Statistics and Research Agency.



Cleansing spend

The total average spend on street cleansing across all of Northern Ireland in 2016/17 was £45,562,532. With a total of 793,208 households in Northern Ireland this means that on average every rate payer was charged £57.44 for cleaning the streets, even if they are not personally a litterer.

Please note that these figures relate to 2016/17, and are therefore one year behind the figures in the rest of this report. Because of careful auditing and the public presentation process public finances go through, the approved figures are only made available in autumn of the following year.



AVERAGE FOR ALL OF NI:



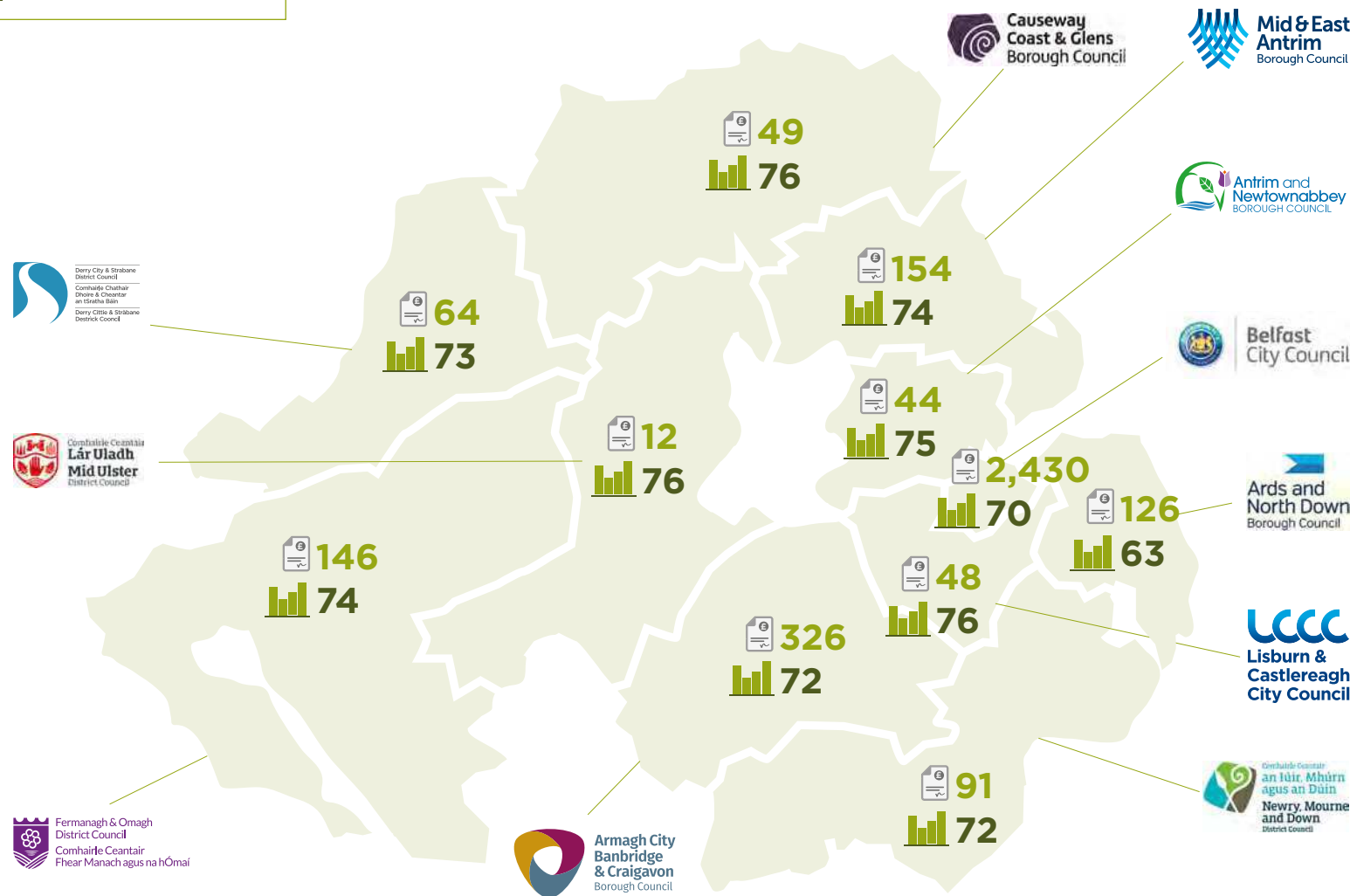
Fixed penalties vs LEAMS

FPN figures were provided by each Council in response to requests for the information. Litter LEAMS was calculated from survey data collected by trained surveyors between August and October 2017.

KEY

-  Fixed penalty notices issued
-  Litter LEAMS

AVERAGE FOR ALL OF NI:



Marine litter

Keep Northern Ireland Beautiful conducts four surveys on ten reference beaches every year on behalf of the Department for Agriculture, Environment and Rural Affairs.

This survey was designed to provide a baseline figure against which to measure progress toward what is termed Good Environmental Status (GES) under the European Marine Strategy Framework Directive.

In March 2018, Keep Northern Ireland Beautiful published their 2017 Marine Litter Report, receiving wide coverage across all media channels. The report highlights the many effects of marine litter, including the harm it poses to wildlife, along with the particular issue of microplastics.

The full report can be found here:

www.keepnorthernirelandbeautiful.org/marinelitter



Volunteers have removed close to 1,000,000 pieces of litter from ten beaches since the surveys began in 2012.

Between September 2012 and October 2017, an average of 510 items of litter were observed per 100m of beach around Northern Ireland. Those items break down as shown here:

Key





Live Here Love Here

In 2017, Live Here Love Here:

- Supported over 111,000 volunteers in clean-ups and other civic pride actions
- Removed 141 tonnes of litter
- Operated a Small Grants Scheme that was 5 fold over-subscribed, which supported 143 projects
- Developed and delivered significant media coverage including TV, outdoor and social
- Grew with the welcome addition of McDonalds from the business sector in 2017 and we are delighted to have Lisburn and Castlereagh City Council on board from 2018 onwards

Community Awards 2018

The Live Here Love Here Community Awards, hosted by Keep Northern Ireland Beautiful, celebrate the tremendous efforts of groups and individuals across the province who embody the values of Live Here Love Here. This year's event, held in the Belfast Harbour Commissioner's Office was sponsored by ISL Waste Management Ltd. Compered by TV Presenter Joe Mahon, the evening was filled with inspirational tales from volunteers who have and continue to instil pride in our local communities through practical environmental action.

Applications for the Live Here Love Here Community Awards 2019 will be launched late 2018 on our website at

www.liveherelovehere.org



These organisations are partners in Live Here Love Here (Lisburn and Castlereagh City Council from April 2018):



The Edge Youth Centre



Ballynahinch is a community often defined by high suicide rates or traffic jams on the way to Newcastle. Since beginning this project, we have seen a new definition for our town - unity, hard work and investment. We are seeing young people and their parents, grandparents, neighbours coming together for a cause that will bring about a space that will benefit the community on many levels. A space to connect and learn, qualifications, new hobbies and interests, new relationships, food for families struggling financially and the support to develop these skills in their own homes/ gardens, young people learning the importance of giving back and having an interest in our society etc. In the three months we have been building the garden I have seen an improvement in generations in our community finding a common interest, teaching each other new skills and seeking ways of using the tunnel to bring about support to the wider community.

A highlight for me has been the generosity in the volunteers offering their time and resources to help the construction process; from giving up time, taking holidays in their work to help us, donating items from their homes that they no longer use or see purpose for in garden etc.

Melmount & East Bank Estates Community Associations Forum

Our project was to develop a vacant piece of disused and over grown land within the Ballycolman Estate that would promote community cohesion, enhance the area concerned and engage local people in environmental initiatives. After consultation with the local community association it was felt that a mini allotment would best serve the project. Our area of concern suffers from high levels of deprivation and unemployment and has suffered greatly from our troubled past. The mini allotment would facilitate a safe and peaceful area for local residents to sit and ponder and find ease from stress related issues and concerns.



The mini allotment is aimed at encouraging our younger folk to take part in environmentally friendly initiatives that will enhance the immediate area and educate them on the varying aspects of a positively maintained environment as well as the healthy benefits of home grown produce. The project was delivered in conjunction with the Strabane Health Improvement Project which is made up of people from various backgrounds, ages and health requirements. A lot of these people suffer from alcohol and drug related issues arising from the political conflict and has such this project afforded them the opportunity to positively give something back to the local community as well as being appreciated and involved in local community action and development.

The project also brought together people from different religious and ethnic backgrounds in an initiative that allowed for the promotion of good community relations throughout the immediate area.



Before and after photographs of the project.

Education and awareness campaigns

Alongside the Live Here Love Here campaign, Councils and community organisations run various education initiatives and workshops which buttress wider-scale campaigning.

All eleven Councils were offered the opportunity to contribute a case study for this section.



Scoop that Poop

In January, Ards and North Down Borough Council launched a major new campaign aimed at reminding all dog walkers to 'Scoop that Poop' or face a hefty £80 fine. The Council is determined to address dog fouling as it has the potential to ruin residents' and visitors' enjoyment of our otherwise beautiful outdoor spaces. The key messages of the campaign are **supervise** your dog at all times, **pick up** their waste and **bin it** (any litter bin will do), and **report** offenders to help the Council target enforcement efforts where they will be most effective.

The campaign supports and reinforces the Council's recently transformed approach to bringing environmental vandals to task, with the number of dog fouling fines issued between 1 April and 31 December 2017 increasing by 68% and £62,000 worth of fixed penalty fines being imposed for dog control and littering offences.



Keeping with the environmental protection theme, this campaign was funded from a new fund established by Ards and North Down Borough Council using some of the landfill tax savings generated by the phenomenal response of householders to a range of new household waste recycling initiatives. The new £200k Recycling Community Investment Fund ensures that the Council 'pays back' to the community for its efforts on recycling, using saved landfill tax to help further protect and enhance the local environment of the Borough; this type of reinvestment will continue as long as the residents of the Borough continue to sustain and improve their recycling habits.



Adopt-a-Street

Adopt-a-Street is a scheme launched by the legacy Craigavon Borough Council in November 2013. Armagh City, Banbridge and Craigavon Borough Council currently supports groups across the Borough, who go out to clean and maintain their areas in between times that the street cleansing teams are there. The Council hands out litter pickers, gloves, bags and hi-viz gear if necessary and can offer collection of bags as part of the scheme. To date the Council has approximately 100 areas adopted and registered with the scheme.

The last recorded figures show that approximately 5,000 black bags of litter have been collected through the initiative.

Wheelie Big Challenge with Belfast City Council

2017 saw pupils from 34 Belfast schools investigate and engage in practical actions to reduce waste, particularly food waste, in school and at home by reducing, reusing and recycling. Botanic Primary School placed food caddies in all their classrooms and managed to reduce the food in their bins by over 90%. They went on to impress the judges at the Wheelie Big Challenge competition in June and scooped first prize and £500 for their eco work.

Ruth Van Ry, Environmental Education Manager, Keep Northern Ireland Beautiful said: *"The Wheelie Big Challenge is an action based, fun project and competition for all schools in Belfast to think about how they could improve the environment by reducing waste and recycling more. We are delighted to be once again supported by Belfast City Council and are looking forward to seeing all the interesting ideas from schools. We invite all school pupils in Belfast to put their eco-thinking caps on and get involved"*.

Alderman Tommy Sandford, Chair of the People and Communities Committee, Belfast City Council said: *"We are pleased to be working with Keep Northern Ireland Beautiful again on this competition, building on the success of the past few years. This competition gives schools the opportunity to win great prizes while helping to protect the environment and reduce waste disposal costs. With research showing that around a third of food is wasted, we hope this competition will encourage pupils and their families to think about the food they waste at home and in school and do something about it."*



Eco-Schools

Eco-Schools forms an important element of the anti-littering education package in most Councils in Northern Ireland.

The Eco-Schools programme was developed by the Foundation for Environmental Education, is actively run in 67 countries around the world and is acknowledged as the world's largest pupil led environmental education programme, engaging over 15 million young people. It also provides an excellent foundation for delivering many of the 17 Sustainable Development Goals. There are now 273 schools across Northern Ireland that have been awarded the coveted Green Flag, the pinnacle of the programme. As well as undertaking detailed learning on three environmental topics, schools must maintain a litter free environment to achieve the Green Flag. Schools are reassessed every two years, ensuring that all participating pupils receive regular anti-litter messaging.

At the heart of the Eco-Schools programme is a very simple 7-step process supporting long-term behavioural change and promoting the environmental message beyond the school gates into the surrounding community. Northern Ireland was the first country in the world to have every school registered with the programme.



Eco-schools operates with the support of:

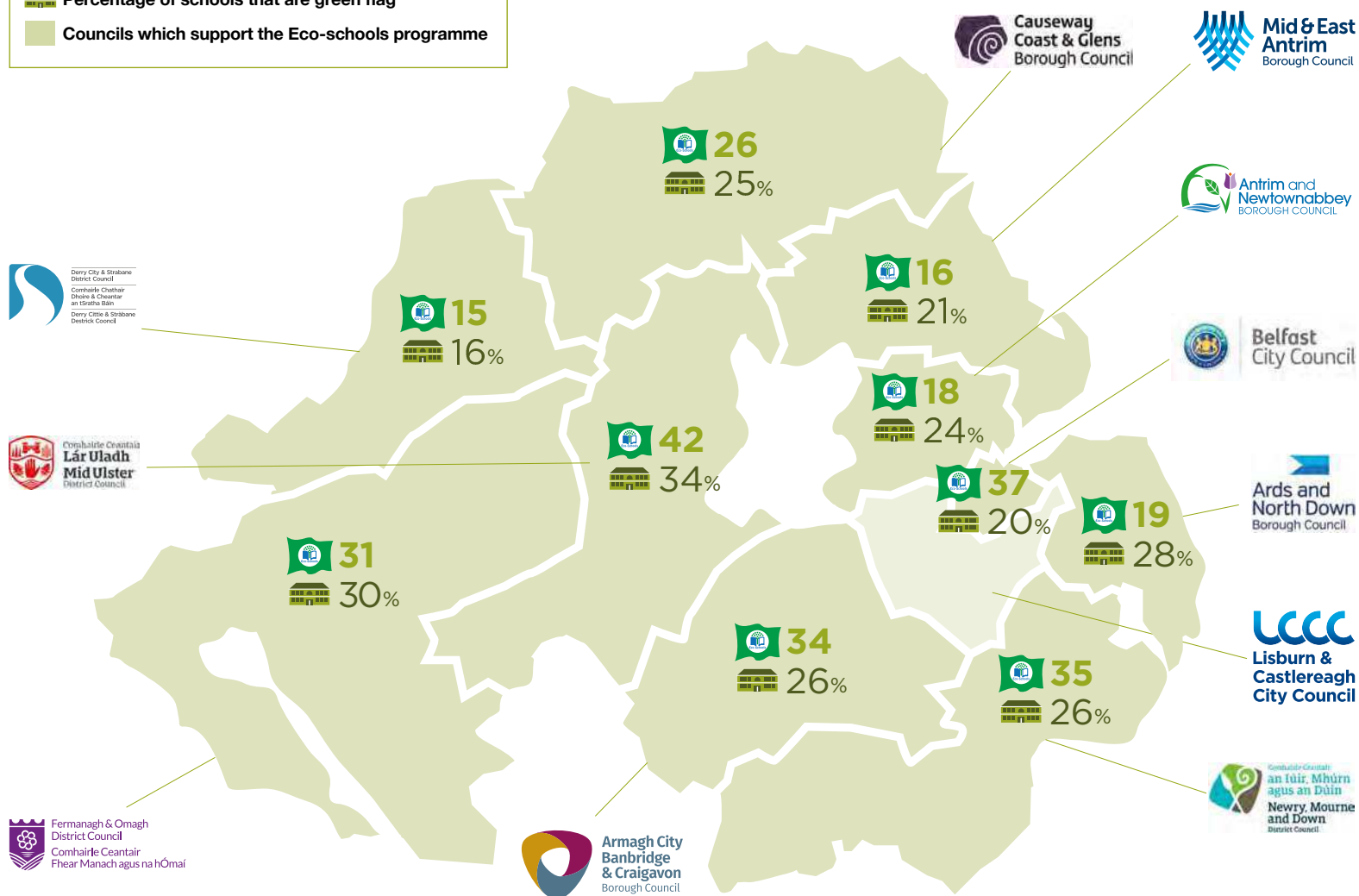
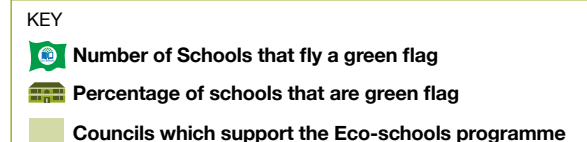


Eco-Schools green flags in Northern Ireland

Number and percentage of schools in each Council which held a Green Flag on 20/03/2018. Lisburn and Castlereagh City Council have committed their support to the programme from April 2018.

AVERAGE FOR ALL OF NI:

 25%



The figures for Lisburn and Castlereagh City Council will be reflected in next year's report.

The rural litter issue

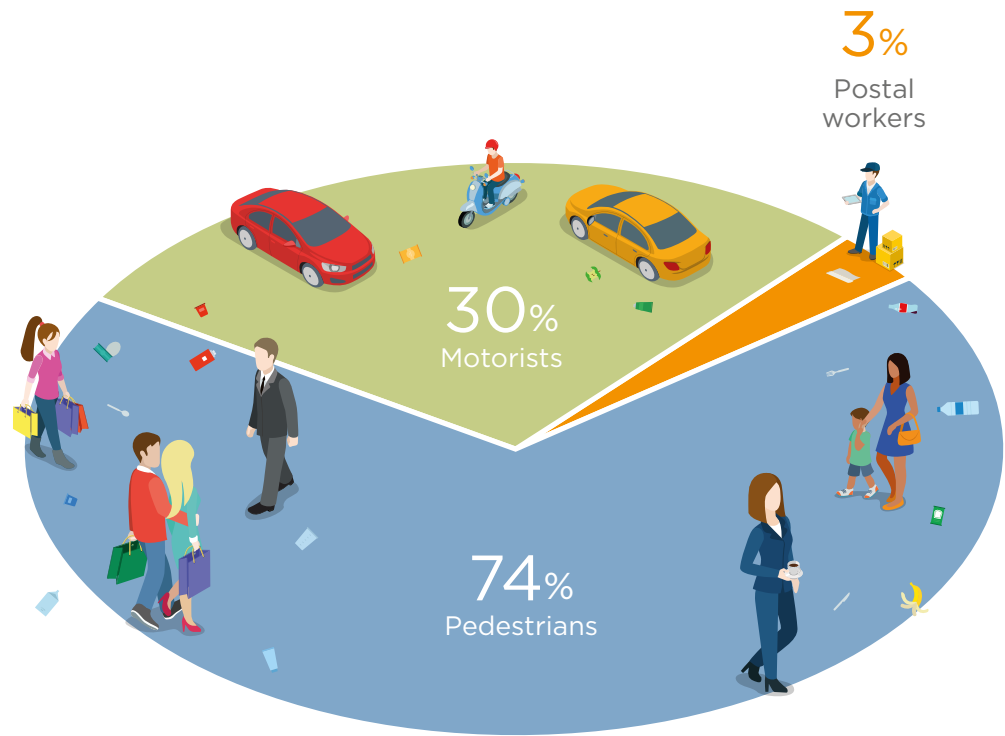


39% of rural transects surveyed in 2017/18 were unacceptably polluted by litter.

Compare this to both primary (3%) and secondary retail (13%) and it is clear that there is a difference in the volume of rubbish accumulating in these areas. This is most likely explained by the way cleansing resources are allocated to each area. In the main towns and cities, sweepers and teams of litter pickers are deployed on a daily basis, whereas very few Councils are able to clean the rural roads in their areas very often, due to fears over the health and safety of their staff.

* Average LPI across both Primary and Secondary Retail areas.

Sources of litter



During the survey, a decision is made by the surveyor as to the most likely source of the litter found in each transect.

The reasoning is based on type of litter, land use, footfall, presence of fast food outlets and the weather. The graphic above shows the four

most common sources of litter. It should be noted that multiple sources can be ticked for one transect. From the table below we can see that more litter is coming from motorists and less from pedestrians this year when compared to 2016/17. This is mostly due to the increase in rural litter, 95% of which comes from passing cars.

Sources	2016/17	2017/18
Pedestrian	77%	74%
Motorist	27%	30%
Postal workers	3%	3%



EU Waste Directive Amendments

For the first time ever, the EU is set to have a cohesive policy on litter and the prevention of littering set out in a legally binding text. This is potentially a monumental moment for all the EU member states, but how much of this will be transitioned across in the first instance to the UK and then adopted by our Northern Ireland Assembly after Brexit is yet to be seen.

The breakthrough actions are as follows:

- 1. Litter is a shared responsibility** between competent authorities, producers and consumers and they all must now play a defined role in the fight against littering behaviour.
- 2. Dropping litter must be an offence** across all member states and the penalties should be effective, proportionate and dissuasive.
- 3. National litter prevention strategies** must be adopted by member states as an integral part of their waste management plan to combat and clean up all forms of littering.
- 4. The link between land and marine litter strategies is key** to their success and member states must take full account of their EU marine environment and water directives when their national litter prevention strategies are being created.
- 5. Member states must identify and address products that are the main sources of littering and take measures to prevent and reduce litter from these sources.**
- 6. Producers must pay for public information and communication campaigns on the prevention of littering.** Products not covered by an existing scheme will now have to be included.
- 7. EU member states are required to develop and support campaigns** to raise awareness on the issue of waste prevention and littering.
- 8. The EU Commission is charged with promoting information exchange** between member states and those involved in producer responsibility schemes.

Keep Northern Ireland Beautiful has been campaigning for some of these steps to be taken for a number of years, as outlined in the recommendations of previous reports. These have evolved over time and our recommendations overleaf reflect on these recent amendments to the EU Waste Directive, along with other issues such as single use plastics that have captured the public's imagination and brought important issues into sharper focus.

Recommendations

These recommendations are what Keep Northern Ireland Beautiful believes would be necessary to meaningfully reduce littering, dog fouling and related environmental incivilities in Northern Ireland. We have given priority to those recommendations that deal with the cause, rather than the effects.

For national policy makers

1. **Northern Ireland needs a comprehensive litter strategy that tackles the causes of litter.** This would need to include a joined up approach across education, credible levels of enforcement, increased public engagement, and the sharing of scarce resources.
2. **Hold all bodies with responsibility to equal account.** Although not legally responsible for litter collection, the Department of Infrastructure, particularly Transport NI and the Rivers Agency, should be held to account on an ethical basis for the appropriate cleansing regime of all areas in their remit. This includes actively managing and penalising contractors who fail to collect litter before cutting or clearing work is undertaken. Other public and private land managers should also be held to the same standard.
3. **Support initiatives and campaigns to reduce particularly harmful types of litter.** The spotlight has been shone on single use plastics as posing a real long-term risk to our environment and wildlife. More should be done to address such issues, including the promotion of viable eco-friendly alternatives and spreading of best practice throughout the hospitality industry.
4. **The Assembly; relevant Departments; beverage producers and environmental groups should examine the costs, benefits and hurdles to adoption of a container deposit return scheme.** Such schemes have, at a cost, been effective

in reducing this item of litter where they have been introduced. The process should consider the practicality of introducing this and other viable options on an all-island basis, all UK basis and solely for Northern Ireland.

5. **Clear obstructions from streets to improve cleansing outcomes.** Consideration should be given to a requirement that residential areas are kept clear of vehicles between designated times on given days in a month, to allow unfettered access for street sweeping. With almost one third of a mechanical sweeper's operational time wasted due to parked cars blocking access, this would significantly improve the outcomes from street cleansing operations while reducing the resources required.
6. **Clear guidance is required for the treatment of littering by the courts.** This should contain structured guidance against which fines, penalties and other options issued during court proceedings can be set. This would ensure that fair and reasonable penalties are applied consistently, removing the opportunity to cheat the system and take to court a defence case that is without merit, on the possibility that the sentence will be less costly than paying the original Fixed Penalty Notice.
7. **Adopt a suitable benchmark for all land managers.** This entails the development of a local environmental quality performance indicator for all Councils and other major land managers, based on the current surveys carried out by Keep Northern Ireland Beautiful.

For local policy makers

1. **Schemes that reward desired behaviours should be promoted on an equal footing with enforcement.** Examples of these schemes have already been successfully trialled in parts of Northern Ireland and are growing in popularity across most Council areas.
2. **Provide education for new dog owners.** New owners should be required to attend a basic awareness course when registering a dog for the first time. Ignorance of welfare issues and owner responsibilities should not be allowed to reduce the amenity of shared spaces.
3. **Prioritise behaviour change above provision of additional disposal facilities.** The presence of one or more bins on a transect has no statistically significant impact on litter or dog fouling outcome suggesting that bins that are there are often ignored. To reduce the number of people who litter it would likely be as cost effective, if not more so, to invest in ways of encouraging bin use than to simply install more bins.
4. **Support initiatives and campaigns to reduce particularly harmful types of litter.** The spotlight has been shone on single use plastics as posing a real long-term risk to our environment and wildlife. Local businesses could be encouraged to adopt the alternatives through a reduction in rates or subsidised purchasing scheme.

5. Councils should work for a consensus on support for, and application of, enforcement practices.

An apparent 'postcode lottery' in enforcement rates creates a resentment of the system, rather than an understanding and positive attitude towards it. Harmonisation is needed to project a clear and unambiguous message to the public regarding the treatment of offenders.

6. A greater role should be played in Public Realm procurement and planning by cleansing service departments.

Examples of cluttered layouts, inappropriate street furniture selection and primacy of aesthetic considerations impair the ability of cleansing services to maintain an environment, resulting in increased maintenance spending and reduced amenity over the lifespan of the scheme.

For other agencies

1. Study in greater detail the link between litter and dog fouling and social cohesion, economic progress and deprivation.

Litter has been linked to depressed economic performance in the local area. Understanding what effect littered streets have on high street shopping may help to revitalise town centres. High levels of litter have also been linked to social problems, including disrepair and a rise in antisocial behaviour and criminal activity. Effective solutions to the litter issue may raise the standard of living, economic outcomes and even mental health in many areas, and improve social cohesion.

2. Study in greater detail the effect of poorly kept private land on surrounding public areas.

Resources are required to determine the extent to which poorly kept private space, litter and scrap lying in gardens, and state of repair has an effect on the amount of litter in the public space. This would allow us to understand better the relationship between littering by residents and by transients, and help formulate effective focused solutions to local littering issues.

Education and awareness raising actions

1. Improve co-operation between stakeholders. Better integration of existing programmes such as Eco-Schools and Live Here Love Here with Council messaging on litter and waste, could allow for development and production of a larger or more diverse range of resources, and facilitate a more consistent approach across individual channels and agencies.

2. Share information and ideas more widely. Greater sharing of information should be the norm, including sharing of education and enforcement endeavours through groups such as the Technical Advisory Group, Chief Environmental Health Officers Group and the NI Environmental Quality Forum. This could improve the quality of individual actions by making available a wider range of skills, experience and creativity, as well as greater resources.

And if you still don't think neighbourhood cleanliness is a problem...



To discuss how we can work together to tackle littering please contact:

Freddie Harris
CLEANER NEIGHBOURHOODS MANAGER

freddie.harris@keepnorthernirelandbeautiful.org

T 028 9073 6920

www.keepnorthernirelandbeautiful.org



Email enquiries@keepnorthernirelandbeautiful.org **Registered Address** Bridge House, 2 Paulett Avenue, Belfast BT5 4HD
Registered Charity No XR36767 **NI Charity No** NIC 102973 **Company No** NI3884241 **VAT No** IE6352657

Report on	Eco Speak Competition
Date of Meeting	8 th May 2018
Reporting Officer	Mark McAdoo, Head of Environmental Services
Contact Officer	Mark McAdoo, Head of Environmental Services

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

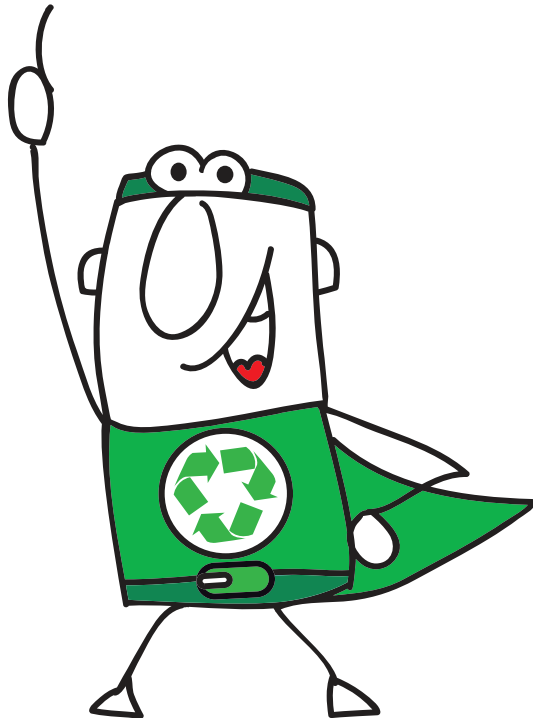
1.0	Purpose of Report
1.1	To update members on the annual Eco Speak Competition for Mid Ulster Primary Schools.
2.0	Background
2.1	Eco Speak helps to raise awareness of environmental issues by giving young people the opportunity to research environmental issues such as waste and recycling, to present their views and to develop their confidence and skills in public speaking. The competition was open to all primary schools in Mid Ulster which were invited to enter one pupil from either primary six or seven. Schools were contacted via email with an information leaflet and a competition entry form to return to the Recycling Team (see Appendix 1 and 2).
2.2	<p>The topic which pupils were invited to speak (on for a maximum of 4 minutes) was "<i>Blue Bin Recycling: what difference does it make?</i>" Entrants were asked to demonstrate their thoughts and opinions on why using the blue bin to recycle makes a difference and how they would persuade non-recyclers that recycling is worthwhile as well as ideas on how we can all be encouraged to recycle more.</p> <p>This topic was chosen in line with Mid Ulster Council's current dry recycling campaign targeting key materials being missed via blue bin capture and helping us to recycle more items from around our homes. This gave the Recycling team the opportunity to communicate out to the students and audience present the importance of blue bin recycling.</p>
3.0	Main Report
3.1	The competition was held in the Burnavon on the morning of Tuesday 17 th April. Council Deputy Chair, Cllr Mark Glasgow, welcomed everyone to the event before participants were split into two heats which ran simultaneously and were judged by panels of Councillors who sit on the Environment Committee. The panel for Heat 1 included Cllrs Frances Burton, Martin Kearney and Kenneth Reid, whilst Heat 2 had a panel comprised of Cllrs Mark Glasgow and Sean McGuigan as well as John Murtagh, Recycling Officer.

3.2	Two finalists were selected from each heat and went on to compete in the Final, judged by: Cllr Ronan McGinley (Environment Committee Chair), Mark McAdoo (Head of Environmental Services) and Josephine McShane (Re-Gen Waste Ltd.).
3.3	<p>A list of all 22 primary schools which entered the competition is as follows:</p> <ul style="list-style-type: none"> • Aughnacloy Primary School • Bush Primary School • Donaghey Primary School • Dungannon Primary School • Holy Family Primary School • Knockloughrim Primary School • Knocknagin Primary School • Moneymore Primary School • New Row Primary School • Orritor Primary School • St. Brigid's Primary School, Mayogall • St. Columb's Primary School, Cullion • St. John's Primary School, Swatragh • St. Macartan's Primary School, Clogher • St. Malachy's Primary School, Glencull • St. Mary's Primary School, Aughnacloy • St. Mary's Primary School, Ballygawley • St. Mary's Primary School, Dunamore • St. Mary's Primary School, Glenview, Maghera • St. Mary's Primary School, Pomeroy • St. Patrick's Primary School, Loup • Woods Primary School
3.4	Participants' each received a certificate and a goody bag, kindly provided by Re-Gen. The four finalists were: Darragh Quinn, Dungannon PS; Niamh Higgins, St Mary's PS, Glenview, Maghera; Hannah Moore, Aughnacloy PS and Gabrielle Mischook, Bush PS. All four finalists received a £30 voucher in addition to their goody bag and certificate. The overall winner of the competition was Darragh Quinn who received a crystal trophy.
3.5	<p>A press release and accompanying photos (see Appendix 3) appeared in the local press. The competition was given coverage on the Councils website and social media pages. Also the four finalists were videoed to create podcasts by Carn Media and this coverage can be viewed on the Mid Ulster Council YouTube channel – available via below link:</p> <p>https://www.youtube.com/channel/UC9btn-SYudcZJggvW4j3wfw</p>
3.6	This year's event was kindly part-sponsored by Re-Gen Waste Ltd, the current reprocessor for mixed dry recyclables from the Dungannon area of Mid Ulster. Re-Gen provided financial support of £200 towards event costs as well as kindly supplying goody bags.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications

	<p>Financial: A detailed breakdown of the total costs of the event is shown in the table below. The £200 provided by Re-Gen Waste Ltd. will be put towards these costs and the remaining costs will be covered under the annual education payment from the firm.</p> <table border="1" data-bbox="456 322 1139 707"> <thead> <tr> <th>Item</th><th>Cost (£)</th></tr> </thead> <tbody> <tr> <td>Burnavon Room Hire Studio £60 Auditorium £85/hr: £255</td><td>£315.00</td></tr> <tr> <td>Refreshments</td><td>£612.50</td></tr> <tr> <td>Finalists Prizes (4x £30)</td><td>£120.00</td></tr> <tr> <td>Winner's Trophy</td><td>£50.00</td></tr> <tr> <td>Photography</td><td>£50.00</td></tr> <tr> <td>Videoing</td><td>£400.00</td></tr> <tr> <td>Goody Bags</td><td>Provided by Re-Gen</td></tr> <tr> <td>Total</td><td>£1547.50</td></tr> </tbody> </table>	Item	Cost (£)	Burnavon Room Hire Studio £60 Auditorium £85/hr: £255	£315.00	Refreshments	£612.50	Finalists Prizes (4x £30)	£120.00	Winner's Trophy	£50.00	Photography	£50.00	Videoing	£400.00	Goody Bags	Provided by Re-Gen	Total	£1547.50
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	<p>Human: The Recycling, Education and Awareness Officers spent a considerable amount of time in the planning and delivery of the event.</p>																		
4.2	Screening & Impact Assessments																		
	<p>Risk Management: Consent forms were obtained for each pupil involved for photography/filming purposes.</p> <p>Equality & Good Relations Implications: The entries received were from a wide range of schools across Mid Ulster with representation from the three former legacy areas. The event was a great success and the feedback from the teachers and parents present on the day was very positive.</p>																		
	<p>Rural Needs Implications: N/A</p>																		
5.0	<p>Recommendation(s)</p> <p>Members are asked to note the success of this event as outlined in this report.</p>																		
6.0	<p>Documents Attached & References</p> <p>6.1 Appendix 1 – Eco Speak Information Flyer</p> <p>6.2 Appendix 2 – Eco Speak Entry Form</p> <p>6.3 Appendix 3 – Photos of competition winners and judges</p>																		

Mid Ulster

EcoSpeak 2018



‘Blue bin recycling:
what difference
does it make?’



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Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

We are delighted to invite your school to participate in the 3rd Annual Mid Ulster **EcoSpeak** for 2018

The competition, which helps to raise awareness of environmental issues, gives young people the opportunity to research environmental issues such as waste and recycling, biodiversity and energy usage, as well as to present their views and to develop their confidence and skills in public speaking.

Tuesday 17th April 2018 - The Burnavon, Cookstown

9.30am (registration) **for 10am** (competition start)

* Competition to finish at approximately 1pm - lunch provided

Topic: Blue Bin Recycling: what difference does it make?

Entrants should demonstrate their thoughts and opinions on why using the blue bin to recycle makes a difference. How would entrants persuade non-recyclers that recycling is worthwhile? How can we all be encouraged to recycle more?

- Pupils in Primary 6 and 7 are invited to take part with a maximum of 1 pupil per school.
- Entrants are asked to speak for a maximum of 4 minutes.
- Hand held props may be used but there will be no audio-visual facilities.

Closing date for entries: Friday 23 March 2018

Schools should note that they do not need to submit the name of the pupil participating by the closing date for entries. Any dietary requirements or allergies must be stated by this date to allow for appropriate catering arrangements to be made.

Final pupil details should be submitted no later than Wednesday 11th April 2018.

*In the case of a large volume of entries places may be limited, and as such will be allocated on a first come first serve basis.



Mid Ulster **EcoSpeak** 2018

Entry Form

Please register your application by Friday 23 March 2018.

You can also register online at www.midulstercouncil.org/ecospeak



Name and Address of School:

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.....

.....

Contact Teacher/Member of staff:

.....

Telephone:

.....

Email:

.....

Name of pupil:

.....

Please return your completed form to:

The Recycling Officers

Mid Ulster District Council

50 Ballyronan Road, Magherafelt, BT45 6EN.

Email: recycling@midulstercouncil.org

NOTES:

- Pupils in Primary 6 and 7 are invited to take part with a maximum of 1 pupil per school.
- Entrants are asked to speak for a maximum of 4 minutes.
- Hand held props may be used but there will be no audio-visual facilities.





Report on	Introduction of prepayment system at Recycling Centres
Date of Meeting	8 th May 2018
Reporting Officer	Mark McAdoo, Head of Environmental Services
Contact Officer	Mark McAdoo, Head of Environmental Services

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 the introduction of a pre-payment system for the acceptance of commercial waste at Cookstown, Drumcoo and Magherafelt Recycling Centres.
2.0	Background
2.1	A previous internal audit identified the handling of cash received for the acceptance of commercial waste at Recycling Centres as a theft/fraud risk which requires attention.
2.2	The installation of a pre-payment system was therefore identified as a target in the Environmental Services Service Improvement Plan for 2017/18 and also as one of the actions under the Corporate Improvement Objective for 2017-19 " <i>to improve the accessibility of our services by increasing the number available online</i> ".
2.3	There are approximately 250 commercial customers using the facilities at present.
3.0	Main Report
3.1	As part of our work to improve the accessibility of our services on-line and to reduce cash-handling at our three main Recycling Centres, we are introducing a pre-payment system for the disposal of commercial waste at Cookstown, Drumcoo and Magherafelt Recycling Centres (the only three sites where residual commercial waste is accepted).
3.2	This means that from Monday 4 th June 2018 our commercial customers will need to use a swipe card, credited in advance with sufficient funds, to pay their waste disposal charge.
3.3	To register as a pre-payment customer and to receive a swipe card customers have been instructed to complete and return a set up form by Friday 4 th May 2018 (see appendix 1).
3.4	For customers to be accepted for registration they must hold a valid Waste Carriers Registration as issued by the Northern Ireland Environment Agency (NIEA) and details of how to obtain this have been circulated to all existing customers; these are available at: https://www.gov.uk/waste-carrier-or-broker-registration-northern-ireland/northern-ireland-environment-agency

3.5	Once customers have received their card they can add credit online via the Council website or alternatively by calling into one of the depots (Cookstown, Dungannon and Magherafelt) where staff will be able to accept payment using new chip and pin devices.			
3.6	The rates for the disposal of commercial waste are shown below (minimum charge £5.00)			
	Material	Rate per Tonne	VAT	Total Per Tonne
	General Waste	£140	£28	£168
	Wood	£75	£15	£90
	Hard Plastic	£100	£20	£120
	Plasterboard	£150	£30	£180
	Fridges/Freezers	£50 Each	£10	£60 each
	Oil filters & rags	£750	£150	£900
	Green (garden) waste	£50	£10	£60
	Paint (including cans)	£500	£100	£600
	Rubble	£20	£4	£24
	<p>It should be noted that the above rates will not apply to household waste which is brought to the site by a commercial operator. However in such instances the commercial operator will be required to provide a waste transfer note or signed declaration clearly showing the contact name and address of the property from which the household waste arose for verification purposes. In the absence of suitable evidence a disposal charge will apply.</p> <p>Paper, cardboard, batteries, fluorescent tubes, electrical appliances, textiles, scrap metal, plastic bottles, glass bottles and cooking oil will continue to be accepted free of charge</p>			
4.0	Other Considerations			
4.1	Financial, Human Resources & Risk Implications			
	Financial:			
	The total cost of installing the pre-payment system at the three sites is £25,000 + VAT.			
	Human:			
	Site staff will be trained on the operation of the new system during the month of May.			
	Risk Management:			
	The installation of the new pre-payment system will eliminate the risk of theft/fraud associated with the handling of cash as identified in previous internal audit report.			
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 outlining the introduction of the new pre-payment system at Cookstown, Drumcoo and Magherafelt Recycling Centres.
6.0	Documents Attached & References
6.1	Recycling Centre Commercial Customer Setup Form

Recycling Centre Commercial Customer Setup Form

Section 1		Customer Contact Details	
Name of Business			
Address			
Postcode			
Type of Business			
Contact Name			
Position Held			
Contact Numbers	Tel:		
	Mobile:		
Contact Email			
Section 2		Customer Authorisation	
Name (Print Name)			
Position Held			
Date			
Number of Fobs / swipe cards required.	Please note: first fob/ card is free with registration. Additional cards are £10 each – payable in advance.		
Signature			
Section 3		Registration of Carriers	
As a commercial operator you must be registered as Waste Carrier with the Northern Ireland Environment Agency (NIEA). Please list your Registration of Carriers (ROC) number below and attach copy of your letter of registration or waste carriers certificate to this form.			
Registration of Carriers No.			
	Please remember to attach evidence of Registration of Carriers.		
Section 4		Office Use Only	
Date Received		ROC No. Present	Yes / No
Inputted by		Date	
Unique Account No.			

Fob Card Issued	Yes / No	Issued by:		Date	
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* **Registration of Carriers:** To register as a waste carrier please follow the link below or contact the Registration of Carriers Section, Northern Ireland Environment Agency, Resource Efficiency Division, Regulation Unit, Cromac Avenue, Gasworks Business Park, Malone Lower, Belfast, BT7 2JA, Tel: 028 90569360, Fax: 028 9056 9376.

<https://www.gov.uk/waste-carrier-or-broker-registration-northern-ireland/northern-ireland-environment-agency>

Completed Forms should be returned: Mid Ulster District Council. Magherafelt Office, Ballyronan Road, Magherafelt, BT45 6EN.

Report on	Disposal/Sale of Assets - Fleet and Plant
Date of Meeting	8 th May 2018
Reporting Officer	Terry Scullion, Head of Property Services
Contact Officer	Terry Scullion, Head of Property Services

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 disposal/sale of surplus fleet, plant and equipment 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 to auction 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	The two auctions within the district that used are Nobles, Clogher and Mid Ulster Auctions, Castledawson. A range of vehicles, plant and other miscellaneous assets were disposed of during the period September 23 rd 2017 to April 7 th 2018.
3.2	<p>The following is the approx. number/type of disposals in that period:</p> <ul style="list-style-type: none"> • 4 No. Refuse Collection vehicles (includes 1 No. RCV dismantled/disposed of by Insurers) • 1 No. Skip lorry • 8 No. Mowers • 1 No. Spiker
3.3	Reserved prices for all sale items were established pre-sale. They were guided by the experience of the respective auction houses and previous market prices obtained for asset disposal of similar items.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial: The total amount of income raised from the sale of surplus assets at the various auctions during the period from September 23rd 2017 to April 7th 2018 was £12,256. This amount will be added to the Cyclical Fleet, Plant and Equipment replacement budget for 2018/19.</p>
	<p>Human: Officer time in coordinating the assets for disposal.</p>
	<p>Risk Management: None.</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 asked to note the contents of this report.
6.0	Documents Attached & References
6.1	None