



08 October 2019

Dear Councillor

You are invited to attend a meeting of the Environment Committee to be held in The Chamber, Magherafelt at Mid Ulster District Council, Ballyronan Road, MAGHERAFELT, BT45 6EN on Tuesday, 08 October 2019 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

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

Matters for Decision

- | | | |
|-----|---|-----------|
| 4. | DfI Roads Proposal - Proposed 40mph Extension - Tobermore Road, Draperstown | 3 - 6 |
| 5. | DfI Roads Proposal – Disabled Parking Bay at Rainey Street, Magherafelt | 7 - 10 |
| 6. | DfI Roads Proposal – 30mph Speed Limit – Moor Road, Clonoe | 11 - 14 |
| 7. | Funding for Tree Planting Scheme at Magheraglass Landfill Site | 15 - 20 |
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| 10. | Live Here Love Here Small Grants Scheme 2019 | 65 - 68 |
| 11. | Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 - Authorised Officers | 69 - 94 |
| 12. | Response to The Food Standards Agency's Consultation on the Implementation of the Official Controls Regulations | 95 - 194 |
| 13. | The Roads Miscellaneous Provisions Act (NI) 2010 – Road Closures | 195 - 230 |

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15.	Enabling Legislation - Delegated Powers	275 - 278

Matters for Information

16	Minutes of Environment Committee held on 10 September 2019	279 - 292
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18	Local Authority Recycling Carbon Index Report	323 - 332
19	Town Centre Footpath Snow/Ice Clearance Agreement	333 - 342
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22	Dual Language Signage Requests	359 - 382
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24	Air Quality in the Mid Ulster District Council Area 2019	415 - 428
25	Community Resuscitation	429 - 438

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

26. Off Street Car Parking: Agency Agreement with DfI
27. Council Strategic Waste Management Arrangements: Update
28. Amenity and Planting Sponsorship
29. Review of ICT Fees for Portglenone Angling stands and Access paths

Matters for Information

30. Confidential Minutes of Environment Committee held on 10 September 2019
31. Brexit Contingency Plan for Disposal of Residual Waste
32. Digitisation of Building Control Files
33. Capital Projects Update
34. DAERA / Rural Tourism / Co – Operation Projects
35. DAERA / Village Extension Programme

Report On	Proposed 40mph Speed Limit Extension – Tobermore Road, Draperstown
Date of Meeting	Tuesday 8 th October 2019
Reporting Officer	Andrew Cassells, Director of Environment & Property
Contact Officer	Andrew Cassells, Director of Environment & Property

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

1.0	Purpose of Report
1.1	To seek the agreement of Members in relation to proposals from DfI Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals.
2.0	Background
2.1	DfI Roads are consulting the Council with proposals to introduce measures designed to improve network safety, sustainability and efficiency to encourage safe and sustainable travel.
3.0	Main Report
3.1	<p>The following outlines the proposals to be brought to the attention of the Environment Committee:</p> <p>Proposed 40MPH Speed Limit Extension on Tobermore Road, Draperstown</p> <p>DfI Roads are proposing to extend the 40MPH speed limit on Tobermore Road, Draperstown.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial:
	Human:

	<p>Risk Management:</p> <p>The introduction of the aforementioned proposal at this location will assist in the management of road safety issues.</p>
4.2	<p>Screening & Impact Assessments</p> <p>Equality & Good Relations Implications:</p> <p>The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their statutory duty.</p> <p>Rural Needs Implications:</p>
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	<p>Appendix 1</p> <p>Letter from DfI Roads dated 4th September 2019; Proposed Extension of 40MPH Speed Limit at Tobermore Road, Draperstown</p>
6.2	<p>Appendix 2</p> <p>Drawing – Proposed extension of 40MPH Speed Limit at Tobermore Road, Draperstown.</p>



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Network Development

Mr A Tohill
Chief Executive
Mid Ulster District Council
Ballyronan
Magherafelt
BT45 6EN

County Hall
Drumragh Avenue
Omagh

Tel: 028 8225 4085

4 September 2019

Dear Mr Tohill

PROPOSED 40MPH SPEED LIMIT EXTENSION ON TOBERMORE ROAD, DRAPERSTOWN

DfI Roads is proposing to extend the 40mph speed limit on Tobermore Road, Draperstown, as shown on the attached map.

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

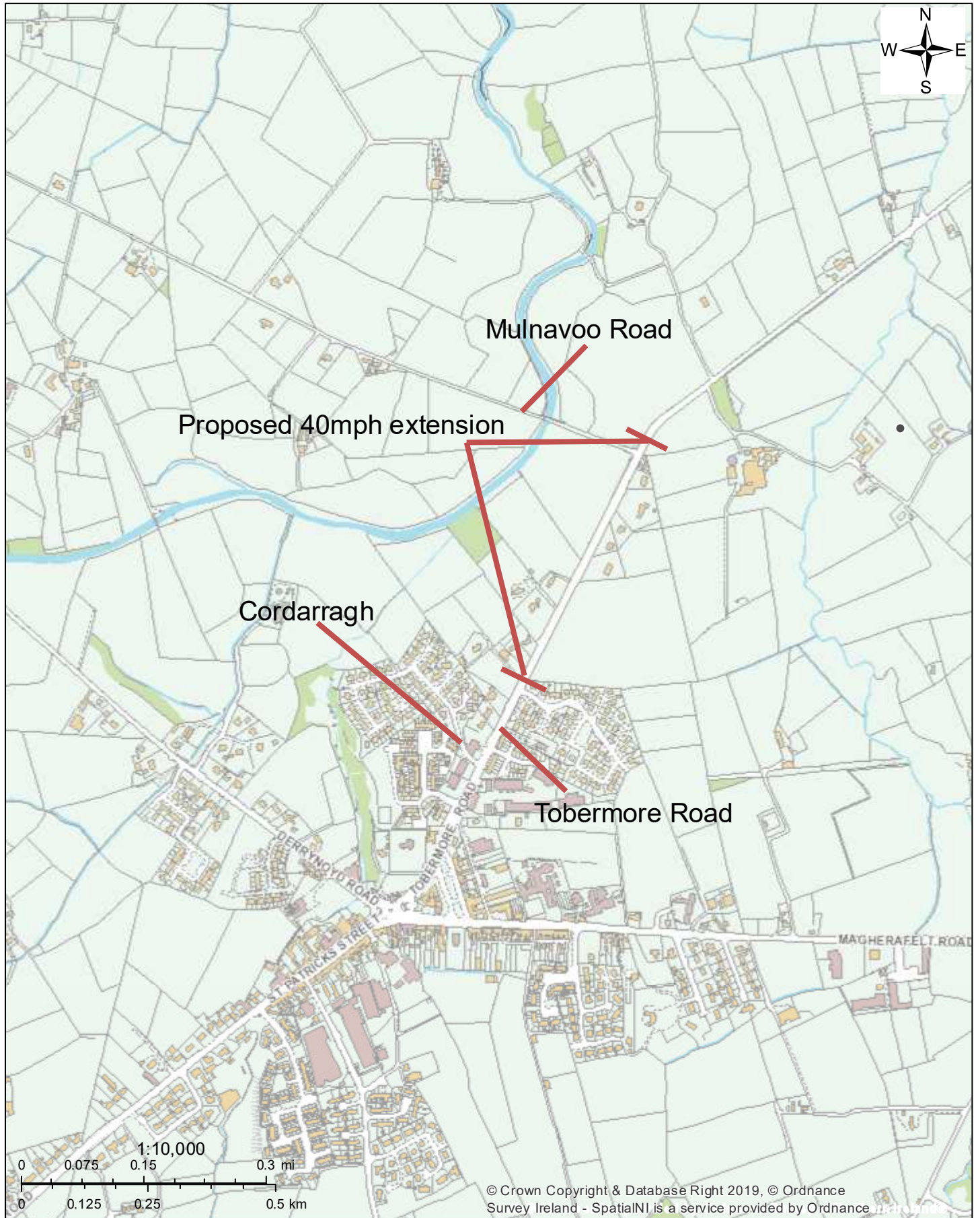
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Proposed 40mph extension - Tobermore Road, Draperstown



Wednesday 4 September 2019 09:03:31

Report on	DfI Roads Proposal – Disabled Parking Bay at Rainey Street, Magherafelt
Date of Meeting	Tuesday 8 th October 2019
Reporting Officer	Andrew Cassells, Director of Environment & Property
Contact Officer	Andrew Cassells, Director of Environment & Property

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

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

	<p>Risk Management:</p> <p>The introduction of the aforementioned proposal at this location will assist in the management of road safety issues.</p>
4.2	<p>Screening & Impact Assessments</p> <p>Equality & Good Relations Implications:</p> <p>The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their duties in regard to disability.</p> <p>Rural Needs Implications:</p>
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	<p>Appendix 1</p> <p>Letter from DfI Roads dated 16th September 2019; Proposed Provision of a Disabled Persons' Parking Bay at Rainey Street, Magherafelt</p>
6.2	<p>Appendix 2</p> <p>Drawing – Proposed Provision of a Disabled Persons' Parking Bay at Rainey Street, Magherafelt</p>



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16 September 2019

Dear Mr Tohill

PROPOSED PROVISION OF A DISABLED PERSONS' PARKING BAY AT RAINEY STREET, MAGHERAFELT

DfI Roads is proposing to legislate for a disabled persons' parking bay at Rainey Street, Magherafelt, as detailed on the attached map.

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

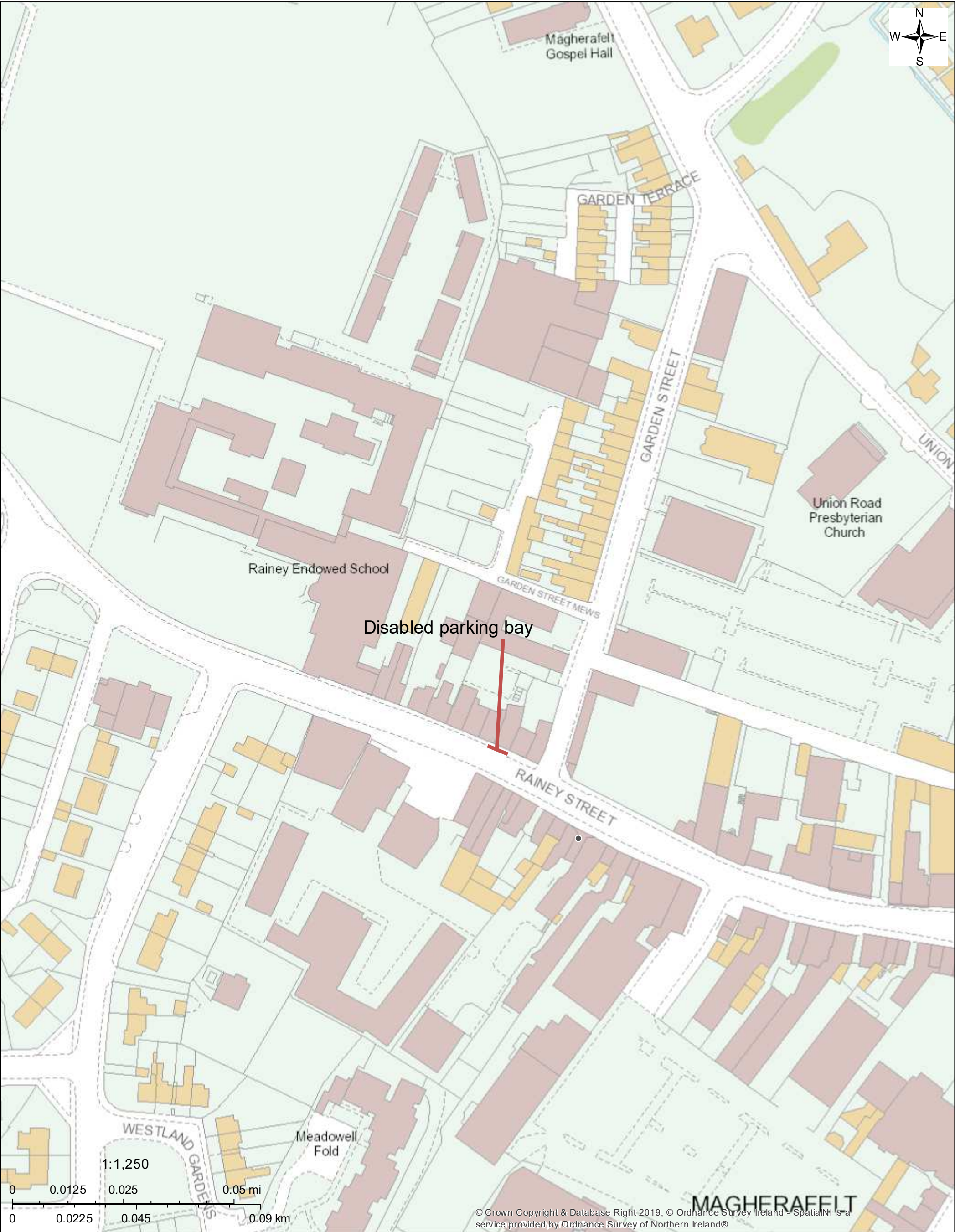
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Disabled parking bay - Rainey street, Magherafelt



Monday 16 September 2019 13:19:38



Report on	DfI Roads Proposal – 30mph Speed Limit – Moor Road, Clonoe
Date of Meeting	Tuesday 8 th October 2019
Reporting Officer	Andrew Cassells, Director of Environment & Property
Contact Officer	Andrew Cassells, Director of Environment & Property

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

1.0	Purpose of Report
1.1	To seek the agreement of Members in relation to proposals from DfI Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals.
2.0	Background
2.1	DfI Roads are consulting the Council with proposals to introduce measures designed to improve network safety, sustainability and efficiency to encourage safe and sustainable travel.
3.0	Main Report
3.1	<p>The following outlines the proposals to be brought to the attention of the Environment Committee:</p> <p>Proposed 30MPH Speed Limit – Moor Road, Clonoe, Coalisland</p> <p>DfI Roads are proposing to introduce a 30MPH speed limit on Moor Road, Clonoe, Coalisland</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial:
	Human:

	<p>Risk Management:</p> <p>The introduction of the aforementioned proposal at this location will assist in the management of road safety issues.</p>
4.2	Screening & Impact Assessments
	<p>Equality & Good Relations Implications:</p> <p>The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their statutory duty.</p>
	<p>Rural Needs Implications:</p>
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	<p>Appendix 1</p> <p>Letter from DfI Roads dated 19th September 2019; Proposed 30MPH Speed Limit at Moor Road, Clonoe, Coalisland</p>
6.2	<p>Appendix 2</p> <p>Drawing – Proposed 30MPH Speed Limit at Moor Road, Clonoe, Coalisland</p>



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19 September 2019

Dear Mr Tohill

PROPOSED 30MPH SPEED ON MOOR ROAD, CLONOE

DfI Roads is proposing to reduce the speed limit to 30mph on Moor Road, Clonoe, as shown on the attached map.

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

Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

The map displays a residential area in Clondallon, Dublin, with a proposed development route highlighted in red. The route starts at the intersection of Lisnastrane Road and Moor Road, proceeds north along Moor Road, then turns east towards Clondallon Drive, and finally turns south towards Cluanico Meadows. The map includes a north arrow in the top right corner and a scale bar in the bottom left corner, indicating a scale of 1:2,500. The scale bar shows distances in both meters (0 to 0.13 km) and feet (0 to 0.08 mi). The map also shows various roads, including Lisnastrane Road, Moor Road, Clondallon Drive, and Cluanico Meadows. Buildings are represented by orange shapes, and green areas represent parks or open spaces. The text 'Proposed' is visible in the top right corner, and 'St. Patrick's RC Ch.' is visible in the bottom right corner.



Department for
Infrastructure

Report on	Funding for Tree Planting Scheme at Magheraglass Landfill Site
Date of Meeting	8 th October 2019
Reporting Officer	Mark McAdoo, Head of Environmental Services
Contact Officer	Karl McGowan, Tullyvar Waste Facility Service Manager

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

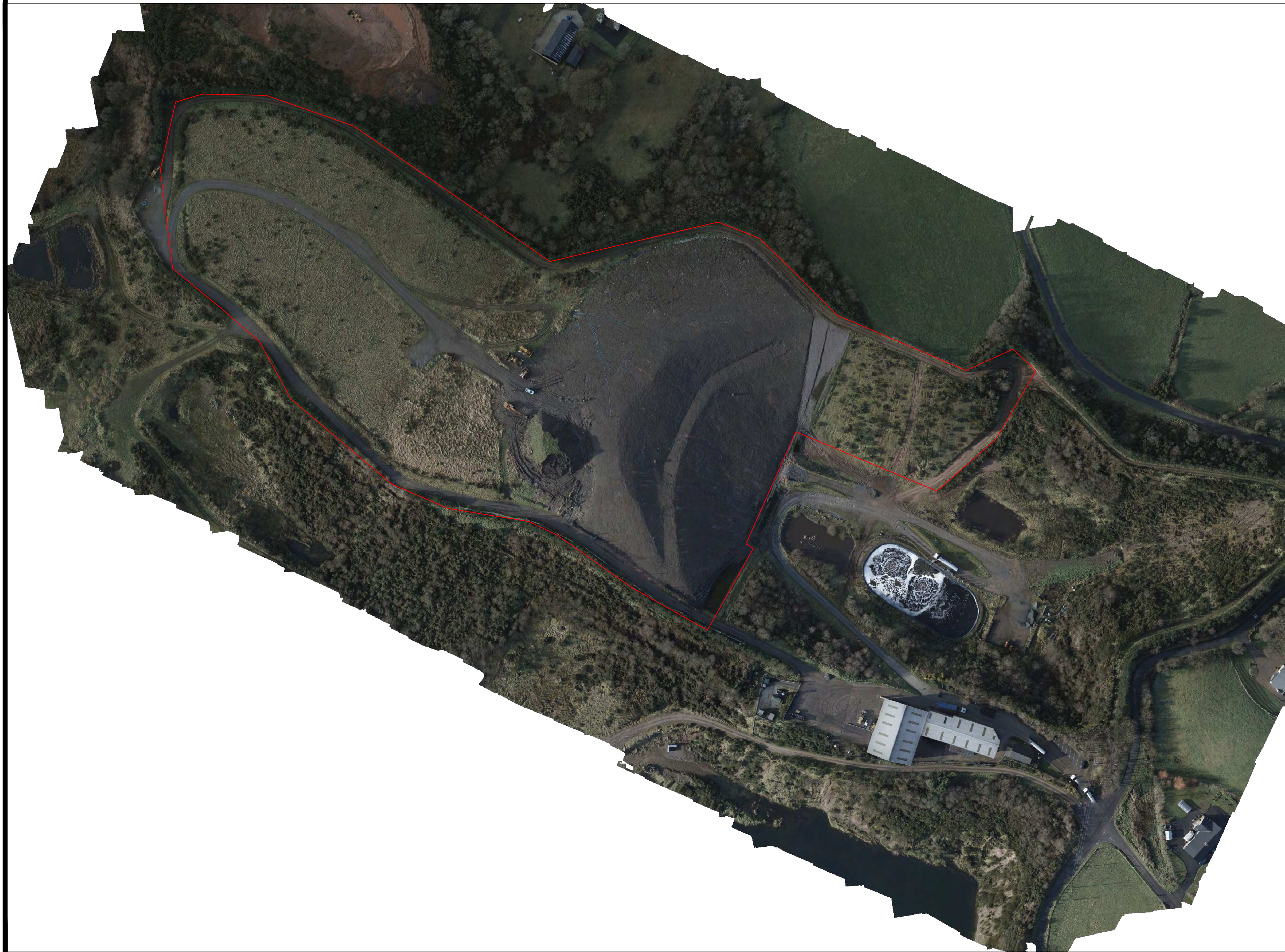
1.0	Purpose of Report
1.1	To inform members of an application for grant funding from the Forest Expansion Scheme to establish a new native broadleaf woodland at the closed landfill site at Magheraglass.
2.0	Background
2.1	Magheraglass Landfill Site stopped accepting waste in May 2017 and was subsequently capped during the winter of 2018/19. Grass has now started to establish on the capped area (as shown on attached photograph). The capped area along with other unused areas of the old sand pit provide over 5 hectares of available space suitable for tree planting.
2.2	The Forest Expansion Scheme, which is operated by the Forest Service, provides up to 100% of the approved woodland creation costs in addition to a further 2 years of maintenance costs. The scheme is open to all landowners with a minimum of 5 Hectares of available space and is part financed by the European Agricultural Fund for Rural Development through the Northern Ireland Rural Development Programme 2014 -2020

3.0	Main Report
3.1	It is proposed to create a new native broadleaf woodland at the former Magheraglass Landfill Site using locally sown and grown trees. The woodland will comprise of 5.6 Hectares of woodland within the red boundary as shown on attached site map. The area adds to existing areas of forest regrowth already on-site and the future potential wetlands.
3.2	<p>The species list will be as follows:</p> <p>Downy Birch Silver Birch Alder Rowan</p>

	<p>Wild Cherry Aspen Hazel Crab Apple Guelder Rose Willow Scots Pine Oak</p>
3.3	<p>The trees have been specifically chosen to have shallow roots so as to prevent damage to the capping membranes. The only exception is the oak which will only be planted at the entrance to the woodland, outside the cap, to avoid penetration by the deep tap roots.</p>
3.4	<p>The trees will be planted in single species circular clusters (2,000 stems per ha) with varied spacing to make the woodland look as natural as possible, with meandering paths throughout. Trees will be protected with recycled clear plastic spiral guards and a cane and the Scots Pine will be protect using mesh guards with two canes. There will be 20% open space within the woodland that will incorporate access tracks and open glades throughout.</p>
3.5	<p>The trees will be spot sprayed with glyphosate on completion of planting with ongoing maintenance for 2 years including replacement of dead or dying trees where necessary.</p>
3.6	<p>The Council is partnering with the consultants Indiwoods who will prepare the application for funding and submit same before the deadline of the 30th September. Indiwoods will also be responsible for the planting and maintenance of the woodland for the first 2 years. If successful the planting works shall be carried out on site between January to May 2020.</p>
3.7	<p>Indiwoods had previously been involved with the establishment of a similar woodland at Ballymacombs Landfill Site. As with the Ballymacombs woodland there may be an opportunity for local schools to be invited to participate in the tree planting works on site.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial:</p> <p>The total capital costs for works (100% funded from the Forest Expansion Scheme) are:</p> <p>Tree Planting £19,121 Year 1 Maintenance - £2,802 Year 2 Maintenance - £2,466</p> <p>Total - £24,389</p>

	<p>Human:</p> <p>Some officer time on the Council side will be required for project management duties e.g. liaising with consultants, attending site meetings, arranging schools visits etc</p>
	<p>Risk Management:</p> <p>None.</p>
4.2	Screening & Impact Assessments
	<p>Equality & Good Relations Implications:</p> <p>None.</p>
	<p>Rural Needs Implications:</p> <p>None.</p>
5.1	Members are requested to note the content of this report and to endorse delivery of the tree planting project at Magheraglass, subject to the funding application being successful.
6.0	Documents Attached & References
6.1	Photograph of capped area at Magheraglass landfill site
6.2	Site drawing showing extent of proposed tree planting at Magheraglass landfill site.





General Notes

Survey created in Jan 2018 for Mid Ulster District Council by Aquila UAS Ltd using a UAV System. The topographical survey data contained within has been produced from a digital surface model derived from UAV photogrammetric modelling. Caution should be adopted near dense vegetation, tall buildings and narrow ditches. This survey should not be used for setting out. Use dimensioned data only.

Proposed Area
= 56,000 m²

No.	Revision/Issue	Date



Project Name and Address
Magheraglass LFS

UAV Survey 26-01-2018
Potential Tree Planting Areas

Project	Sheet
Date 12/08/19	
Scale 1:500 @ A1	

Report on	Street Renaming
Date of Meeting	8 th October 2019
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	For Members to consider the renaming of a street in a new residential Housing Development within Mid-Ulster.
2.0	Background
2.1	In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility of approving Street Naming and Numbering of buildings erected thereon.
2.2	The Policy for Street Naming – Renaming and Renumbering Existing Streets as adopted (see Appendix 1) forms the basis for considering proposals for the renaming of a street in a new development.
2.3	An application for the naming of the development in question was originally approved by Mid Ulster District Council with the name of the proposed street agreed as “Sandy Heights” by the Environment Committee on 13 th November 2018.
2.4	The owner has now submitted a request to rename the development in line with the Policy as adopted. Work has recently commenced on site, but no dwellings are occupied at this stage.
3.0	Main Report
3.1	The Building Control Department has received a request for the renaming of the new residential development as follows:- I. Off Killyliss Road, Eglish, Dungannon
3.2	An application has been submitted by L Cassidy for the renaming of the above street within a residential development off Killyliss Road, Eglish, Dungannon. The developer has submitted the following options for consideration (see Appendix 2) in relation to the renaming of the street within the development:

	<ol style="list-style-type: none"> 1. Red Hill Manor 2. Red Hill Drive 3. Red Hill
3.3	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.
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 Renaming of a street within a new residential development within Mid Ulster.</p> <p>1. Site off Killyliss Road, Eglish, Dungannon.</p> <p>Either Red Hill Manor Or Red Hill Drive Or Red Hill</p>
6.0	Documents Attached & References
6.1	Appendix 1 - Street Naming and Property Numbering Policy
6.2	Appendix 2 - Pro-forma containing street naming proposals, location map and site layout plan for development off Killyliss Road, Eglish, Dungannon.

Policy on Street Naming and Numbering

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

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4.0	Linkage to Corporate Plan	
5.0	Naming of new Streets	
6.0	Renaming Existing Streets	
7.0	Roles & Responsibilities	
8.0	Impact Assessments <ul style="list-style-type: none"> • Equality Screening & Rural Needs Impact • Staff & Financial Resources 	
9.0	Support & Advice	
10.0	Communication	
11.0	Monitoring & Review Arrangements	

Appendices	Description	Page Number
A	Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995	
B	Naming of New Streets and Housing Developments: <i>Procedure</i>	
C	Renaming Existing Streets: <i>Procedures</i>	

1.0 INTRODUCTION

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

- (i) Naming of New Streets and Housing Developments;
- (ii) Renaming and Re-numbering existing streets

2.0 Policy Aim & Objectives

2.1 **Policy Aim:** To ensure the naming of New Streets and Housing Developments is delivered in a fair, equitable and consistent manner.

2.2 Policy Objectives:

- To facilitate Mid Ulster District Council in meeting its statutory obligations with regard to local government Street Naming requirements
- To confirm the mechanism and process by which Mid Ulster District Council will name new streets and housing developments
- To provide residents with a process whereby they may request the renaming of their street
- To ensure street names are reflective of localities within which they are being proposed and engagement of all affected residents of streets where requests have been received to rename

3.0 Policy Scope and Legislative Framework

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

- 3.2 This legislation empowers Council to authorise the naming of streets within its respective District. The 1995 Order provides for street naming, street numbering and the provision of street signs. It also provides the Council with a discretionary power to erect dual language street signs or second nameplates in a language other than English via Section 1a and 1b. A copy of the relevant statute is included in Appendix A.

Interpretation and Definitions

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

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

4.0 Linkage to Corporate Plan

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

5.0 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. The procedure that will apply in relation to proposal under this [policy] is contained in Appendix [B]. Building names are not controlled by statute and do not form part of this Policy.
- 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

6.0 Renaming and Renumbering Existing Streets

- 6.1 Provision shall be made for the renaming and renumbering of existing Streets within the Mid Ulster District Council area, where instances as noted in 7.2 below require that that this be undertaken to maintain a consistent approach to street naming. The 1995 Order empowers Council to authorise Street names within the area they administer. The procedure that will apply in relation to a proposal under this policy is contained in Appendix C.

6.2 Criteria - General

The renaming or renumbering of an existing street shall normally only be considered;

- To remove similar or the same street name in the immediate locality
- Where a street name has been 'lost'
- To correct an incorrectly spelt name
- If emergency services have reported problems in identifying and locating the street
- If postal services or other statutory agencies has reported problems in identifying and locating the street
- Where a request has been received by the Council and signed by not less than 50% of the occupiers of a street to which a change is being sought. This would be based on 1 occupier per premises on the relevant street

7.0 Roles and Responsibilities

- 7.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 7.2 **Building Control Service:** shall be responsible for implementing arrangements to administer; (i) requests to name New Streets and Housing Developments and (ii) requests to rename existing Streets.
- 8.0 Impact Assessments**
- 8.1.1 Equality Screening & Impact**
- 8.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 8.2 Rural Needs Impact**
- 8.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 8.3 Staff & Financial Resources**
- 8.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented. Valid requests for determination will be brought to attention of Committee.
- 9.0 Support and Advice**
- 9.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control
- 10.0 Communication**
- 10.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy
- 11.0 Monitoring and Review Arrangements**

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

Appendix A
Article 11, Local Government (Miscellaneous Provisions) (Northern
Ireland) Order 1995

Street names and numbering of buildings

Powers of councils in relation to street names and numbering of buildings

11.—(1) A council may erect at or near each end, corner or entrance of any street in its district a nameplate showing the name of the street; and a nameplate erected under this paragraph—

- (a) shall express the name of the street in English; and
- (b) may express that name in any other language

(2) A council may, immediately adjacent to a nameplate erected under paragraph (1) which expresses the name of a street in English only, erect a second nameplate expressing the name of the street in a language other than English.

(3) Neither this Article nor anything done by a council thereunder authorises or requires the use of the name of a street expressed in a language other than English as, or as part of—

- (a) the address of any person; or
- (b) the description of any land; for

the purposes of any statutory provision.

(4) In deciding whether and, if so, how to exercise its powers under paragraph (1)(b) or (2) in relation to any street, a council shall have regard to any views on the matter expressed by the occupiers of premises in that street.

(5) Any person who—

- (a) obscures, pulls down or defaces any nameplate erected under paragraph (1) or (2);
- (b) erects in any street any nameplate showing as the name of the street a name different from that in any nameplate erected in the street under paragraph (1) or (2); or
- (c) erects in any street any nameplate purporting to show the name of the street, without the authorisation of the council for the district in which the street is situated,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) Where a council has exercised its powers under paragraph (1) in relation to any street, the occupier of each house or other building in that street shall ensure that that house or building is at all times marked with such number as the council may approve for the purposes of this Article.

(7) Where a person fails to comply with paragraph (6) the council may serve on him a notice requiring him to comply with that paragraph within 7 days from the date of service of the notice.

(8) A person who fails to comply with a notice served on him under paragraph (7) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) Where a person fails to comply with a notice served on him under paragraph (7) in respect of any house or other building, the council may itself do anything which he has failed to do and may recover from that person summarily as a civil debt any expenses thereby reasonably incurred by it.

(10) In this Article—
“nameplate” includes any means of signifying a name in writing; “street” includes any road, square, court, alley, passage or lane.

(11) The power of a council to erect a nameplate under paragraph (1) or (2) includes power—

- (a) to erect it on any building or in such other manner as the council thinks fit; and
- (b) to cause it to be erected by any person authorised in that behalf by the council.

(12) The following statutory provisions shall cease to have effect, namely—

- (a) sections 64 and 65 of the Towns Improvement Clauses Act 1847^{F6};
- (b) in section 38 of the Towns Improvement (Ireland) Act 1854^{F7} the words “naming the streets and numbering the houses and also so much thereof as relates to”;
- (c) section 21 of the Public Health Acts Amendment Act 1907^{F8};
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949^{F9}; and
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings;

Appendix B

Naming of New Streets and Housing Developments: *Procedure*

1. 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.
2. 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
3. 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.
4. 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.
5. 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
6. Should the Committee not accept any of the presented options the applicant/ developer will be informed of the Council's decision
7. 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
8. 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.
9. Names shall be shown on nameplates which will include the townland where relevant and erected in line with current Guidance.
10. New buildings will be allocated numbers consecutively with odd numbers to the right hand side and even numbers to the left hand side.

Appendix C

Renaming Existing Street Name: Procedures

This procedure provides guidelines for the procedure for renaming of existing street/road names which the 1995 Order empowers councils to authorise. The following procedure for canvassing the views of occupiers and the criteria to be applied in deciding whether to rename a street with an alternative in English shall be:

1. Upon receipt of a petition, signed by not less than 50% of the householders (based on one resident per household over the age of 18) of the street/road ("a Petition") the Council will consider a survey of the street/road in relation to the desired name change and reason for same.
2. The proposed name must meet the criteria set down in this policy for the naming of New Streets, as detailed within 5.2 of this policy.
3. If the Department considers the new name meets the criteria, approval to undertake the survey will be sought from the Environment Committee.
4. The Council will survey, by post, to the occupier(s) of each of the properties listed on the Electoral Register and one survey per established business as appears on the Non-Domestic Valuation List of that street/road or the part of a street/road affected at that time; seeking their views on the request to change the name. The survey shall be carried out by the Council's Building Control service.
5. Replies will be by way of a supplied self-addressed envelope and must be returned by the date specified in the correspondence giving notification of the survey and reason for same . Only replies received from registered occupiers by that date will be considered
6. The outcome of the survey will be presented to the Environment Committee and only where all occupiers (100 %) in the affected street agree with the proposed name change, will a recommendation be presented to approve the change.
7. Where a request is not approved any further request will not be considered until the expiry of a 12 month period from the date of the Environment Committee meeting where the outcome of the survey was considered.
8. Where a Petition to have an existing street renamed is not approved then the occupiers will be notified of this.
9. Where a new nameplate is erected. The decision to remove an existing nameplate will be made by Property Services, where deemed necessary to do so.

10. Historical nameplates may remain in place where they are fitted to an existing wall (or dwelling), where they will not affect directional issues. This shall be at the discretion of Property Services.
11. Where the Department receives a request from the emergency services, mail delivery services or other statutory bodies who have difficulty locating the street to rename it. They shall inform residents as noted above and consider to survey and rename the street upon the agreement of all households on that street. Such requests shall be notified to and approval sought from Environment Committee and outcome of survey reported to same.

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: Liam Cassidy

Description: Proposed Street name for Housing Development

Ref: F/18/1435



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Appendix 2

28 AUG 2019

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	Red Hill Manor	Field is known locally as the Red Hill	Field is known locally as the Red Hill!
Option 2	Red Hill Drive	" "	" "
Option 3	Red Hill	Field is known locally as the Red Hill	" "

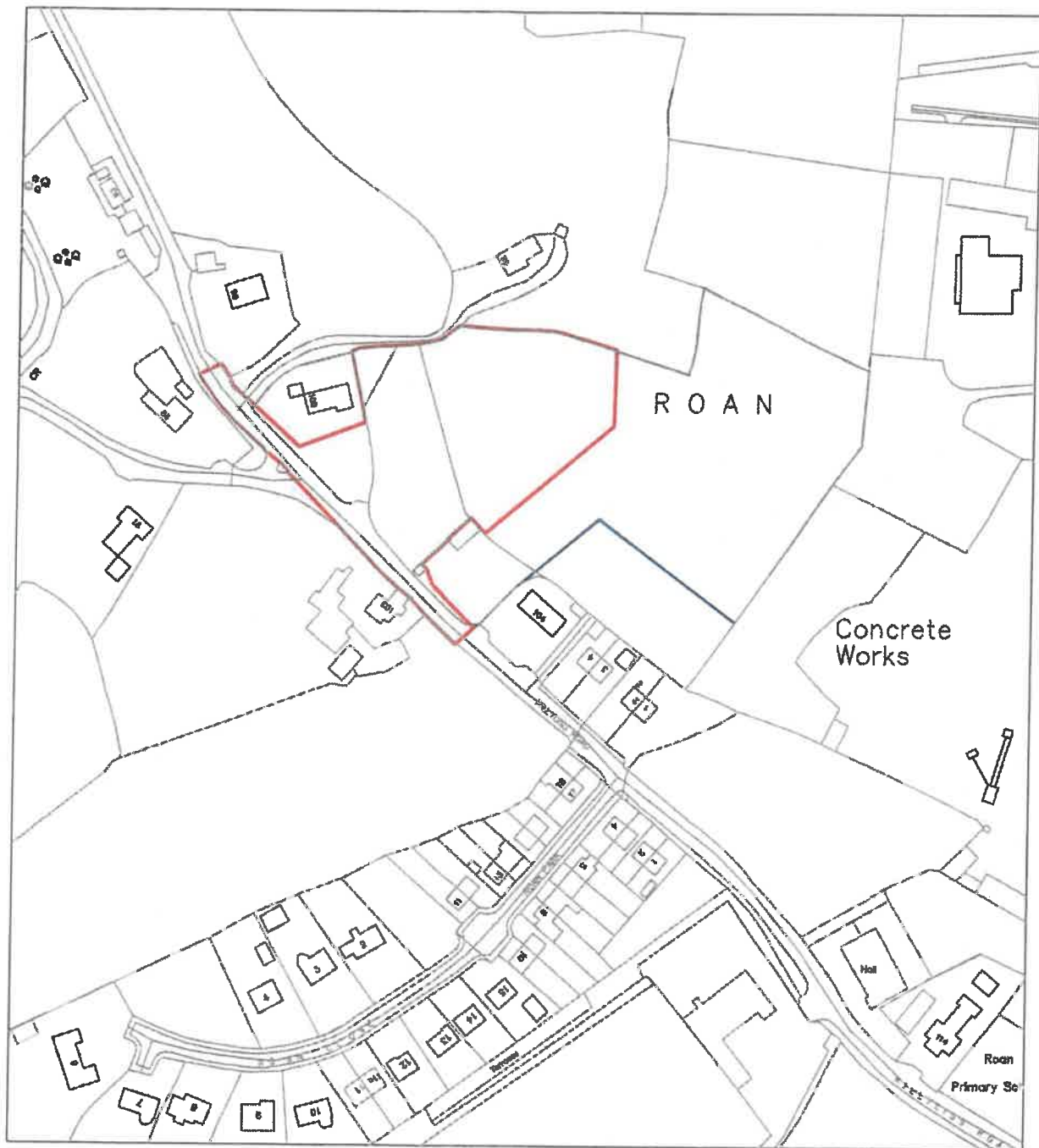
* Please avoid the use of apostrophes, hyphens, full stops and commas.

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

Signed Liam Cassidy

Dated 23.8.19

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Location Plan

- 7 SEP 2018

F11435118

-1:2500-

bds	project	Proposed 3No. Dwellings at Lands Adjacent to 100 Killyliss Road, Eglis, Co. Tyrone				
	client	Mr. L. Cassidy				
	dwg title	Location Plan				
	dwg no.	2387-C-011		scale	1: 2500	
	drawn	A.B.	checked	P.B.	date	Feb. '17

building design solutions

- architecture & planning -



Chartered Institute of Architectural Technologists

76 Main Street, Pomeroy, Co. Tyrone

Tel:- 028 8775 9292 Fax:- 028 8775 9393

info@buildingdesignsolutions.org.uk

www.buildingdesignsolutions.org.uk



Report on	Street Naming and Property Numbering
Date of Meeting	8 th October 2019
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	For Members to consider the naming of new streets within 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 Numbering, 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>The Building Control Department have received requests for the naming of streets within proposed residential development as follows:</p> <p style="text-align: center;">I. Site off Sixtowns Road, Straw, Draperstown</p> <p>An application has been submitted by M Glass for the naming of a new street within a proposed residential development off Sixtown Roads, Straw, Draperstown. The developer has submitted the following options for consideration (See Appendix 2).</p> <p style="text-align: center;"> 1. Mill Race 2. River Bank </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> <p style="text-align: center;">II. Site off Mullaghmore Road, Dungannon</p> <p>An application has been submitted by Gilmore Developments for the naming of a 4 new streets within a proposed residential development off Mullaghmore Road, Dungannon. The developer has submitted the following options for consideration (See Appendix 3).</p>

	<p>It should be noted that Millrace Drive was approved by Dungannon and South Tyrone Borough Council in May 2009.</p> <p style="text-align: center;"><u>Street 1 (Sites 15-17)</u></p> <ol style="list-style-type: none"> 1. Millrace Close 2. Millrace Mews <p style="text-align: center;"><u>Street 2 (Sites 18,77-83)</u></p> <ol style="list-style-type: none"> 1. Millrace View 2. Millrace Meadows <p style="text-align: center;"><u>Street 3 (Sites 43-66)</u></p> <ol style="list-style-type: none"> 1. Millrace Avenue 2. Millrace Manor <p style="text-align: center;"><u>Street 4 (Sites 68-76)</u></p> <ol style="list-style-type: none"> 1. Millrace Lane 2. Millrace Lodge <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: No

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 each street within a new residential development within Mid Ulster.</p> <p>I. Site off Sixtowns Road, Straw, Draperstown</p> <p>Either Mill Race Or River Bank</p> <p>II. Site off Mullaghmore Road, Dungannon</p> <p>Either <u>Street 1</u> (Sites 15-17) Or Millrace Close Millrace Mews</p> <p>Either <u>Street 2</u> (Sites 18,77-83) Or Millrace View Millrace Meadows</p> <p>Either <u>Street 3</u> (Sites 43-66) Or Millrace Avenue Millrace Manor</p> <p>Either <u>Street 4</u> (Sites 68-76) Or Millrace Lane Millrace Lodge</p>
6.0	Documents Attached & References
6.1	Appendix 1 – Policy for Street Naming and Numbering
6.2	Appendix 2 – Pro-forma containing street naming proposals, location map and site layout plan for new street off Sixtowns Road, Straw, Draperstown
6.3	Appendix 3 – Pro-forma containing street naming proposals, location map and site layout plan for new streets off Mullaghmore Road, Dungannon

Policy on Street Naming and Numbering

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

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2.0	Policy Aim & Objectives	
3.0	Policy Scope	
4.0	Linkage to Corporate Plan	
5.0	Naming of new Streets	
6.0	Renaming Existing Streets	
7.0	Roles & Responsibilities	
8.0	Impact Assessments <ul style="list-style-type: none"> • Equality Screening & Rural Needs Impact • Staff & Financial Resources 	
9.0	Support & Advice	
10.0	Communication	
11.0	Monitoring & Review Arrangements	

Appendices	Description	Page Number
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B	Naming of New Streets and Housing Developments: <i>Procedure</i>	
C	Renaming Existing Streets: <i>Procedures</i>	

1.0 INTRODUCTION

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

- (i) Naming of New Streets and Housing Developments;
- (ii) Renaming and Re-numbering existing streets

2.0 Policy Aim & Objectives

2.1 **Policy Aim:** To ensure the naming of New Streets and Housing Developments is delivered in a fair, equitable and consistent manner.

2.2 Policy Objectives:

- To facilitate Mid Ulster District Council in meeting its statutory obligations with regard to local government Street Naming requirements
- To confirm the mechanism and process by which Mid Ulster District Council will name new streets and housing developments
- To provide residents with a process whereby they may request the renaming of their street
- To ensure street names are reflective of localities within which they are being proposed and engagement of all affected residents of streets where requests have been received to rename

3.0 Policy Scope and Legislative Framework

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

- 3.2 This legislation empowers Council to authorise the naming of streets within its respective District. The 1995 Order provides for street naming, street numbering and the provision of street signs. It also provides the Council with a discretionary power to erect dual language street signs or second nameplates in a language other than English via Section 1a and 1b. A copy of the relevant statute is included in Appendix A.

Interpretation and Definitions

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

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

4.0 Linkage to Corporate Plan

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

5.0 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. The procedure that will apply in relation to proposal under this [policy] is contained in Appendix [B]. Building names are not controlled by statute and do not form part of this Policy.
- 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

6.0 Renaming and Renumbering Existing Streets

- 6.1 Provision shall be made for the renaming and renumbering of existing Streets within the Mid Ulster District Council area, where instances as noted in 7.2 below require that that this be undertaken to maintain a consistent approach to street naming. The 1995 Order empowers Council to authorise Street names within the area they administer. The procedure that will apply in relation to a proposal under this policy is contained in Appendix C.

6.2 Criteria - General

The renaming or renumbering of an existing street shall normally only be considered;

- To remove similar or the same street name in the immediate locality
- Where a street name has been 'lost'
- To correct an incorrectly spelt name
- If emergency services have reported problems in identifying and locating the street
- If postal services or other statutory agencies has reported problems in identifying and locating the street
- Where a request has been received by the Council and signed by not less than 50% of the occupiers of a street to which a change is being sought. This would be based on 1 occupier per premises on the relevant street

7.0 Roles and Responsibilities

- 7.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 7.2 **Building Control Service:** shall be responsible for implementing arrangements to administer; (i) requests to name New Streets and Housing Developments and (ii) requests to rename existing Streets.
- 8.0 Impact Assessments**
- 8.1.1 Equality Screening & Impact**
- 8.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 8.2 Rural Needs Impact**
- 8.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 8.3 Staff & Financial Resources**
- 8.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented. Valid requests for determination will be brought to attention of Committee.
- 9.0 Support and Advice**
- 9.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control
- 10.0 Communication**
- 10.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy
- 11.0 Monitoring and Review Arrangements**

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

Appendix A
Article 11, Local Government (Miscellaneous Provisions) (Northern
Ireland) Order 1995

Street names and numbering of buildings

Powers of councils in relation to street names and numbering of buildings

11.—(1) A council may erect at or near each end, corner or entrance of any street in its district a nameplate showing the name of the street; and a nameplate erected under this paragraph—

- (a) shall express the name of the street in English; and
- (b) may express that name in any other language

(2) A council may, immediately adjacent to a nameplate erected under paragraph (1) which expresses the name of a street in English only, erect a second nameplate expressing the name of the street in a language other than English.

(3) Neither this Article nor anything done by a council thereunder authorises or requires the use of the name of a street expressed in a language other than English as, or as part of—

- (a) the address of any person; or
- (b) the description of any land; for

the purposes of any statutory provision.

(4) In deciding whether and, if so, how to exercise its powers under paragraph (1)(b) or (2) in relation to any street, a council shall have regard to any views on the matter expressed by the occupiers of premises in that street.

(5) Any person who—

- (a) obscures, pulls down or defaces any nameplate erected under paragraph (1) or (2);
- (b) erects in any street any nameplate showing as the name of the street a name different from that in any nameplate erected in the street under paragraph (1) or (2); or
- (c) erects in any street any nameplate purporting to show the name of the street, without the authorisation of the council for the district in which the street is situated,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) Where a council has exercised its powers under paragraph (1) in relation to any street, the occupier of each house or other building in that street shall ensure that that house or building is at all times marked with such number as the council may approve for the purposes of this Article.

(7) Where a person fails to comply with paragraph (6) the council may serve on him a notice requiring him to comply with that paragraph within 7 days from the date of service of the notice.

(8) A person who fails to comply with a notice served on him under paragraph (7) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) Where a person fails to comply with a notice served on him under paragraph (7) in respect of any house or other building, the council may itself do anything which he has failed to do and may recover from that person summarily as a civil debt any expenses thereby reasonably incurred by it.

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“nameplate” includes any means of signifying a name in writing; “street” includes any road, square, court, alley, passage or lane.

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(12) The following statutory provisions shall cease to have effect, namely—

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- (c) section 21 of the Public Health Acts Amendment Act 1907^{F8};
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949^{F9}; and
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings;

Appendix B

Naming of New Streets and Housing Developments: *Procedure*

1. 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.
2. 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
3. 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.
4. 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.
5. 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
6. Should the Committee not accept any of the presented options the applicant/ developer will be informed of the Council's decision
7. 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
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10. New buildings will be allocated numbers consecutively with odd numbers to the right hand side and even numbers to the left hand side.

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This procedure provides guidelines for the procedure for renaming of existing street/road names which the 1995 Order empowers councils to authorise. The following procedure for canvassing the views of occupiers and the criteria to be applied in deciding whether to rename a street with an alternative in English shall be:

1. Upon receipt of a petition, signed by not less than 50% of the householders (based on one resident per household over the age of 18) of the street/road ("a Petition") the Council will consider a survey of the street/road in relation to the desired name change and reason for same.
2. The proposed name must meet the criteria set down in this policy for the naming of New Streets, as detailed within 5.2 of this policy.
3. If the Department considers the new name meets the criteria, approval to undertake the survey will be sought from the Environment Committee.
4. The Council will survey, by post, to the occupier(s) of each of the properties listed on the Electoral Register and one survey per established business as appears on the Non-Domestic Valuation List of that street/road or the part of a street/road affected at that time; seeking their views on the request to change the name. The survey shall be carried out by the Council's Building Control service.
5. Replies will be by way of a supplied self-addressed envelope and must be returned by the date specified in the correspondence giving notification of the survey and reason for same . Only replies received from registered occupiers by that date will be considered
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MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: *Michael Glass, 22 Ravenhill Rd, Maynooth*

Description: *Housing Development at Straw*

Ref: *F/2019/1149/MAS1*



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	<i>Mill Race</i>	<i>Adjacent to Mill</i>	<i>Same as linkage</i>
Option 2	<i>River Bank</i>	<i>Adjacent to River</i>	<i>Same as linkage</i>
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 *Michael Glass*

Dated *23/8/19*

M. Glass

Site adjacent to 82 Sixtowns Road and approx 30m SE
of Nos. 2-10 Whitewater Court, Draperstown.

PROJECT NO: 720
SCALE: 1:1250@A4
DATE: Oct 16
DRAWING NO: PI01
DRAWN BY: ph



- Site



- Adjoining Land

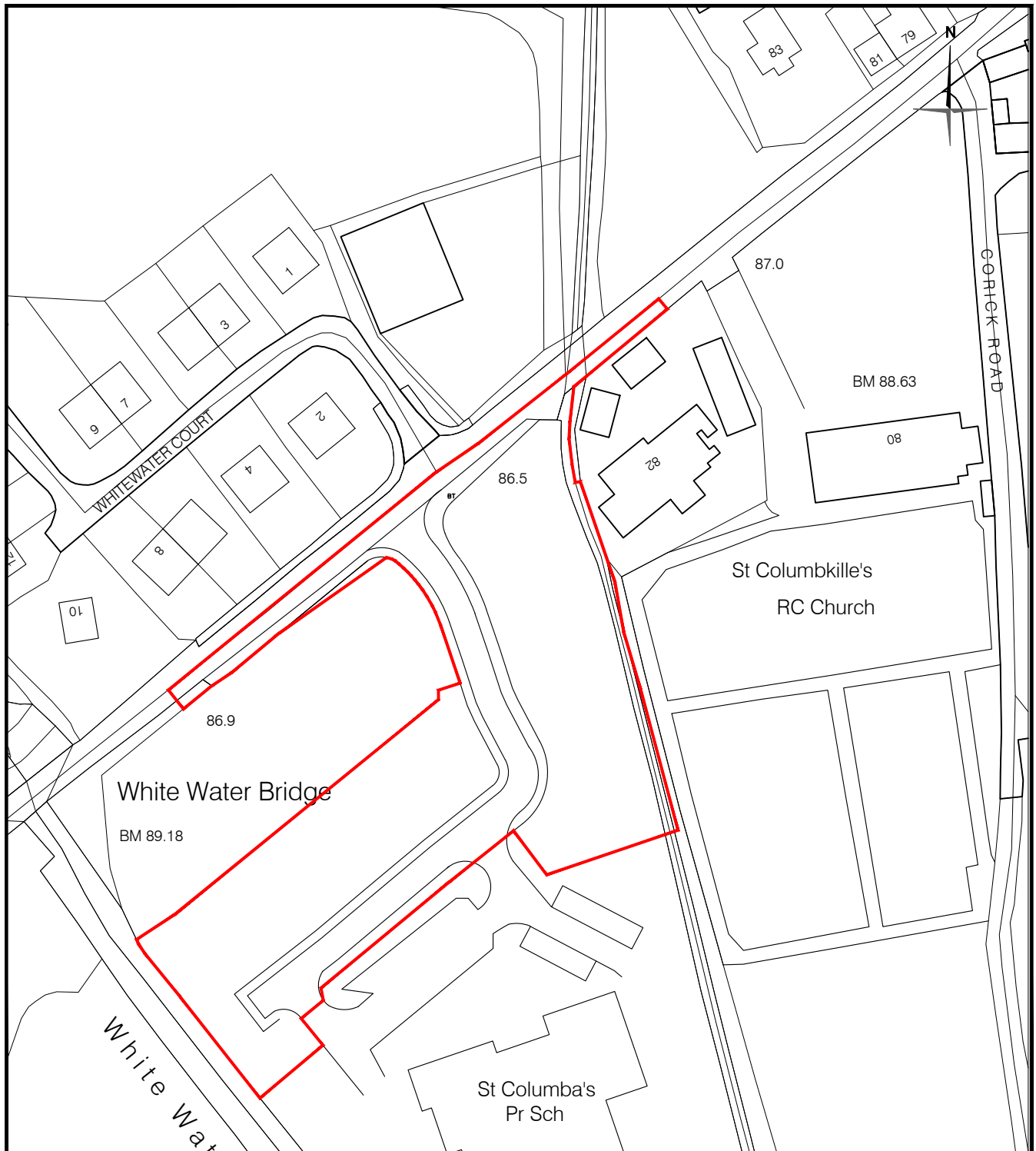
NEWLINE ARCHITECTS

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REVISIONS:

No: Description: Date: By:





MID ULSTER DISTRICT COUNCIL

New Street Name Proposals



Applicants Name & Address: O GILMORE DEVELOPMENTS LTD
25 ORANGE PARK, LUGBURN

Description: SITES 15-17 - STREET 1

Ref:

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	MILK RACE CLOSE	FIRST APPROVAL 'ORANGE'	TO FOLLOW ON FROM ROAD TO ORANGE TO THESE 3 HOUSES
Option 2	MILK RACE MEWS		
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 *A. [Signature]*

Dated 26/6/19

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: D GILMORE DEVELOPMENTS LTD

Description: SITES 18, 77-83 -

Street 2

Ref:

Page 59 of 438



	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	MILKACÉ VIEW	FIRST APPROVAL 'DRIVE'	THIS WILL OVERLOOK GREEN AREA
Option 2			
	MILKACÉ MEADOWS		
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 *A. [Signature]*

Dated 26/6/19

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: D GILMORE DEVELOPMENTS LTD

Description: SITES 43-66 - Street 3

Ref:



	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	MILLRACE AVENUE	FIRST APPROVAL 'ACTIVE'	FOURTH RAMP TO DRIVE TO AVENUE
Option 2			
Option 3	MILLRACE MANOR		

* 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 . A. Gilmore

Dated 26/6/19

Orange 4

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: O Gilmore Developments LTD

Description: SITES GS-76

- Street 4

Ref:



Comhairle na
Lár Ullast
Mid Ulst
District Council

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	MILLRACE LANE	FIRST APPROVA 'DRIVE'	ONE STREET OVERLOOKING THE MAIN ROAD
Option 2			
	MILLRACE LODGE		
Option 3			

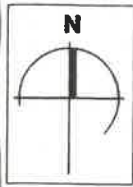
* Please avoid the use of apostrophes, hyphens, full stops and commas.

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

Signed A. Gilmore

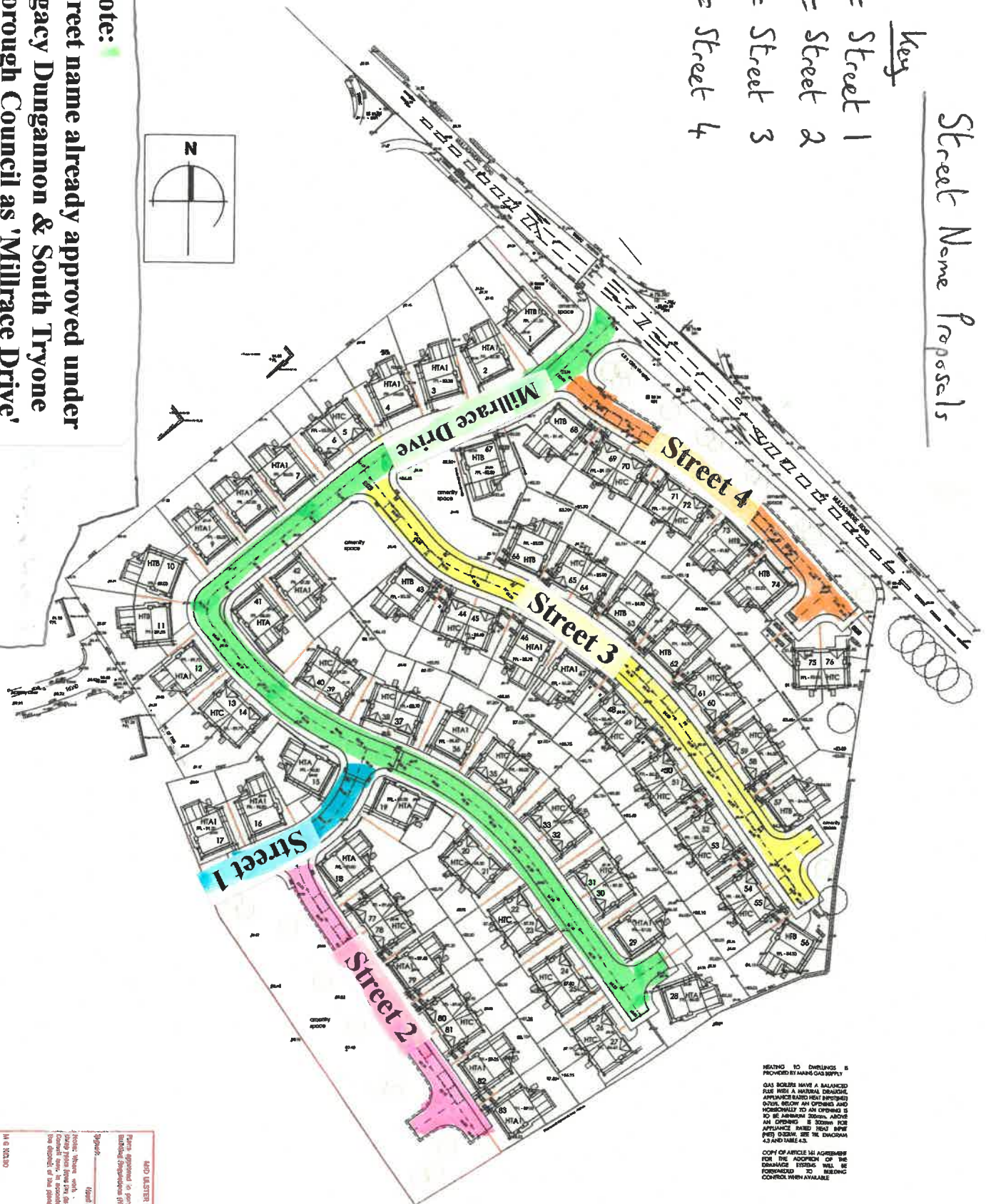
Dated 26/6/19

Note:
Street name already approved under
legacy Dungannon & South Tyrone
Borough Council as 'Millrace Drive'



key
= Street 1
= Street 2
= Street 3
= Street 4

Street Name Proposals



HEATING TO DWELLINGS IS PROVIDED BY MAINS GAS SUPPLY
GAS BOILERS HAVE A BALANCED
FLUE WITH A NATURAL DRAUGHT
APPROVED BASED HEAT INTERGRATED
OILY, BELOW AN OPENING AND
HORIZONTALLY TO AN OPENING IS
TO BE INSTALLED ABOVE
AN OPENING IS 300mm FOR
APPROXIMATE PAVED 1000mm
PATIO DESIGN, SEE THE DIAGRAM
4.2 AND TABLE 4.3.

COPY OF ARTICLE 141 AGREEMENT
FOR THE ADOPTION OF THE
DRAINAGE SYSTEMS WILL BE
FORWARDED TO BUILDING
CONTROL WHEN AVAILABLE

housing development at
mullaghmore road,
dungannon

Site Name
SITE LAYOUT

Project No:
19-035

Drawing No:
F-01

Revision:
B

Scale:
1:500 @ A1

Date:
APRIL 2019

Drawn by:

Checked by:

Author:

Project Manager:

Project Engineer:

Project Architect:

Project Surveyor:

Project Planner:

Project Coordinator:

Project Assistant:

Project Secretary:

Project Receptionist:

Project Cleaner:

Project Gardener:

Project Painter:

Project Electrician:

Project Plumber:

NOTES:

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Readings Information Centre

Survey Road, Strathgordon

City Centre, Strathgordon

Ref: (020) 4555 4455

Ref: (020) 4555 4455

Ref: (020) 4555 4455

Ref: (020) 4555 4455





30 MAR 2009

Report on	Live Here Love Here Small Grants Scheme 2019
Date of Meeting	8 th October 2019
Reporting Officer	Fiona McClements, Head of Environmental Health

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

1.0	Purpose of Report
1.1	To inform Members of the successful applications awarded funding across the Mid Ulster area under the Live Here Love Here (LHLH) Small Grants Scheme and to advise of the request from LHLH to update a future committee on their LHLH programme.
2.0	Background
2.1	<p>Mid Ulster District Council in partnership with Keep Northern Ireland Beautiful and other organisations launched the 2019 Small Grants Scheme on 16th April 2019. The scheme forms part of a wider programme aimed at promoting civic pride within communities and improving environmental quality. It aims to enable and support volunteers to:</p> <ul style="list-style-type: none"> • Improve the quality of their local environment through effective and innovative ways to reduce littering and dog fouling. • Enhance the environmental management of a local area. • Contribute to the development of civic pride within a community with the focus on environmental improvement.
2.2	Grants are available from £500 to £5000 and are open to volunteer and community groups, all schools and third level education organisations, youth groups and sports groups in the Council area.
2.3	Representatives from the Live Here Love Here programme would like to update Members on their campaign at a future committee meeting.
3.0	Main Report
3.1	The primary focus of the Small Grants Scheme is to equip and support volunteers and community groups to deliver practical environmental action in their locality.
3.2	Within the Mid Ulster District Council area 51 applications were submitted and assessed. The proposed projects were considered in terms of showing engagement with volunteers and community groups and assessed in the following areas:

	<ul style="list-style-type: none"> • Environmental outcomes; • Project goals; • Project need; • Volunteer involvement; • Partnership working; • Long term impact; • Value for money.
3.3	Funding was awarded to 19 projects within the Mid Ulster area that met the scheme criteria. The total grant amount allocated to the successful projects within Mid Ulster was £16 850. Northern Ireland Housing Executive and McDonald's also contributed to the funding programme.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Covered within the Keep Northern Ireland Beautiful Membership
	Human: Staff time for assessment
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Note the successful projects across Mid Ulster District Council area under the 2019 Small Grants Scheme attached at Appendix 1.
5.2	Invite Live Here Love Here representative to a future meeting to update on the LHLH programme.
6.0	Documents Attached & References
6.1	List of Mid Ulster District Council awarded projects 2019

MUDC Small Grants Scheme

Projects Awarded Funding - 2019

Group	Project	Funding Allocated £
Caledon in Bloom	Caledon in Bloom	1500
Castledawson Community Partnership	Community Village Enhancement	1000
CHS Eco Buddies	Rookery Wood Outdoor Classroom	750
Cookstown North Community Group	Community Notice Board	500
Donaghmore Horticultural Community	The Great Floral Wall of Ivy Bank	500
Eglish Cross Community Group	Community Village Improvements	800
Fivemiletown Chamber of Commerce	Environmental Spruce Up Scheme 2019	500
Greenvale Park Community Group	Greenvale Park Improvement Programme	600
Killowen Drive Residents Association	KDRA Helping to Make Our Estate Bright and Beautiful for All	500
Leckagh Neighbourhood Group	Blooming Success	1500
Mullaghconnor Residents	Mullaghconnor Residents	500
National Autistic Society NI Dungannon and District Branch	Project Green Team	500
Newmills Cultural Group	Newmills Wildlife Gardening Club	1200
St Colm's High School	Susan's Trail – Part 3	500
Tamlaght O'Crilly Parish Vintage Group	Tamlaght O'Crilly	500
Termoneeny Community Association	Gulladuff Village Open Space	1000
Tobermore Community Projects	Tobermore Looking to the Future	500
Upperlands Community Development	Flax Walk Man Shed	2000
Vineyard Church Dungannon	Crash 19 / GAD2D	2000

Note: The above highlighted projects in the table have been funded by one of the other partners but do fall within the MUDC area.

Report on	Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 - Authorised Officers
Date of Meeting	8 th October 2019
Reporting Officer	Mark Kelso, Director of Public Health and 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 inform Members of designation of Mid Ulster District Council as the competent authority for the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018.
2.0	Background
2.1	Council is in receipt of correspondence from Department of Environment Food and Rural Affairs to ensure that the provisions within the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 and the associated EU Regulations are enforced by the relevant competent authorities (see Appendix 1).
3.0	Main Report
3.1	On 1 st January 2019 the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 came into force. These Regulations introduce new powers and penalties for specifically referenced products protected by EU Regulation.
3.2	The regulations provide for the protection of certain specific trade names and prevent the mislabelling of similar products by third parties e.g. Lough Neagh Pollan.
3.3	The enforcement protocols within the regulations allow for noncompliance notices to be issued which can result in maximum fines of up to £40,000 where breach of regulations has been determined. The regulations also contain arrangements for application and verification procedures for product designation.
3.4	The regulations will be enforced through Environmental Health regulatory services.
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	That Members note the above and Mid Ulster District Council's appointment as the competent authority for the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 and the authorisation of Environmental Health officers for this purpose.
6.0	Documents Attached & References
6.1	Correspondence from the Department of Environment, Food and Rural Affairs
6.2	Guidance on the Protected Food Name Scheme, August 2019



Department
for Environment
Food & Rural Affairs

T: 03459 335577
helpline@defra.gov.uk
www.gov.uk/defra

Anthony Tohill
Mid-Ulster Council
By email only

Date: 18 Sept 2019

Dear Anthony Tohill

Appointment of Enforcement Authorities for the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018

The Secretary of State for Environment Food and Rural Affairs is required to ensure the provisions within the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 and the associated EU Regulations are enforced. Under these Regulations enforcement authorities defined as Food Authorities under the Food Safety Act 1990 (England, Scotland, Wales) and district councils within the meaning of the Interpretation Act 1954 (Northern Ireland) are eligible for appointment.

On the authority of the Secretary of State, I am therefore writing to appoint your local authority as an enforcement authority for this scheme. You must now appoint authorised officers who will carry out the enforcement functions which have been appointed to you.

The Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018

On 1 January 2019 the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 came into force. These Regulations introduce new powers and penalties for geographical indication (GI) products protected by EU Regulation 1151/2012, which defines the quality schemes for agricultural products and foodstuffs, commonly referred to as the Protected Food Names Scheme.

The responsibilities outlined in this letter apply to the UK's delivery of the current EU Protected Food Names Scheme whilst the UK is a Member State. The same scheme rules and responsibilities will continue to apply to a new UK GI scheme after EU Exit for those agri-food products registered as UK GIs.

The new regulations bring a number of changes which will affect the way local authorities with trading standards responsibility carry out their ongoing role in supporting the successful operation of this scheme. As the enforcement authority, local authorities ensure products at point of sale meet the scheme requirements (normally through their trading standards function). Trading standards functions may also, at their discretion, provide verification services to producers of products registered under the scheme. The changes we have introduced include the introduction of a bespoke civil sanctions enforcement regime and the formalisation of reporting requirements for both enforcement and scheme control activities.

Scheme Enforcement

In response to trading standards officers reporting difficulty in carrying out enforcement action under the legislation available to them, such as the Fraud Act 2006 and the Food Safety Act 1990, we consulted on and established a dedicated civil sanctions enforcement regime. This consultation took place in October 2018 and the responses we received informed the policy in the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018.

The enforcement regime set out in the Regulations identifies specific infringements related to the misuse of a protected food name and allows for a 'compliance notice' to be served where issues are not resolved after advice from an enforcement officer. In the event of failure to comply with a compliance notice, a 'non-compliance penalty notice' of up to £40,000 can be issued. Non-compliance penalties can also be issued upon failure to comply with the requirement of an authorised enforcement officer, for example failing to provide records when requested, or when an officer is obstructed in the line of their duties.

The enforcement authority may also impose an 'enforcement costs recovery notice' to obtain a sum equal to or less than the costs incurred by the enforcement authority up to the time the non-compliance penalty notice was issued.

Reporting Requirements

The new regulations also formalise the arrangements for reporting verification outcomes and formal enforcement activity to Defra. Where a trading standards function has provided this service they will need to be aware of their new reporting responsibilities.

Guidance

These regulations are in line with current UK Government practice of using a purely civil sanctions regime for enforcement such as this. To support the effective use of these new regulations, we have written supporting guidance, entitled "Protected Food Name Scheme: Guidance for Verification and Enforcement". A copy of this guidance is enclosed with this letter.

If you have any questions about the responsibilities outlined above please direct them to the lead official for the scheme, Chris Blake, who can be contacted on 02080266605 or at chris.blake@defra.gov.uk.

Yours sincerely,

Ananda Guha
Deputy Director
Agri-Food Chain Directorate



Department
for Environment
Food & Rural Affairs

Protected Food Name Scheme

Guidance for Verification and Enforcement

August 2019



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Any enquiries regarding this publication should be sent to us at

protectedfoodnames@defra.gsi.gov.uk

www.gov.uk/defra

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Introduction

Protected Food Names (PFNs) enjoy protection from misuse and imitation of their names, associated symbols and abbreviations linked to their designation as geographical indications. This protection is set out in EU legislation (Regulation (EU) No.1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs¹. However, the EU legislation does not provide enforcement powers – those are a matter for national regulation.

The creation of bespoke enforcement legislation ensures robust protection against the misuse of protected food names. The Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018² allows authorised officers to impose civil sanctions, in the form of a compliance notice, a non-compliance penalty notice and a costs recovery notice, on anyone misusing or intending to misuse a Protected Food Name. These civil sanctions may be used on any product registered under Regulation (EU) No 1151/2012. A comprehensive list of protected products can be found on the EU's database, DOOR³.

The scope of this guide reflects Regulation (EU) No 1151/2012 of the European Parliament and the Council on quality schemes for agricultural products and foodstuffs and the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018. This guidance will be reviewed once EU regulations cease to apply in the UK, where appropriate.

This document has been prepared as a guide for enforcement authorities to help them understand how to implement this new legislation.

This guidance will also be relevant to control bodies to help them fulfil the requirement to report inspections to Defra.

Verification

Verification is the means of checking, by examination and the consideration of objective evidence, whether specified requirements, set out in the product specification, have been fulfilled.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R1151>

² <https://www.legislation.gov.uk/uksi/2018/1275/made>

³ <http://ec.europa.eu/agriculture/quality/door/list.html>

The applicant group must nominate a control body during the application process who will be responsible for verifying that producers of that product are compliant with the product specification. A producer may choose to have their product verified by a control body not nominated on the specification. There are a number of reasons for choosing a different control body, for example, a producer may already have a relationship with a different control body. Producers of a newly registered PFN and new producers of existing PFNs are required to have an initial verification prior to marketing the product, undertaken by an authorised control body. Subsequent verification audits are then required to take place regularly to ensure each producer remains compliant with the specification. The frequency of which will be based on a risk assessment of the product. In the case of local authority control bodies they are not restricted to the area in which they are located for the purpose of these inspections.

As part of the registration process, new applicants should contact the control body to ensure the specification is testable and reflects the production process the applicant is using.

Reporting of Verification Results

The relevant control body is required to send documentation, such as inspection reports, to Defra immediately if it is found that a producer is not adhering to the product specification, regardless of the severity of the non-compliance. Defra requires this information to monitor the effectiveness of the official controls and to ensure corrective action has been taken where necessary.

The control body is required to notify Defra of any other result within 28 days of the inspection.

We will use this information to develop our understanding of PFN production. We will also use this information to fulfil reporting obligations on scheme compliance. Verification results should be emailed to protectedfoodnames@defra.gov.uk. There is no specific format for the reporting of verification findings, but the following information should be reported:

- Name of organisation/individual inspected
- Product inspected
- Date of Inspection
- Outcome

In cases of non-compliance the report should also include the following:

- Reason for non-compliance
- Date of expected resolution

Enforcement Authorities

Enforcement of the Protected Food Name scheme is delegated to enforcement authorities who must appoint authorised officers to enforce the Regulations. Enforcement authorities can only operate in the area in which they are situated when carrying out enforcement activities except if given consent to act in another area by the authority which operates there.

It is the responsibility of the enforcement authority to determine the appropriate means of enforcing the Regulations, and may use the powers afforded in these regulations or, if deemed appropriate, by exercising their powers in other legislation, such as, the Food Safety Act 1990⁴ Food Safety (Northern Ireland) Order 1991⁵, the Fraud Act 2006⁶ and the Consumer Protection from Unfair Trading Regulations 2008⁷. Enforcement authorities should also be mindful of the requirements of the Regulatory Enforcement and Sanctions Act 2008⁸ in respect of primary authority relationships and should ensure that these requirements are complied with, where applicable.

The regulations stated above are not exhaustive and there may be other relevant regulations that may also be appropriate.

Powers of Authorised Officers

These Regulations introduce a number of powers which will enable enforcement officers to take robust action to ensure products under the scheme are fully protected. These powers include:

- Powers of entry
- Powers to issue compliance notices
- Powers to issue non-compliance penalties
- Powers to issue cost recovery notices

⁴ <https://www.legislation.gov.uk/ukpga/1990/16/contents>

⁵ <http://www.legislation.gov.uk/nisi/1991/762/contents/made>

⁶ <https://www.legislation.gov.uk/ukpga/2006/35/contents>

⁷ <http://www.legislation.gov.uk/uksi/2008/1277/contents/made>

⁸ <https://www.legislation.gov.uk/ukpga/2008/13/contents>

Powers of Authorised Officers on Entry

The powers of entry afforded to the authorised officer are set out in regulation 10 of the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018.

The powers of authorised officers on entry are set out in regulation 11 of the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018.

Reasons for Issuing a Compliance Notice

An authorised officer may impose a compliance notice in the first instance for the following grounds:

- A person has marketed, is marketing or is intending to market a product as a PDO⁹, PGI¹⁰ or TSG¹¹ where the logo is not in the same field of vision as the name;
- A person has marketed, is marketing or is intending to market a product as a PDO or PGI but is not a verified producer;
- A person has misused, imitated or evoked, is misusing, imitating or evoking, or is intending to misuse, imitate or evoke a PDO or PGI;
- A person has used, is using or is intending to use a false or misleading indication as to the provenance, origin, nature or essential qualities of a product;
- A person has used, is using or is intending to use any other practice that is liable to mislead the consumer as to the true origin of the product;
- A person has misused, imitated or evoked, is misusing, imitating or evoking, or is intending to misuse, imitate or evoke a TSG;
- A person has used, is using or is intending to use a sales description that causes confusion with a TSG;
- A person has marketed, is marketing or is intending to market a product as an optional quality term e.g. 'mountain product' without complying with the conditions;
- A person has used, is using or is intending to use an indication, abbreviation or symbol which does not conform the rules of doing so;

⁹ Protected Designation of Origin

¹⁰ Protected Geographical Indication

¹¹ Traditional Speciality Guaranteed

- A person has marketed, is marketing or is intending to market a product under a registered PDO, PGI or TSG which has not been labelled using the correct symbol, indication or abbreviation.

What misuse could look like

The following examples may be commonly encountered and would be considered misuse of a PFN under the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018. Each example states which regulation may have been breached in each scenario but some examples could be interpreted as a breach of a number of the regulations.

Please note: These are possible examples and breaches that you might encounter but this is not an exhaustive list.

A compliance notice could be issued for the following:

- Failure to use the appropriate symbol or failure to display logo in the correct way – it must be the relevant symbol within the same field of vision as the name. This could be in breach of Regulation 12(1)(a).
- Use of name and/or symbol on a product from a producer with lapsed verification (e.g. a producer continuing to use the name Stilton Blue Cheese with correct symbol but having not renewed their verification). This is in breach of Regulation 12(1)(b).
- Use of name and/or symbol by unverified producer (e.g. a producer selling Carmarthen Ham without verification to do so). This is in breach of Regulation 12(1)(b).
- Miss-selling a non-PFN product as a PFN (e.g. a restaurant that advertises selling Conwy Mussels but the product the customer receives is a different, non-compliant product). This could be in breach of Regulation 12(1)(b).
- Use of symbol without the correct product name (e.g. Producer verified for Vale of Evesham Asparagus using the PGI symbol alongside 'Evesham Valley Asparagus' or 'Malvern Hills Hand Harvested Asparagus', which are not the names registered for the PGI, even if they give the correct indication). This could be in breach of Regulation 12(1)(c).
- Using "type" or "style" on products that evoke registered products (e.g. Parma Style Ham, Greek style Feta). This could be in breach of Regulation 12(1)(c).
- Use of name and/or symbol on a counterfeit product (e.g. labelling the product as Cornish Clotted Cream with relevant logo when the product is not, for example, made in Cornwall). This could be in breach of Regulation 12(1)(d).

- Using the reputation of a PFN, including its name and/or symbol, to allude to a product as a whole being protected when only an ingredient is protected, including when the ingredient has been used in an insufficient quantity to qualify¹² (e.g. West Country Beef Pie (PGI) instead of West Country Beef (PGI) Pie). This could be in breach of Regulation 12(1)(d).

For further information on labelling PFNs as ingredients, please see the Commission Communication – Guidelines on the labelling of foodstuffs using protected designations of origin (PDOs) and protected geographical indications (PGIs) as ingredients¹³.

- Use of protected name on unrelated product where it is clear that the product is not present (e.g. Welsh lamb flavoured crisps that have not used Welsh Lamb as an ingredient). This could be in breach of Regulation 12(1)(e).
- Use of symbol on non-PFN product (e.g. using the symbol on cheddar cheese). This could be in breach of Regulation 12(1)(i).

Typically, infringements of the regulations will often be reported at point of sale. In some cases the seller might provide evidence that the product has been acquired from a verified source. In cases where a product is honestly thought to be legitimate by the seller, investigations could include tracing the product through the supply chain to identify where the original breach of the regulations occurred.

If there are any cases where the infringement is unclear, please contact protectedfoodnames@defra.gov.uk for further assistance.

Non-Compliance Penalty Notice

In the event of failure to comply with a compliance notice, a non-compliance penalty notice of up to £40,000 can be issued. Non-compliance penalties can also be issued if an authorised officer is obstructed in the line of their duties or if a person fails to comply with a requirement from an authorised officer.

Enforcement Costs Recovery Notice

The enforcement authority may also impose an enforcement costs recovery notice to obtain a sum equal to or less than the costs incurred up to the time the non-compliance penalty notice is issued. They are also required to provide a detailed breakdown of the

¹² Provisions for what is considered to be a 'sufficient quantity to qualify' may be included on the product specification.

¹³ [https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:52010XC1216\(01\)](https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:52010XC1216(01))

costs if requested to do so. A request for a breakdown of the costs must be made within 14 days of the date of the notice.

A detailed breakdown of the costs does not need to be provided if the person in question has indicated they do not require this or if the request was made more than 14 days after the notice was issued.

Details to include on a Notice

The details which must be included on a compliance notice are set out in regulation 12 (2) of the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018.

The details which must be included on a non-compliance penalty notice are set out in regulation 13 (3) of the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018.

The details which must be included on an enforcement costs recovery notice are set out in regulation 14 (4) of the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018.

Penalties

The goal is to prevent any infringements and ensure that legitimate PFN holders of respective products are protected. The enforcement authority has the power to impose a penalty of up to £40,000. It should assess each case individually to determine the appropriate level of penalty taking into consideration the principles below and its local authority enforcement policy. The maximum penalty should be reserved for the worst cases.

The following principles should be taken into account when determining an appropriate level of penalty:

- **Financial benefit the individual/business may have obtained as a result of the infringement.** The penalty should take into account any financial benefit which has been obtained by the individual or business as a result of the infringement, but should not be used as a means of negating the financial benefit which has been obtained.
- **Severity of the infringement.** The more serious the infringement, the higher the penalty should be.
- **Harm caused by non-compliance.** The extent to which consumers, legitimate PFN holders, other businesses or other related persons were impacted as a result of the non-compliance.

- **Culpability and track record of the individual/business.** A higher penalty maybe appropriate in cases where there has been a history of failing to comply with obligations and/or actions that were deliberate and/or were known, or ought to have been known.
- **Punishment of the individual/business.** It is important that it is set at a proportionate level to demonstrate the consequences of not complying with responsibilities.
- **Deter the individual/business from repeating.** The goal is to prevent any further infringements and ensure that the product is fully protected. The level of the penalty should therefore be set at a high enough level to deter any repetition or continuation of the infringement and could act as a deterrent for others.

A guideline matrix has been provided in Annex A to help you determine an appropriate level of penalty.

Appealing a Compliance Notice, Non-Compliance Penalty or a Cost Recovery Notice

These regulations apply across the UK. As a result there are different routes to appeal issued civil sanctions.

England and Wales

Where a compliance notice, a non-compliance penalty notice and/or an enforcement costs recovery notice has been issued, the person on whom it has been served may appeal to the First-tier Tribunal (FTT). A compliance notice will not be suspended pending appeal unless stated otherwise by the FTT. A non-compliance penalty notice and an enforcement costs recovery notice will be suspended pending the determination or withdrawal of the appeal. The FTT may cancel or uphold the decision to issue the notice made by the enforcement officer.

Scotland

Where a compliance notice, a non-compliance penalty notice and/or a costs recovery notice has been issued, the person on whom it has been served may appeal to the sheriff. A compliance notice will not be suspended pending appeal unless stated otherwise by the sheriff. A non-compliance penalty notice and an enforcement costs recovery notice will be suspended pending the determination or withdrawal of the appeal. The sheriff may cancel or uphold the decision to issue the notice or make modifications to it.

Northern Ireland

Where a compliance notice, a non-compliance penalty notice and/or a costs recovery notice has been issued, the person on whom it has been served may appeal to the Magistrates' Court. A compliance notice will not be suspended pending appeal unless stated otherwise by the Magistrates' Court. A non-compliance penalty notice and an enforcement costs recovery notice will be suspended pending the determination or withdrawal of the appeal. The Magistrate may cancel or uphold the decision to issue the notice or make modifications to it.

Reporting of Enforcement Activity

Enforcement authorities are required to notify Defra within 28 days of an enforcement action relating to the misuse of a protected food name. Enforcement authorities should also be mindful of the requirements of the Regulatory Enforcement and Sanctions Act 2008¹⁴ in respect of primary authority relationships and should ensure that these requirements are complied with, where applicable. For further information on primary authority relationships, please see the Primary Authority Statutory Guidance¹⁵.

The notification must refer to the outcome and should be made when the enforcement authority:

- Exercises power of entry
- Issues a compliance notice
- Issues a non-compliance notice
- Issues a costs recovery notice

Defra would welcome, on a periodic basis, any information regarding informal enforcement action that has been taken that has resulted in compliance. Although this is not required by the regulation, this will help us develop a broader picture of activity related to compliance within the scheme.

We will use this information to identify trends in the data to see how effective the regulations are. This will help us to develop a picture of any emergent issues that may

¹⁴ <https://www.legislation.gov.uk/ukpga/2008/13/contents>

¹⁵

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/707382/primary-authority-statutory-guidance-2017.pdf

need to be addressed. We will also use this information to fulfil reporting obligations on scheme compliance.

Enforcement outcomes should be emailed to protectedfoodnames@defra.gov.uk. There is no specific format for the reporting of this, but the following information should be reported:

- Date of Incident
- Name of organisation/individual
- Product name
- Brief summary of issue
- Action taken
- Outcome
- Date of outcome

Further Information

If you have any questions regarding this issue, please contact:

protectedfoodnames@defra.gov.uk

Annex A

This matrix has been developed to help determine an appropriate level of penalty.

Table 1 can be used to consider the different elements that must be taken into account when determining a penalty. For each row, allocate an appropriate score to the related infringement and add the scores to get a total.

Table 2 can be used as an indication of a range of monetary values with relation to each score.

Row 1: The score allocated should reflect the level of financial benefit the individual/business has received as a result of the infringement.

Row 2: The score allocated should reflect the extent to which stakeholders were impacted by the infringement.

Row 3: The score allocated should reflect any previous enforcement issues related to the PFN scheme that the individual/business may have had.

Row 4: The score allocated should reflect the risk that the individual/business may continue or repeat the same or a different infringement.

Row 5: The score allocated should reflect the extent to which the product has been materially affected by the infringement.

Table 1

SCORE	10	20	30	40
1. Remove the financial benefit	Little or no income gained from the infringement	Low income gained from the infringement	Moderate income gained from the infringement	High income gained from the infringement
2. Harm caused	Little to no impact on consumers, businesses, other PFN holders or other related person(s)	Low impact on consumers, businesses, other PFN holders or other related person(s)	Moderate impact on consumers, businesses, other PFN holders or other related person(s)	High impact in consumers, businesses, other PFN holders or other related person(s)
3. Enforcement history	No previous enforcement issues	1-2 warnings or Compliance Notices issued	3+ previous warnings or compliances notices issued OR 1 non-compliance penalty notice previously issued	Serial offender – 2+ non-compliance penalty notices previously issued
4. Deterrence/ Prevention	Certain likelihood that the penalty will deter the individual/ business	High likelihood that the penalty will deter the individual/ business	Medium likelihood that the penalty will deter the individual/ business	Low likelihood that the penalty will deter the individual/business
5. Severity of the infringement	Minor issues - does not materially affect the product or the way it is represented	Moderate issues – does not materially affect the product but the product is misrepresented	Major issues – materially affects the product and it is being misrepresented	Critical issues – there are a number of infringements that materially affect the product and it is being misrepresented

Table 2

Matrix Score	Level of Penalty
40 – 80	£0 – £500
90 – 120	£501 - £5000
130 – 160	£5001 - £20,000
170 – 200	£20,001 - £40,000

Please note: This matrix is provided only as a guideline to determine an appropriate level of penalty and must not be considered regulatory. Consideration must be given by enforcement officers on the facts of each individual case.

Annex B

These templates are provided as a guideline for enforcement authorities to illustrate the information that is required by the regulations.

The format provided in this annex is not obligatory and the enforcement authority may wish to produce an alternative format.

Compliance Notice

Name of Enforcement Authority	
Address of Enforcement Authority	
Name of business/individual	
Address of business/individual	
Reason(s) for serving the notice	
Steps to comply	
Timeframe (the period in which to complete the steps to comply with the notice must be no less than 28 days)	

Your rights of appeal

You may appeal this notice within 28 days, beginning on the date on which this notice is served.

You may appeal to the First-tier Tribunal in England and Wales; the sheriff in Scotland; or the Magistrates' Court in Northern Ireland.

This notice will not be suspended pending the determination or withdrawal of an appeal unless directed otherwise by the First-tier Tribunal, the sheriff or the Magistrates' Court.

Following an appeal the First-tier Tribunal, the sheriff or the Magistrates' Court may either cancel or affirm this notice. If the notice is affirmed, it may be affirmed in its original form or with such modifications as the First-tier Tribunal, the sheriff or the Magistrates' Court thinks fit.

Failure to comply with this notice may result in a non-compliant penalty notice being served.

Non-Compliance Penalty Notice

Name of the Enforcement Authority	
Address of the Enforcement Authority	
Name of the business/individual	
Address of the business/individual	
Reason(s) for serving the notice	
Penalty Amount	
Period in which to pay (the period in which to pay in accordance with this notice must be no less than 28 days)	
Discounted penalty amount if paid within [xxx]	

Your rights of appeal

You may appeal this notice within 28 days, beginning on the date on which this notice is served.

You may appeal to the First-tier Tribunal in England and Wales; the sheriff in Scotland; or the Magistrates' Court in Northern Ireland.

The effect of this notice will be suspended pending the determination or withdrawal of the appeal.

Following an appeal the First-tier Tribunal, the sheriff or the Magistrates' Court may either cancel or affirm this notice. If the notice is affirmed, it may be affirmed in its original form or with such modifications as the First-tier Tribunal, the sheriff or the Magistrates' Court thinks fit.

Failure to comply with this notice may result in the enforcement authority recovering any unpaid sum as a civil debt or on the order of the court.

Enforcement Costs Recovery Notice

Name of the Enforcement Authority	
Address of the Enforcement Authority	
Name of the individual/business	
Address of the individual/business	
(Total amount to pay)	

Your rights of appeal

You may appeal this notice within 28 days, beginning on the date on which this notice is served.

You may appeal to the First-tier Tribunal in England and Wales; the sheriff in Scotland; or the Magistrates' Court in Northern Ireland.

The effect of this notice will be suspended pending the determination or withdrawal of the appeal.

Following an appeal the First-tier Tribunal, the sheriff or the Magistrates' Court may either cancel or affirm this notice. If the notice is affirmed, it may be affirmed in its original form or with such modifications as the First-tier Tribunal, the sheriff or the Magistrates' Court thinks fit.

Failure to comply with this notice may result in the enforcement authority recovering any unpaid sum as a civil debt or on the order of the court.

Report on	Response to The Food Standards Agency's Consultation on the Implementation of the Official Controls Regulations
Date of Meeting	8 th Oct 2019
Reporting Officer	Fiona McClements, Head of Environmental Health

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

1.0	Purpose of Report
1.1	To advise Members of the Food Standards Agency's Consultation on the implementation of the Official Controls Regulations and provide a Mid Ulster Council response to the consultation.
2.0	Background
2.1	The Official Controls Regulations (OCR) were adopted by the European Parliament and the Council on 15 March 2017 and entered into force on 27th April 2017. The new OCR rules were set to apply gradually over several years, with the main application taking effect 14 th December 2019.
2.2	The OCR addresses official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products. It repeals and replaces Regulation (EC) 882/2004 on official controls and other legislation which currently governs the control and enforcement of rules along the agri-food chain.
2.3	This consultation focuses on the implementation of legislation in Northern Ireland to provide for the execution of powers and enforcement only in relation to the aspects of the OCR that apply from 14 December 2019, and only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.
2.4	The FSA is preparing the legislative groundwork to implement the OCR in the event that the UK leaves the EU with an implementation period at the end of October, or sooner. It is anticipated that during any implementation period it will be necessary to maintain alignment with EU Regulations for food and feed safety and hygiene.
2.5	In the event that the UK leaves without a deal the FSA will update stakeholders further in relation to the proposed implementation of the OCR. The FSA will also consult further on any proposals to align national legislation with the OCR, including an updated assessment of the impacts.
3.0	Main Report

3.1	This consultation provides stakeholders with an opportunity to comment on the draft Regulations contained in the consultation package.
3.2	Northern Ireland Food Managers Group, which sits under Environmental Health Northern Ireland (EHNI), has prepared a response to the Food Standards Agency's consultation on the Implementation of the Official Controls Regulations. This consultation response has been considered by this department and is attached, having been amended to reflect the Mid Ulster area.
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	It is recommended that Members consider the content of the attached proposed response to this consultation and if in agreement, respond to the Food Standards Agency in accordance with the completed consultation template.
6.0	Documents Attached & References
6.1	Appendix 1: FSA consultation on The Implementation of the Official Control Regulations.
6.2	Appendix 2: Proposed Mid Ulster District Council response to the FSA consultation on The Implementation of the Official Control Regulations.

CONSULTATION ON THE IMPLEMENTATION OF THE OFFICIAL CONTROLS REGULATIONS

CONSULTATION SUMMARY PAGE

Date launched:	29 August 2019	Closing date:	11 October 2019
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Who will this consultation be of most interest to?

- Local authority and port health authority food and feed enforcement officers as well as any other body responsible for undertaking official controls.
- Food or feed business operators that import food and feed products into the EU.
- Food business operators approved under Regulation (EC) 853/2004.

What is the subject of this consultation?

The directly applicable Official Controls Regulation (EU) 2017/625 (OCR) takes effect on 14 December 2019. The OCR addresses official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.

This consultation focuses on the implementation of legislation in Northern Ireland to provide for the execution of powers and enforcement of the OCR only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.

What is the purpose of this consultation?

To seek stakeholder views and comment in relation to:

- The proposed implementation of the Northern Ireland legislation to provide for the execution of powers and enforcement of the OCR in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.
- Our assessment of the impacts associated with the implementation of the legislation in England, Wales and Northern Ireland in relation to FSA areas of responsibility only.

Responses to this consultation should be sent to:

Executive Support Unit

Tel: 028 90417700

Food Standards Agency in Northern
Ireland
10a-c Clarendon Road
Belfast
BT1 3BG

Email: executive.support@food.gov.uk

Impact Assessment included?	Yes x	No <input type="checkbox"/>
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CONSULTATION ON THE IMPLEMENTATION OF THE OFFICIAL CONTROLS REGULATIONS

DETAIL OF CONSULTATION

Introduction

In 2016 the UK voted to leave the EU. The Government remains focused on ensuring the smooth and orderly withdrawal from the EU with a deal as soon as possible. The deadline for doing so is 31 October, with the option to leave earlier as soon as a deal has been ratified. The Government will continue to negotiate, implement and apply EU legislation until the UK ceases to be a member of the EU.

1. The Official Controls Regulations 2017/625 (OCR) are due to come into effect across the EU on 14 December 2019.¹ The FSA is preparing the legislative groundwork to implement the OCR in the event that the UK leaves the EU with an implementation period at the end of October, or sooner. It is anticipated that during any implementation period it will be necessary to maintain alignment with EU Regulations for food and feed safety and hygiene.
2. The OCR was adopted by the European Parliament and the Council on 15 March 2017 and entered into force on the 27 April 2017. The new OCR rules were set to apply gradually over several years, with the main application taking effect 14 December 2019. A table listing the different application dates is available on the European Commission Website.²
3. The OCR addresses official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products. It repeals and replaces Regulation (EC) 882/2004 on official controls and other legislation which currently governs the control and enforcement of rules along the agri-food chain.
4. During EU negotiations the Food Standards Agency (FSA) consulted stakeholders on the impacts of the proposed OCR. This included the extended scope of the regulation to integrate controls in relation to plant health and plant protection products with those of food and feed law, and rules on animal health and welfare.³
5. This consultation focuses on the implementation of legislation in Northern Ireland to provide for the execution of powers and enforcement only in relation to the aspects of the OCR that apply from 14 December 2019, and

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R0625>

² https://ec.europa.eu/food/sites/food/files/safety/docs/oc_application_timeline_20170407.pdf

³ <https://webarchive.nationalarchives.gov.uk/20141204222847/http://www.food.gov.uk/news-updates/consultations/2013/officialcontrols-consult>

only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.

6. In the event that the UK leaves without a deal the FSA will update stakeholders further in relation to the proposed implementation of the OCR. We will also consult further on any proposals to align national legislation with the OCR, including an updated assessment of the impacts.

Proposals

The OCR is an overarching piece of legislation that sets operational standards for the performance of official controls and other official activities by competent authorities across the EU. The provisions of the OCR that take effect on 14 December 2019, will repeal and replace existing legislation integral to official control activities carried out by the FSA and local authorities in Northern Ireland. This includes Regulation (EC) 882/2004 regarding official controls performed to verify compliance with feed and food law, and Regulation (EC) 854/2004 on official controls on products of animal origin intended for human consumption.

7. The legal framework created by the OCR allows members of the single market to be sure that the competent authorities in other Member States are conducting controls in a suitably rigorous and impartial fashion. The legislation cuts across aspects of the agri-food chain, such as import controls and laboratories, as well as different commodities, such as live animals, plants and food of animal origin.

Key aspects of OCR application that apply from 14 December 2019:

- **A harmonised and coherent regulatory approach to official controls and enforcement actions along the agri-food chain;**
- **Increased transparency and greater accountability required by Member State competent authorities through the publication of information on the organisation and performance of official controls;**
- **More stringent rules on fraud will provide greater consumer protection and benefit compliant businesses;**
- **A common set of rules for controls at EU borders that overcomes the current fragmentation and makes the control system less burdensome for enforcers and businesses;**
- **An integrated computerised system to improve the exchange of information between Member States on official controls;**
- **Greater flexibility in relation to the accreditation of official laboratories (i.e. formal recognition of competence in their field);**
- **Businesses and authorities will benefit from reduced administrative burdens, more efficient processes and strengthened controls.**

8. A breakdown of identified changes which the OCR and the tertiary legislation will implement are provided in **Annex C**. We have tried to identify as many of the changes as possible but, as some tertiary legislation is still subject to

negotiation, it is not possible to present a final list and items identified may be subject to change.

9. The FSA proposes to introduce three Statutory Instruments (SIs) to provide for the execution of powers and enforcement to the OCR and its tertiary legislation in Northern Ireland. The SIs are not available for publication at the time of consultation. It is intended that the new SIs will follow the framework of the existing SIs which provide enforcement powers for the current official controls regulation (Regulation (EC) 882/2004 and Regulation (EC) 854/2004).

Impacts

10. An Impact Assessment is provided at Annex B which seeks to assess impact in England, Wales and Northern Ireland, of the changes brought about by the incoming domestic secondary legislation. It provides an overview of the changes and expected impacts that the directly applicable European secondary and tertiary legislation will necessitate in the UK context.
11. The FSA assessment identifies very few direct impacts on business from the implementation of the OCR in Northern Ireland, and those impacts that are identified are not considered to be significant. This is largely due to the changes resulting from the OCR relating to the overarching principles of conducting official controls, to which the UK is already aligned.
12. The FSA in Wales and England are consulting separately on their respective national legislation, and on the impacts identified in this combined Impact Assessment. Food Standards Scotland (FSS) is preparing equivalent legislation for the execution of powers and enforcement in Scotland and will consult accordingly with their stakeholders.

Engagement and Consultation Process

13. Stakeholder views are being sought on this consultation and the associated FSA Impact Assessment. The FSA would particularly welcome any evidence that stakeholders may be able to provide towards this and as such we have provided a list of questions below:

Questions asked in this consultation:

Please explain your answers as far as possible, and where available please also include evidence to support your views.

- Q.1:** Have we appropriately identified the key aspects of the OCR application that apply from 14 December 2019.
- Q.2:** Have we appropriately identified the impacts of the changes that apply from 14 December 2019 in our Impact Assessment?
- Q.3:** Do you agree with the assumptions made in our Impact Assessment?
- Q.4:** Are you aware of any other significant impacts of the changes that apply from 14 December 2019?

Questions asked in the Impact Assessment (Annex B)

Groups Affected:

Q.I: Is the total list of identified affected sectors / groups representative? If you partly agree or do not agree please identify other sectors / affected groups that should also be considered and provide reasons for your suggestion.

Costs:

Q.II: We would welcome evidence from affected businesses on the expected costs on their establishment if the FSA were to verify compliance by either a) collecting industry data or b) by sampling.

Q.III We would welcome supporting evidence on the total throughput levels of low capacity slaughterhouses and Game Handling Establishments, and the distribution of such establishments in relation to the new maximum annual threshold. We would also welcome views on our assumption that the new requirement may result in additional costs on such businesses and the degree to which this change is likely to impact them.

Q.IV: We would welcome any evidence stakeholders are able to provide in relation to the number of food business operators that currently harvest echinoderms from unclassified areas.

Q.V: We would welcome views, and where possible supporting evidence, from business importing one or more of the products subject to the above changes. What impact do you believe the harmonising of controls will have on your business?

Q.VI: We would welcome evidence from stakeholders, and in particular Port Health Authorities (PHAs), on the number of controls on reptile meat and insects currently performed.

Q.VII We welcome enforcement authority views on our stated assumptions for training requirements to support delivery of the changes introduced by the OCR. Please provide details of any specific training needs you think will be necessary.

Q.VIII We would welcome information from existing specialised border facilities (DPE/Is and BIPs) on what necessary changes and/or upgrades are required in order to obtain certification as a Border Control Post.

Q.IX: We would welcome views from Official Control Labs representatives, or LAs that currently send/receive sub-contracts samples to/from other non-designated laboratories in other Member States. Specifically, we invite evidence on the impact(s) that may arise from this change.

Benefits:

Q.X: Do you agree that a harmonised and coherent regulatory approach to official controls will deliver any benefits and/or cost savings to industry? We would welcome evidence on what benefits (if any) you expect to be delivered.

Q.XI: We would welcome stakeholders' views on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

Q.XII: We would welcome views from PHAs and LAs on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

14. The FSA will publish a summary of response report within 3 months of the closing date of this consultation.

Other relevant documents

15. A link has been provided to the OCR for ease of reference⁴.

Responses

16. Responses are required by close 11 October 2019. Please state, in your response, whether you are responding as a private individual or on behalf of an organisation/company (including details of any stakeholders your organisation represents).

17. Thank you on behalf of the Food Standards Agency for participating in this public consultation.

Yours,

Kathryn Baker
Head of Food Safety Policy and Delivery
Food Standards Agency in Northern Ireland

Enclosed

Annex A: Standard Consultation Information

Annex B: Impact Assessment

Annex C: List of changes between existing legislation and the OCR

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02017R0625-20170407&qid=1566396449807&from=EN>

Disclosure of the information you provide

Information provided in response to this consultation may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA) and the Environmental Information Regulations 2004).

If you want information 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.

Any automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding.

The Food Standards Agency will be what is known as the 'Controller' of the personal data provided to us.

Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

The Data Protection Act 2018 states that, as a government department, the Food Standards Agency may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

What we do with it

All the personal data we process is located on servers within the European Union. Our cloud based services have been procured through the government framework agreements and these services have been assessed against the national cyber security centre cloud security principles.

No third parties have access to your personal data unless the law allows them to do so. The Food Standards Agency will sometimes share data with other government departments, public bodies, and organisations which perform public functions to assist them in the performance of their statutory duties or when it is in the public interest.

What are your rights?

You have a right to see the information we hold on you by making a request in writing to the email address below. If at any point you believe the information we process on you is incorrect you can request to have it corrected. If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the Information Commissioner's Office (ICO) at <https://ico.org.uk/>, or telephone 0303 123 1113.

Our Data Protection Officer in the FSA is the Information Management and Security Team Leader who can be contacted at the following email address:

informationmanagement@food.gov.uk

Further information

If you require a more accessible format of this document please send details to the named contact for responses to this consultation and your request will be considered.

This consultation has been prepared in accordance with HM Government consultation principles⁵.

Title: The Official Control Regulations (OCR) IA No: Food 0162 RPC Reference No: Lead department or agency: The Food Standards Agency Other departments or agencies:	Impact Assessment (IA)			
	Date: 23/08/19			
	Stage: Consultation			
	Source of intervention: Domestic			
	Type of measure: Secondary legislation			
				Contact for enquiries: Liz Stretton
Summary: Intervention and Options				RPC Opinion: RPC Opinion Status

Cost of Preferred (or more likely) Option (in 2016 prices)			
Total Net Present Social Value	Business Net Present Value	Net cost to business per year	Business Impact Target Status
-£0.3m	-£0.2m	£0.0m	Non qualifying provision

What is the problem under consideration? Why is government intervention necessary?

Regulation (EU) 2017/625 or the Official Control Regulations (OCR) addresses official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products. The OCR entered into force on 27 April 2017 and will apply in all European Union Member States from 14 December 2019. At this point the OCR will repeal and replace Regulation (EC) 882/2004 and Regulation (EC) 854/2004 on official controls and other legislation, which currently governs the control and enforcement of rules along the agri-food chain.

What are the policy objectives and the intended effects?

To provide the execution of powers and enforcement of the OCR and associated tertiary legislation. Implementation of national legislation will maintain the legal basis for official control activity in relation food and feed law and animal health and welfare. In doing so consumer protection will be maintained along with confidence in the UK agri-food chain.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Option 1: Implement national legislation to provide for the execution of powers and enforcement of the OCR and associated tertiary legislation. This is the preferred option.

Option 2: Do Nothing – Do not implement national legislation to provide for the execution of powers and enforcement of the OCR. This option does not fulfil UK or FSA statutory objectives and would undermine consumer protection. The option is therefore rejected.

Will the policy be reviewed? It will/will not be reviewed. If applicable, set review date: Month/Year				
Does implementation go beyond minimum EU requirements?		No		
Is this measure likely to impact on trade and investment?		No		
Are any of these organisations in scope?	Micro Yes	Small Yes	Medium Yes	Large Yes
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)		Traded:		Non-traded:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible **SELECT SIGNATORY:** _____ **Date:** _____

Summary: Analysis & Evidence

Policy Option 1

Description: Implement national legislation to provide for the execution of powers and enforcement of the OCR and associated tertiary legislation

FULL ECONOMIC ASSESSMENT

Price Base Year 2016	PV Base Year 2017	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: -0.3

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate	£0.3		£0.0	£0.3

Description and scale of key monetised costs by 'main affected groups'
One-off familiarisation costs are estimated to accumulate £0.1m for enforcement authorities and £0.2m for businesses.

Other key non-monetised costs by 'main affected groups'
New import requirements could be associated with compliance costs for importers of some products of high-risk food and feed. Selected approved establishments are expected to see some new requirements to verify their compliance with regards to hygiene controls. Enforcement Authorities, including PHAs, OCLs and the FSA, could see minor changes in their responsibility to deliver official controls, e.g. requirements for additional import checks and new data collection tasks.

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate	n/a		n/a	n/a

Description and scale of key monetised benefits by 'main affected groups'
No benefits have been monetised.

Other key non-monetised benefits by 'main affected groups'
Industry should benefit from a harmonised and coherent regulatory approach to official controls and from a better targeting of risks. Importers of high-risk food and feed should also benefit from the harmonisation of entry documents which will reduce their administrative burden. We assume that Enforcement Authorities will benefit overall from a simplification and consolidation of the legislative framework.

Key assumptions/sensitivities/risks	Discount rate (%)
There remains a high level of uncertainty around the implementation of the regulation in certain areas for which we were unable to monetise the impacts, in particular where tertiary legislation is affected. The Impact Assessment is based on the assumption that the United Kingdom will be in an Implementation Period in December 2019 and that trade between the UK and the EU remains unchanged compared to the status quo if the OCR was implemented.	3.5

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: £0.02	Benefits: n/a	Net: £0.02	
			n/a

Summary: Analysis & Evidence

Policy Option 2

Description: Do Nothing – Do not implement national legislation to provide for the execution of powers and enforcement of the OCR

FULL ECONOMIC ASSESSMENT

Price Base Year n/a	PV Base Year n/a	Time Period Years n/a	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: n/a
COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)	
Low	Optional		Optional	Optional	
High	Optional		Optional	Optional	
Best Estimate	n/a		n/a	n/a	
Description and scale of key monetised costs by ‘main affected groups’ n/a					
Other key non-monetised costs by ‘main affected groups’ n/a					
BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)	
Low	Optional		Optional	Optional	
High	Optional		Optional	Optional	
Best Estimate	n/a		n/a	n/a	
Description and scale of key monetised benefits by ‘main affected groups’ n/a					
Other key non-monetised benefits by ‘main affected groups’ n/a					
Key assumptions/sensitivities/risks				Discount rate n/a	
The associated impacts of this option have not been assessed because of the disproportionate negative effects on public health and legal consequences that would be associated with this option.					

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: n/a	Benefits: n/a	Net: n/a	n/a

Problem under consideration

1. Regulation (EU) 2017/625, referred to as the Official Controls Regulation (OCR), is a directly applicable EU regulation and an overarching piece of legislation that sets operational standards for the performance of official controls and other official activities by competent authorities across the European Union.
2. The OCR entered into force on 27 April 2017, with the applicability of the new rules set to apply gradually over a number of years; with the main application taking effect on 14 December 2019. The OCR empowers the European Commission to adopt implementing acts and introduce delegated acts (tertiary legislation) to supplement the regulation.
3. When the OCR main application takes effect on 14 December 2019 it will give effect to applicable tertiary legislation and the new law will apply in all European Union Member States. It will also repeal and replace existing legislation integral to official control activities, including those carried out by the Food Standards Agency (FSA) and local authorities in England, Wales and Northern Ireland. This includes Regulation (EC) No 882/2004 regarding official controls performed to verify compliance with feed and food law, and Regulation (EC) No 854/2004 on official controls on products of animal origin intended for human consumption.
4. The legal framework created by the OCR allows members of the single market to be sure that the competent authorities in other Member States are conducting controls in a suitably rigorous and impartial fashion. The legislation cuts across aspects of the agri-food chain, such as import controls and laboratories, as well as different commodities, such as live animals, plants and food of animal origin.
5. The OCR is directly applicable in UK law in case of either an Article 50 extension or an Implementation Period. This means, in either of these scenarios, the Regulations that provide the UK basis for feed and food law official controls will no longer apply from 14 December 2019. New secondary legislation in England, Wales and Northern Ireland, is therefore required to repeal and replace current secondary legislation, to provide for the execution of powers and enforcement for the OCR and associated tertiary legislation that is currently being negotiated by Member States and the European Commission.
6. This Impact Assessment assesses the changes that will be brought about from 14 December by the proposed domestic secondary legislation in England, Wales and Northern Ireland that repeals, replaces and amends existing domestic secondary legislation and provides for the execution of powers and enforcement for the OCR and associated tertiary legislation. It also assesses the changes and expected impacts that the tertiary legislation will necessitate in the UK context¹.
7. Impacts are identified and assessed for England, Wales and Northern Ireland. Food Standards Scotland (FSS) are responsible for implementing these changes in Scotland and for assessing the impacts on Scotland.
8. It should be noted that the Impact Assessment covers all impacts and geographical areas for which FSA has full or partial policy responsibility. This ensures that FSA stakeholders receive a comprehensive overview of all impacts they might experience. Due to the broad scope of the OCR and the shared policy responsibilities between FSA and other government departments, especially DEFRA, some of these impacts might also be assessed by other departments.

Rationale for intervention

9. Failing to provide for the execution of powers and enforcement in England, Wales and Northern Ireland, for the OCR, in the event the UK remains subject to directly applicable EU Regulations on 14 December 2019 (i.e. an implementation period or extension to Article 50) would present significant gaps to the legislative framework for the delivery of official controls.

¹ An Impact Assessment was produced to address the initial Commission proposal in 2013. Since then there have been significant changes to the legislation following European negotiations which necessitates a change in scope of the Impact Assessment. The 2013 IA can be accessed via <https://www.reading.ac.uk/foodlaw/pdf/uk-13026-enforcement-consultation.pdf>.

10. UK enforcement authorities (such as the FSA and local authorities) carry out official controls at all stages of production, distribution, use, storage, transport, import and export of food and feed. The controls ensure that food and feed businesses are meeting their obligations to produce safe and wholesome food and feed and that unsafe products are removed from the market. Official controls are integral to protecting consumers' health and other interests and maintaining the integrity of the agri-food chain that provides consumer and business confidence as well as assurance to other Member States and 3rd countries, which is vital to trade.
11. When the main provisions of the OCR take effect on 14 December 2019, the OCR will repeal the European regulations that currently provide the legislative framework for UK official controls in relation to EU food and feed law. To maintain our legislative framework for EU food and feed law official controls the UK must provide for the execution of powers and enforcement of the OCR in domestic legislation. Failure to do so will undermine the effectiveness of official controls and therefore undermine consumer protection as well as confidence in the UK agri-food chain.
12. The FSA estimates that there are around a million cases of foodborne illness in the UK each year, generating an economic burden of treatment costs and loss of productivity in excess of £1 billion each year in resource and welfare costs for the UK². A failure to introduce the required legislation to enforce official food and feed controls would undermine the effectiveness of official controls, likely leading to an increase in non-compliance and cases of foodborne disease, involving severe consequences for public health and costs to society.
13. Official controls also help maintain a level playing field for honest and diligent food and feed business operators, which is in the interest of industry as a whole. In particular, adherence to the principles contained within (or requirements of) the OCR will help the UK to demonstrate that food and feed produced and processed within the UK have been produced and handled in accordance with EU requirements. Consequently this will help to ensure continued confidence in the UK agri-food sector which contributed £121.7 billion (6.7%) to national Gross Value Added in 2017 and employs around 4.1 million people (14% of GB employment).³ In terms of sales, the manufacture of food products remains the largest division within the whole UK manufacturing sector, contributing £71.8 billion (18.4%) of total UK manufacture in 2018⁴, providing inputs for a multiple of secondary industries, including importing, exporting, processing, storage, distribution and retail. There is hence also a strong economic rationale for implementing the OCR and maintaining and strengthening confidence in food and feed produced in the UK.

Policy objective

14. The existing legal framework enables competent authorities to effectively enforce food and feed law. The statutory instruments to provide the execution of power and enforcement for the OCR will ensure sufficient national powers are in place to effectively enforce food and feed law and maintain the high level of consumer protection currently in place. The national legislation will also ensure that domestic law is up to date with the European Union *acquis* including the changes brought about by the provisions of the OCR on 14 December 2019.
15. Through the implementation of national legislation in England, Wales and Northern Ireland the FSA will repeal and replace current secondary legislation, to provide for the execution of powers and enforcement for the OCR and associated tertiary legislation currently under negotiation by Member States and the European Commission. Implementation of national legislation will maintain a strong legal basis for future official control activity in relation to food and feed law and animal health and welfare. It will also ensure that consumer protection is maintained and that confidence in the UK agri-food chain is maintained through the demonstration of the effectiveness of our regulatory control system including the legal basis for the execution of necessary powers and enforcement of official controls and other official activities.

² 2017/18 Annual Reports and Consolidated Accounts, p. 16. It should be noted that the FSA is currently updating the way it estimates the economic burden of foodborne illness. These figures are therefore preliminary and will be updated as soon as new evidence is available.

³ Defra (2019): Food Statistics in your pocket: Summary (National Statistics, updated 8 April 2019): <https://www.gov.uk/government/statistics/food-statistics-pocketbook>.

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<https://www.ons.gov.uk/businessindustryandtrade/manufacturingandproductionindustry/bulletins/ukmanufacturerssalesbyproductprodcom/2018provisionalresults#manufacturing-of-food-products-contributes-to-growth-in-2018>.

16. The intention of the European Commission is to simplify and further harmonise control systems across the EU agri-food chain through the implementation of the OCR. The organisation of such controls is harmonised at an EU level to ensure a consistent high-level of consumer protection, provide confidence in the safety and standards of food produced in the EU or imported from third countries and provide for effective functioning of the internal market.
17. The new legislation builds upon and clarifies the existing risk-based approach towards the performance of official controls. The main intended effects identified by the Commission are summarised below:
- A harmonised and coherent regulatory approach to official controls and enforcement actions along the agri-food chain;
 - Increased transparency and greater accountability required by Member States competent authorities through the publication of information about the organisation and performance of official controls;
 - More stringent rules on fraud will provide greater consumer protection and benefit compliant businesses;
 - A common set of rules for controls at EU borders that overcomes the current fragmentation and makes the control system less burdensome for enforcers and businesses;
 - An integrated computerised system to improve the exchange of information between Member States on official controls;
 - Greater flexibility in relation to the accreditation of official laboratories (i.e. formal recognition of competence in their field);
 - Businesses and authorities will benefit from reduced administrative burdens, more efficient processes and strengthened controls.

Background

Delivery of Official Controls

18. The FSA is the Central Competent Authority (CCA) responsible for the delivery of official food and feed controls in England, Northern Ireland and Wales. In England and Wales the FSA is responsible for the delivery of dairy hygiene controls and official controls in approved meat premises, including meat hygiene requirements and regulations on the welfare of animals at slaughter. In Northern Ireland the Department of Agriculture, Environment and Rural Affairs (DAERA) carry out hygiene controls on behalf of the FSA in Northern Ireland in these premises. The FSA is also responsible for the classification of shellfish production areas in England, Wales and Northern Ireland.
19. There are 387 Local authorities (LAs) in England, Northern Ireland and Wales delivering official food controls.⁵ Of these, 149⁶ LAs in England and 22 LAs in Wales have also been designated to deliver official feed controls for matters which are not within the remit of the Veterinary Medicines Directorate (VMD) or the Animal Plant and Health Agency (APHA). In Northern Ireland, the Department of Agriculture, Environment and Rural Affairs (DAERA) is responsible for delivery of all animal feed controls including veterinary medicines and regulating the use of specified materials in animal feed, including the ban on feeding animal proteins to ruminants and processed animal proteins to farmed animals.
20. In England, Wales and Northern Ireland the FSA is responsible for setting the standards and monitoring performance of the delivery of official controls for food and feed law. The FSA directs and maintains the consistency of delivery of food controls by local authorities through the Food Law Codes of Practice and associated Practice Guidance. For feed controls, in England and Wales the Feed Law Code of Practice and associated Practice Guidance and in Northern Ireland the Feed Law Enforcement Guidance document, issued to DAERA. The FSA also sets out the standards of

⁵ Annual report on local authority food law enforcement 2017/18, <http://www.reading.ac.uk/foodlaw/pdf/2018-FSA-LAEMS-2017-18.pdf>

⁶ This figure refers to the number of local authorities as at 1st April 2019. Source: FSA Animal Feed Enforcement Return 2019/20.

performance for official control activity in FSA approved establishments through a published Manual for Official Controls (MOC) in England and Wales. In Northern Ireland, DAERA maintain and publish a parallel MOC which broadly reflects the content of the FSA MOC.

Impact of the OCR

21. The OCR is part of a wider initiative to simplify EU legislation to establish a more integrated approach to official controls in all areas across the agri-food chain to ensure consistency across the legislation. The new OCR expands the scope of the official controls legislation to include official controls on animal health (including aquaculture), plant health, Plant Reproductive Material (PRM) and plant protection products in addition to food and feed and animal welfare. This includes the 'Animal Health Law' (Regulation 2016/429) and the Plant Health Law (Regulation 2016/2031).
22. The OCR also empowers the creation of tertiary legislation ('implementing acts' and 'delegated acts') which allow the European Commission to create further detailed rules in specific areas. The majority of this tertiary legislation so far, which has been under development since 2017, has addressed import controls and conditions. New rules have also been published regarding hygiene inspection for products of animal origin. This tertiary legislation will also apply from 14 December 2019.
23. Though the OCR entered into force on the 27 April 2017, the applicability of the new rules was set to apply gradually over several years; with the main application taking effect 14 December 2019. In the event the UK remains subject to directly applicable EU Regulations on 14 December 2019 (i.e. an implementation period or extension to Article 50) the new rules will fully apply and the current legislative framework for food and feed law official control will be repealed.
24. This impact assessment assumes that the domestic legislation will be implemented fully in December 2019. It focuses solely on the changes in relation to the aspects of the OCR that apply from 14 December 2019, and only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare. In this space the new OCR introduces reforms in certain areas but does not deviate significantly from the existing legal architecture and general approach to official controls. Separate legislation is being prepared by Defra for their areas of responsibility and the impacts assessed accordingly.
25. In the event the UK leaves without a deal the FSA will update stakeholders further in relation to the proposed implementation of the OCR. We will also consult further on any proposals to align national legislation with the OCR, including an updated assessment of the impacts.

General Changes to the Delivery of Official Controls

26. The OCR will introduce changes across a number of policy areas. However, for the most part it is expected that these changes will result in relatively few impacts, as they relate to the overarching principles of conducting official controls to which the UK is already aligned. The key changes identified by the FSA in relation to the main provisions of the OCR that apply from 14 December 2019 are set out below.
27. Further impacts, associated with provisions laid down in the tertiary European legislation, which sets out in further detail how official controls should be carried out, are also identified and assessed.

Other official activities

28. Article 2 of the OCR introduces a new definition of 'other official activities', which includes activities performed by competent authorities (CAs) or delegated bodies other than official controls. For example, enforcement measures and/or remedial actions following non-compliance; management of lists of registered/approved food and feed business operators or the issuance of official certificates. The OCR sets out rules necessary to ensure that such activities are properly and effectively performed. Our assessment is that the FSA Food and Feed Law Codes of Practice, and associated Practice Guidance, likewise, the FSA Manual for Official Controls, already acknowledge and align with the OCR requirements in respect of the way these activities are carried out by CAs in England, Wales and Northern Ireland. We therefore do not expect any incremental impact associated with this change.

Risk-based controls

29. The general risk-based approach of existing legislation and current practice, detailed in Article 9 of the OCR, is maintained. However, a new provision strengthens the fight against fraud along the agri-

food chain by clarifying that CAs are required to carry out regular risk-based official controls, directed at identifying fraudulent and deceptive practices.

30. Our assessment is that the FSA Food and Feed Law Codes of Practice, and associated Practice Guidance already acknowledge and have regard to food fraud as part of the food and animal feed law risk rating schemes. Likewise, the FSA Manual for Official Controls also identify the need to have regard to fraudulent practices during routine audits. We do not expect any change to the frequency or number of official controls as a result of this new provision.
31. Furthermore, there is now a requirement on competent authorities that the penalties associated with fraud convictions must represent the economic advantage gained by the perpetrator as a result of that fraudulent action. Such penalties are already available for fraudulent activities prosecuted in the UK through the Proceeds of Crime Act 2002. We therefore do not expect any incremental impact from this change.

Transparency requirements

28. Transparency requirements for competent authorities are clarified in Article 11 of the OCR by identifying the minimum level of information which must be made public and at what frequency. Competent authorities are required to provide FBOs with copies of reports where non-compliance has been detected as well as where compliance has been achieved. New provisions regulate the delegation of specific tasks relating to 'other official activities' and the conditions to be met for delegating certain official tasks.
29. Our assessment is that the current practice in England, Wales and Northern Ireland already meets these requirements. We therefore do not expect any incremental impact from this change.

Sampling

30. Articles 35 and 36 of the OCR relating to 'second expert opinion' and 'sampling of animals and goods offered for sale by means of distance communication' provide greater clarity to enforcers that a sample ordered on-line by the CA without identifying themselves can be validly used for the purposes of an official control. While also making provision that they need to inform the operator that such a sample has been taken and, where appropriate, is being analysed in the context of an official control.
31. Our assessment is that this provision of notification already exists in UK law. We therefore do not expect any incremental impact from this change.

Official Controls for products of animal origin

32. Article 18 of the OCR creates specific rules on official controls and for action taken by the competent authorities in relation to the production of products of animal origin intended for human consumption. This Article derives from the now revoked Regulation 854/2004 and provides the legal basis for the work of the FSA in establishments or areas where products of animal origin for human consumption are produced or processed. The implementing and delegated acts made under Article 18(7) and Article 18(8) establish detailed rules in this area. Our analysis of the OCR requirements indicates that OAs can continue provide assistance to OVs in undertaking ante-mortem and post mortem inspection. The impact of these changes is analysed in further detail below.

Import controls

33. Articles 43 – 77, 90, 126 -128 and Article 134 of the OCR are revised rules regarding import controls and import conditions on animals and goods arriving in the European Union from third countries. These changes are intended to create a common framework for all goods covered by the OCR across the agri-food chain. Central to this project is the re-designation of all existing specialised border facilities, such as Designated Points of Entry (DPEs) and Border Inspection Posts (BIPs) as Border Control Posts (BCPs). Furthermore, existing entry documents, such as the Common Entry Document (CED) for high-risk food not of animal origin and the Common Veterinary Entry Document (CVED) for products of animal origin, will be amalgamated as Common Health Entry Documents (CHEDs). These systemic changes will be underpinned by a new Information Management System for Official Controls (IMSOC). This platform will link existing systems, such as RASFF and TRACES, rather than replacing any elements of the Commission's computational architecture.
34. Although the groundwork for this new common framework for imports is established in the OCR, the legislation itself provides the power to make detailed implementing tertiary legislation. Since 2017

these rules have been negotiated between European Union Member States and the European Commission. The UK has participated fully in this process. As these detailed rules establish, to a much greater extent, the shape of the new regime, their impact is examined below in greater, individual detail.

National Reference Laboratories (NRLs) & Official Control Laboratories (OCLs)

35. National Reference Laboratories (NRLs) & official control laboratories (OCLs) will see minor changes to the responsibilities placed upon them (Articles 34, 38, 40, 42, 92, 94, 100 & 101). The changes for NRLs have in fact applied since April 2018. Changes to the responsibilities of OCLs (applicable from December 2019) will mean that competent authorities are required to have closer contact with the laboratories and greater oversight of delegated laboratories. The main issue in this area is a legislative change which means that a laboratory can only send a sample to a laboratory in another member state if the second laboratory has been designated an official laboratory in the receiving member state. The impact of this change has been assessed in further detail in the appraisal section.

Cross-border incidents

36. Articles 102 – 108 of the OCR subjects CAs to tighter rules and more formalised processes for interacting with authorities in other Member States when responding to cross-border incidents. For example, CAs must set out within ten days their intentions regarding notifications from other Member States.
37. Our assessment is that the UK already consistently complies with these requirements. We therefore do not expect any incremental impact.

Financing of Official Controls

38. The OCR also expands upon the European Union's existing legal basis for the financing of official controls. This includes, in particular at Article 85, a greater emphasis on transparency.
39. The FSA does not anticipate introducing any changes now or immediately after 14 December 2019. Further stakeholder engagement will take place in due course.

Tertiary Legislation: UK Integrated Multi-Annual National Control Plan (MANCP) – Annual Report

40. It is a European Commission requirement that all member states have a national control plan. The purpose of this plan is to ensure that effective systems are in place for monitoring and enforcing feed and food law, animal health and animal welfare rules, and plant health law. Progress on implementation is continually monitored and annual reports are prepared and submitted to the European Commission.
41. In order to ensure the uniform presentation of annual reports, the OCR provides for implementing acts to adopt and update as necessary standard model forms to be used for annual submission of the information. The EU have now finalised and published these model forms under Commission Implementing Regulation (EU) 2019/723. This requirement applies from 14 December 2019, however, the first annual report against the new template is not required until August 2021. We do not expect any incremental impact associated with this requirement.

Tertiary Legislation: Hygiene controls on products of animal origin (POAO) for human consumption

42. Article 7 of Regulation (EU) 2019/624 places maximum thresholds limiting the use of official auxiliaries (OA) carrying out post-mortem inspection (PMI) at what are now referred to as low-capacity slaughterhouses and low-capacity game handling establishments (GHE) based on maximum number of animals slaughtered annually. The Regulation also permits this level to be raised where the total national production of the low-capacity facilities which take advantage of the increased threshold do not exceed 5 percent of the total market for the species concerned.
43. Currently PMI can be undertaken in slaughterhouses and GHEs which do not operate continually throughout the working week by OAs, without an official veterinarian (OV) being present, following a risk-assessment by the competent authority.
44. The FSA will look to make use of the provision within Article 7 of Regulation (EU) 2019/624 to maximise the use of OAs at low-capacity slaughterhouses and low-capacity GHEs on a risk-basis.
45. Article 36 of Regulation (EU) 2019/627 includes a new requirement for CAs to verify food business operator compliance with campylobacter process hygiene criterion (PHC) as set out in Regulation

(EU) No 2073/2005 on microbiological criteria of foodstuffs, which applies only to slaughterhouses where the approved activity is broiler production.

46. The Regulation provides two options for how the competent authority can undertake its verification, sampling or collection of industry data:
- The first option is for official sampling using the same method and sampling area as food business operators. At least 49 random samples shall be taken in each slaughterhouse each year. This number of samples may be reduced in small slaughterhouses based on a risk evaluation.
 - The second option is to collect information on the total number of samples and the number with more than 1,000 cfu/g taken by food business operators in accordance with Article 5 of Regulation (EC) 2073/2005 and take samples only where it is considered necessary.
47. The FSA currently considers option 2 to be the preferred policy option but no decision has yet been taken and proposals will be discussed with industry stakeholders before any final decision is taken.
48. From the implementation of the OCR on 14 December 2019, echinoderms will no longer be permitted to be harvested from unclassified areas. This will create an impact on LAs and the FSA as any FBOs that harvest echinoderms from unclassified areas will require the area to be classified in accordance with the Regulation 2019/627 or else cease harvesting.
49. Article 61 of Regulation (EU) 2019/627 specifies that sampling frequency for toxin analysis in live bivalve molluscs shall be weekly. The provision for less frequent monitoring, through a risk assessment, still applies. This is more stringent than the current sampling frequency carried out in England, Wales and Northern Ireland. A Risk Assessment has been carried out to consider the appropriateness of the current regimes and consideration of the evidence in relation to the new requirements is still under review. The FSA will consult further with stakeholders, including an assessment of the impacts, once our analysis is complete.
50. The OCR also changes some existing requirements in the following areas of official controls on POAO:
- Ante-mortem inspection allowed to take place at the holding of provenance for all species and not limited to poultry and lagomorphs.
 - There is the capacity for delayed post mortem inspection for up to 24 hours in low capacity slaughterhouses and game handling establishments.
 - It is possible for authorities to introduce less supervision of on-line checks of poultry and lagomorphs when certain criteria are met by the food business operator in accordance with Article 25.
 - The age at which post-mortem inspection of bovine animals can be carried out without incision has been lifted from six weeks to eight months reducing risks of cross-contamination and retaining the value of meat, a higher percentage of which will remain intact.
 - There are reduced post mortem requirements for cattle which are from herds that are certified by the competent authority as being 'free' of cysticercosis.
 - There is provision, based on a risk assessment (only on a temporary and non-recurring basis) to permit continued harvesting of live bivalve molluscs when health standards have not been met in Class A areas, without the closure or reclassification as long as the area and all approved establishments are under a single competent authority and are subject to appropriate restrictive measure.

Tertiary Legislation: Import Controls & Conditions

51. The new OCR and its tertiary legislation are intended to streamline, modernise and harmonise rules regarding the import of animals and goods into the European Union. Responsibility for the delivery of official controls on imported food and feed in England, Wales and Northern Ireland is shared between ministerial departments (such as Defra) and the FSA. Port Health Authorities and Local Authorities (at designated airport points of entry) deliver veterinary controls on products of animal origin arriving from third countries on behalf of the ministerial departments, although these controls have a public health element and therefore a significant degree of FSA interest. Port Health Authorities and Local

Authorities (at designated airport points of entry) also perform controls on high-risk foods not of animal origin (FNAO) on behalf of the FSA.

52. Legislative responsibility for the policies which underpin the import controls regime is also shared between the FSA and Defra. This includes legislation which determines the rules and criteria for the performance of controls, as well as import conditions which must be met before goods can enter the European Union. Tertiary legislation empowered by the OCR updates existing rules in the area of import conditions for products of animal origin intended for human consumption in the European Union.
53. Given the division of responsibility in this area between competent authorities, this impact assessment addresses the two aspects of the legislation for which the FSA can be understood to have primary legislative responsibility: controls on high-risk FNAO and import conditions for products of animal origin for human consumption. It is also necessary to examine the impact that the Commission's new Integrated Management System for Official Controls (IMSOC) will have on the general performance of import controls.
54. Although negotiations have been ongoing since 2017, legislation in some areas is yet to be finalised or published. This is clearly set out below where relevant.

Import controls on high-risk FNAO

55. Certain foods are subject to a higher level of import controls as a result of the elevated risk they are deemed to pose to consumers. Specified commodities from specified countries are subject to physical inspection and laboratory sampling at a rate agreed by Member States on a biannual basis. This system is currently based on Regulation (EC) 882/2004 and Regulation (EU) 669/2009. Rules in this area are replaced by the relevant provisions of the OCR and an as yet unpublished Implementing Regulation. It is foreseen that evidence-based frequency rates will be agreed at a committee of Member States at regular intervals. This would allow for a more transparent and efficient review of risks and for a swifter revision of these measures. As the fundamental mechanics of the system will remain the same, no further impact beyond existing practice is expected in this area in the short-term; current sampling frequencies would remain unchanged unless new evidence suggests that the level of risk has changed e.g. the product may be de-listed or subject to a higher frequency of checking or enhanced controls.
56. Existing border control facilities for the control of high-risk FNAO are currently classified as Designated Points of Entry (DPEs). As the OCR unifies all border control facilities under the definition Border Control Posts (BCPs) these facilities will now be required to meet the standards established in Regulation (EU) 2019/1014. These rules go beyond existing standards as set out in Regulation (EU) 669/2009. As a result, the operators of these BCPs will be required to ensure that their facilities are compliant with the new legislation.
57. Detailed rules regarding how competent authorities should deal with transit and transshipment of goods entering the European Union have also been developed. This legislation, to be made under Article 51(1)(a) of the OCR, has, however, not yet been published. The rules, as currently drafted, build on existing processes but have introduced an increased degree of flexibility for Member States in most instances. For example, there are some proposed changes to the minimum time in port requirements and the Commission is proposing no checks at the BCP of first arrival on animal products which are destined to third countries when consignments are staying on the same means of transport for onward travel to the BCP of destination. As a result of the limited nature of these changes, no costs beyond familiarisation costs for operators or competent authorities are foreseen.
58. Regulation (EU) 2019/1013 establishes that the operator responsible for a consignment of high-risk food and feed not of animal origin arriving in the European Union must be notified at least one working day prior to the expected arrival of the consignment. This is consistent with many of the existing requirements which also require notification one day prior to the expected arrival except for POAO which must be notified 'in advance'. In certain scenarios, where there are 'logistical constraints', for example a short journey, this can be reduced to four hours at the discretion of the competent authorities of the BCP. As such minimal additional impacts are anticipated as a result of this new legislation, on operators or competent authorities.
59. A draft regulation is also under development which would allow for the performance of identity and physical checks on high-risk FNAO to be performed at an inland control point, away from the immediate point of entry for the commodity. This inland control point would be required to meet the

same criteria as an inspection centre at a BCP. A process for permitting and management of the transfer of goods would also be established, to ensure the traceability of potentially high-risk foods. As this is flexibility available to the operators of BCPs it does not create potential impacts but could be used in the future to allow for the establishment of more inspection facilities at lower costs. These would require suitable legal designation and approval. Current rules which allow for the onward movement of consignments of high-risk FNAO pending the results of laboratory testing have also been retained.

60. The basic act of the OCR establishes that existing formats of certification will be unified as Common Health Entry Documents (CHEDs). The contents of these categories will vary according to the relevant commodity. The current format of the Common Entry Document (CED), used for consignments of high-risk FNAO, will become the CHED-D. This will require some familiarisation costs for operators and competent authorities alike. The FSA is currently undergoing an internal piece of work to better understand the details of the proposed changes to entry documents and the potential impacts on importers beyond familiarisation costs.
61. Legislation is also yet to be finalised regarding certain derogations for border controls. For example, legislation regarding derogations for the designation of BCPs (such as instances where facilities can be situated away from an entry point in to the Union). As these rules create the potential for derogations and flexibilities, no immediate significant impact is foreseen.

Import Conditions for POAO for human consumption

62. Regulation (EC) No 853/2004 establishes that all products of animal origin imported into the European Union must come from a listed third country. This requirement has not been applied fully in the EU since its inception and has been subject to recurrent transitional measures. Legislation, empowered by the OCR, has been made in order to effectively enforce this requirement and to further harmonise import conditions for POAO and some other high-risk goods across the European Union. Regulation (EU) 2019/625 creates an overarching framework for the reformed import conditions regime. This is supplemented by Regulation (EU) 2019/626, as regards third country listing, and Regulation (EU) 2019/628, as regards certification.
63. The most significant new element of this package of legislation is the increased scope of goods which will be subject to certain forms of harmonised import conditions for the first time. These changes will affect the movement of reptile meat, insects and products derived from insects, composite products, raw materials for the production of gelatine and collagen, sprouts for human consumption and fats and greaves.
64. Regulation 2019/625 reforms to the way composite products are controlled. All composite products (with some exceptions) will need to be channelled through BCPs and there will be a move away from a percentage approach to temperature control requirements. The Regulation will not take effect until April 2021, and as such is not included in the appraisal section.
65. Reptile meat is currently imported in the United Kingdom from third countries under national rules. It is still subject to official controls at Border Inspection Posts. The new rules will require imports of reptile meat to derive from an approved third country, as set out in Regulation (EU) 2019/626. As of December 2019 this list will include only Switzerland, Botswana, Vietnam, South Africa and Zimbabwe. These consignments must also arrive with a model health certificate as established in Annex III Part XII of Regulation (EU) 2019/628, which clearly sets out that the products have been produced in line with the relevant European hygiene legislation. This requirement for a model health certificate is subject to a transitional period until 13 March 2020, allowing time for familiarisation and preparation. Regardless, this introduction of harmonised paperwork may create further work for Port Health Authorities and operators involved with the trade of reptile meat for human consumption. Operators in third countries will require the services of an official veterinarian to sign certificates prior to export.
66. Food consisting of, isolated from or produced from insects or their parts will also now be subject to harmonised import conditions in a similar fashion to reptile meat. This will involve the introduction of a third country list established in Regulation (EU) 2019/626 and a certificate in Regulation 2019/628 Annex III Part XIII. In terms of third country listing, this is dependent upon the prior approval of exporting countries or regions in line with novel foods legislation, Regulation (EU) 2015/2283 and Regulation (EU) 2017/2470. Equally this may create a greater administrative burden on Port Health Authorities and new regulatory requirements on operators.

67. Regulation (EU) 2019/625 also establishes a framework of new risk-based rules on importing composite products from third countries based on shelf stability and composition. These measures, however, will not apply until April 2021. As such their impact will not be assessed at this time.
68. Raw materials for the production of gelatine and collagen are also subject to a slight change in the legislation. The new rules provide that raw materials, intended for the production of gelatine and collagen, referred to in point 4(a), Chapter I of Sections XIV and XV, Annex III to Regulation (EC) No 853/2004, for import into the European Union must be obtained from listed slaughterhouses, game-handling establishments, cutting plants and establishments handling fishery products. Existing rules state that raw materials for the production of gelatine and collagen must derive from a listed third country (as set out in Regulation (EU) 2016/759) and originate from a registered or approved establishment. Although at present there exists an approved list of establishments for *treated* raw material for the production of gelatine and collagen, Regulation (EU) 2019/625 sets out that this requirement will be expanded to such raw materials. As these goods are already subject to certification and veterinary controls, this means that the impact on Port Health Authorities will be limited. However, this could potentially have an impact on the movement of goods from third countries and could affect operators adversely as a result of short-term trade disruption.
69. Sprouts and seeds intended for human consumption produced within the European Union are currently subject to heightened rules as a result of the risk they pose to spread foodborne illnesses. In addition, sprouts and seeds imported into the European Union from third countries must be accompanied by a health certificate, as set out in Regulation (EU) 211/2013. As a result of Regulation (EU) 2019/625, sprouts falling under specific CN codes will be required to derive from a listed establishment in a third country which is approved in accordance with the requirements of Article 2 of Regulation (EU) 210/2013 and Regulation (EU) 852/2004. This means that third country establishments producing sprouts are subject to equivalent legislation as those within the European Union. The model health certificate for sprouts is also reformatted and is now published in Annex 3 Part 15 of Regulation (EU) 2019/628. While this could, in theory necessitate some familiarisation costs for Port Health Authorities and operators, it is understood that this is primarily an inland control.
70. Rendered fats and greaves are currently required to derive from an approved establishment in any third country. Regulation (EU) 2019/626, however, requires these products in future to derive from third countries authorised for the import of meat products into the Union in accordance with point (b)(i) of Article 3 of Decision 2007/777/EC.
71. Regulation (EU) 2019/626 will introduce a list for products of animal origin not otherwise covered by the regulations. This will provide greater clarity than is currently the case under Article 6 of Regulation (EC) No. 853/2004. It is not foreseen yet what this will encompass, but we do not anticipate that this will have a significant impact.
72. Regulation (EU) 2019/628 also creates a new format for the model health certificate required for specific goods. Although this format will only be introduced for goods for which the previous certificates had a legal basis pursuant to Regulation (EC) No. 882/2004, it is anticipated that the new format will eventually be extended to all commodities. This new format will incur familiarisation costs for operators and Port Health Authorities alike.
73. Regulation (EU) 2019/628 also creates new rules for the issuance of replacement certificates at Article 6. It is anticipated that these will also result in familiarisation costs.

Tertiary Legislation: IMSOC

74. The IMSOC will act as a unifying platform for existing EU system such as TRACES, RASFF, Administrative Assistance and Cooperation and the Food Fraud Network. The legal basis for the IMSOC and how it will function will be further expanded upon in an Implementing Regulation empowered under Article 134 of the OCR.
75. Operators and competent authorities will be required to familiarise themselves with the new platform and its interface. However, it is anticipated that in the long run the new system will create efficiency savings for businesses and authorities alike.

GROUPS AFFECTED

76. The following groups will be affected by the proposed changes.

Food and Feed Business Operators

77. As the current landscape and the general performance of official controls under the OCR remains substantially the same for FSA policy areas, for the majority of food and feed industry stakeholders there will be no requirement to familiarise themselves with the requirements of the Regulation.
78. However, where the OCR necessitates changes to the tertiary legislation, selected Food and Feed Business Operators will need to familiarise themselves with the changes and comply with new requirements. Selected FSA Approved Establishments, which are subject to official hygiene controls performed for the verification of compliance, will be affected by new tertiary requirements. These include businesses in the following sub-sectors:
- a. Slaughterhouses
 - b. Cutting Plants
 - c. Fish Auctions
 - d. Wholesale fish markets, factory vessel and freezer vessels
 - e. Game Handling Establishments
 - f. Operators of vessels catching and handling live bivalve molluscs, shell fish and fishery products
 - g. Milk and Colostrum Production Holdings
79. In addition, we assume that all UK importers of high-risk food and feed will be affected by new import requirements and changes to border procedures.
80. We have identified the following number of affected food and feed business operators (FBOs) across England, Wales and Northern Ireland. To note, total figures may be subject to rounding.

Table 1: Affected food and feed business operators (FBOs)

FBO	England	Wales	NI	Total
Approved Establishments ⁷	1,676	150	89	1,915
Importers of high-risk food and feed ⁸	2,812	32	99	2,944

Enforcement Authorities

81. The OCR primarily addresses the responsibilities of Member States' CCA and their designated enforcement authorities who carry out official controls to check that business operators comply with the relevant law.
82. Local Authorities, as CAs, which deliver official regulatory controls across food and feed will have to familiarise themselves with the new requirements. Similarly, Port Health Authorities (PHAs), as CAs, for the delivery of official regulatory controls with regards to imports of POAO and high-risk FNAO will be affected by the new requirements.
83. Operational staff from FSA (in England and Wales) and DAERA (in Northern Ireland) will be affected by changes to the delivery of official controls in relation to meat hygiene, which are directly undertaken by FSA and DAERA operational staff respectively. In addition, selected FSA staff will be required to familiarise themselves with the proposed changes and acquire sufficient expertise to provide guidance and training to stakeholders.
84. Official Control Laboratories (OCLs) are designated by CAs for the purpose of analysing samples

⁷ A list of all approved establishments is available at: <https://data.food.gov.uk/catalog/datasets/1e61736a-2a1a-4c6a-b8b1-e45912ebc8e3>

⁸ The number of importers has been extracted from TRACES (https://ec.europa.eu/food/animals/traces_en). Regional splits were calculated using the proportion of importers recorded in the LAEMS annual report (<https://signin.riams.org/connect/revision/msy26/Environmental-Health/LAEMS-Annual-report-2017-2018>).

taken during official controls and for food and feed enforcement. They will see minor changes to the responsibilities placed upon them, requiring them to have closer contact with the laboratories and greater oversight of delegated laboratories.

85. We have identified the following number of affected enforcement authorities across England, Wales and Northern Ireland.

Table 2: Number of affected enforcement authorities by country				
Competent / enforcement authority	England	Wales	NI	Total
Local Authorities (LAs) ⁹	354	22	11	387
Port Health Authorities (PHAs) ¹⁰	25	0	2	27
Official Control Laboratories ¹¹	14	5	4	23
FSA Field Operations (no. of managers) ¹²	28		N/a	28
DAERA Operations (no. of managers) ¹³	N/a		5	5

Consumers

86. Consumers are not directly affected by the OCR, although a more integrated and simplified approach to controls across the EU should in theory lead to improved consumer protection and increase consumer confidence in food and feed produced within the EU and imported third countries. Harmonisation of official controls will provide reassurance to consumers on the functioning of control systems and increase their ability to make informed choices.
87. These indirect impacts on consumers have not been further assessed in the cost-benefit section which follows.

Q.I: Is the total list of identified affected sectors / groups representative? If you partly agree or do not agree please identify other sectors / affected groups that should also be considered and provide reasons for your suggestion.

POLICY OPTIONS

Two policy options have been identified:

Baseline: Status Quo

88. This is the baseline option against which all other options have been assessed. It reflects the status quo, i.e. a situation in which there were no incremental changes to the current legislation.
89. It should be noted that this is not a realistic option as the OCR has already been published in April 2017 and will be directly applicable in the UK from 14 December 2019 in an Article 50 extension or transition period. The baseline solely serves the purpose to quantify the expected impacts of all policy options against a consistent baseline.

Option 1: Implement national legislation to provide for the execution of powers and enforcement of the OCR and associated tertiary legislation.

90. Take appropriate action to fully implement the provisions of the OCR into UK law. This would require

⁹ Annual report on local authority food law enforcement 2017/18, <https://signin.riams.org/connect/revision/msy26/Environmental-Health/LAEMS-Annual-report-2017-2018>

¹⁰ This analysis only concerns PHAs that are classed as either DPE/DPI/BIP (<https://www.food.gov.uk/business-guidance/port-designations> and <https://www.gov.uk/government/publications/uk-border-inspection-posts-contact-details/live-animals-and-animal-products-border-inspection-posts-bip-in-the-uk>)

¹¹ <https://www.food.gov.uk/about-us/official-feed-and-food-control-laboratories>

¹² Figures based on internal intelligence.

¹³ Five regional managers in DAERA (four meat and one dairy) require familiarisation, based on internal intelligence.

making legislation to enable the delivery of the requirements.

91. This is the preferred option.

Option 2: Do Nothing – Do not implement national legislation to provide for the execution of powers and enforcement of the OCR.

92. Regulation 2017/625 (OCR) will repeal the current legislation on official controls. If the new legislation is not implemented prior to the current legislation being revoked, the UK would have no legal framework to enforce official controls and therefore the UK would be unable to demonstrate that it can meet one of its primary objectives which is to protect human health.
93. The OCR is directly applicable European legislation, so failure to put in place the measures needed to implement could lead to the European Union bringing infraction proceedings against the UK. This policy option is rejected.
94. The associated impacts of this option have not been further assessed because of the disproportionate negative effects on public health and legal consequences that would be associated with this option.

OPTION APPRAISAL

Baseline: Status Quo

COSTS & BENEFITS

95. This is the baseline against which all other options have been assessed. There are no incremental costs and benefits associated with this option.

Option 1: Implement Regulation 2017/625 - OCR

COSTS & BENEFITS

96. The cost benefit analysis that follows assesses a range of different costs and benefits that we expect under option 2. These are:
- **Familiarisation costs:** one-off / transitional costs for all affected stakeholders to acquaint themselves with the new requirements of the legislation. This ensures a smooth transition between the two regimes. Figures are presented in current prices.
 - **Non-monetised costs:** potential outcomes from the legislation where it is currently not possible to quantify their impact. Where we are unable to quantify expected impacts, we have explained in detail why the required data is not available and how we seek to substantiate the assessment and our understanding going forward.
97. All quantified costs and benefits in this section are estimated in current prices and measured over a 10-year appraisal period. This appraisal period was deemed appropriate as all monetised costs and benefits are transitional in nature. All total costs and benefits highlighted throughout are rounded to the nearest '000 to aid interpretation.
98. To ensure consistency in our calculations we have adopted an established method based on the Standard Cost Model (SCM) Approach published by BEIS. Where we have used wage rate data we have taken hourly wage rates from the 2018 Annual Survey of Hours and Earnings (ASHE)¹⁴, using the median rate of pay. Furthermore, when using wage rate data we have uplifted rates to account for overheads by 30%, in line with The Green Book¹⁵ guidance.

COSTS

Food and Feed Business Operators

99. As outlined above, the substance of OCR 2017/625 largely repeals and replaces much of the existing legislation governing official controls of food and feed. Most businesses will not experience any material changes in the way official controls take place and/or are currently delivered. We understand that the main affected sectors will be:
- Importers (including freight handlers) of high-risk food not of animal origin (FNAO) and products of animal origin (POAO) for human consumption; and
 - Selected FSA Approved Establishments which are subject to official hygiene controls performed for the verification of compliance. We understand that only the following approved establishments will be affected:
 - Slaughterhouses
 - Cutting Plants
 - Fish Auctions
 - Wholesale fish markets, factory vessel and freezer vessels
 - Game Handling Establishments
 - Operators of vessels catching and handling live bivalve molluscs, shell fish and fishery products
 - Milk and Colostrum Production Holdings

¹⁴ <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/ashe1997to2015selectedestimates>

¹⁵ <https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government>

Familiarisation

100. Importers of high-risk FNAO and POAO (including Freight Handlers) will have to familiarise themselves with the new legislation as it affects the streamlining of new systems and formatting requirements. According to TRACES, there were 2,944 unique UK-based importers of high-risk FNAO or POAO who submitted either a CED or CVED in 2018 (see Table 1). This can be regarded as the minimum number of UK businesses that need to familiarise themselves with the proposed legislation as they will be directly affected by changes to official entry documents. We assume that one manager from each importing business will spend one hour reading the guidance, and another hour disseminating to staff and key stakeholders. Following the SCM approach, we multiply the wage rate with the number of importing businesses to calculate the total familiarisation costs. This generates a total cost of familiarisation to importers of £133,000 which is equivalent to £45.29 per importer¹⁶.
101. Selected FSA Approved Establishments will also have to familiarise themselves with the legislation. These FBOs are subject to official controls for verification purposes and may be impacted by the new requirements for OV attendance and campylobacter sampling. They may also be affected by the additional flexibilities that the OCR introduces. As of May 2019, there were 1,915 applicable Approved Establishments operating across England, Wales and Northern Ireland which are expected to be affected by the new legislation (see Table 1). We assume that one manager from each establishment will dedicate one hour reading the guidance and another disseminating it to staff and key stakeholders. This implies a total one-off cost to affected Approved Establishments of £58,000 or £30.51, on average, per establishment¹⁷.
102. At the aggregate level, we estimate the total familiarisation cost to industry to be £192,000. This is equivalent to £39.47 per business.
103. As outlined above, this estimate is based on the assumption that the majority of food and feed industry stakeholders will not need to familiarise themselves with the requirements of the regulation for those areas where the FSA has policy responsibility.
104. It should be noted that Defra takes a different approach to familiarisation costs, in line with Defra's broader policy remit. Where there is an overlap between affected Defra stakeholders and affected FSA stakeholders, familiarisation costs for such businesses (of up to £192,000) might therefore be double counted.

Changes to the delivery of Official Controls

General performance of Official Controls

105. In terms of the secondary legislation, the current landscape and the general performance of official controls under the OCR remains substantially the same. Editorial changes will be made to the FSA Food and Feed Law Codes of Practice, and associated Practice Guidance, the Feed Law Enforcement Guidance document (Northern Ireland) and Manual for Official Controls, which will require familiarisation by local authorities, FSA and DAERA staff performing official controls and other official activities. This will be captured by a separate impact assessment at a later date.

¹⁶ Based on the median wage rate for *Managers and directors in transport and distribution* (Code 1161), ASHE (2018), table 14.6a.

¹⁷ Based on the median wage rate for *Managers and proprietors in agriculture and horticulture* (Code 1211) and *Managers and proprietors in forestry, fishing and related services* (Code 1213), ASHE (2018), table 14.6a.

Hygiene controls on products of animal origin (POAO) for human consumption

106. The legislation requires competent authorities to verify the correct implementation by operators of broiler slaughterhouses, of the *Campylobacter* process hygiene criterion (PHC). As of May 2019, there were 63 FSA approved slaughterhouses where the approved activity was broiler production, in England, Wales and Northern Ireland. Collection of sampling data would require FBOs to supply data in a form that permits it to be centrally collated by the FSA. As affected slaughterhouses have existing requirements to test for campylobacter, this additional burden on industry is anticipated to be marginal; the majority of costs will fall on the FSA, as the CCA. Once the FSA clarifies its preferred policy position, a supporting piece of analysis will be completed which will estimate both the cost to industry and the FSA of the preferred verification option.

Q.II: We would welcome evidence from affected businesses on the expected costs on their establishment if the FSA were to verify compliance by either a) collecting industry data or b) by sampling.

107. The introduction of maximum annual throughput thresholds at low capacity slaughterhouses and GMEs will potentially have an impact on the required presence of OVs conducting PMIs at these establishments. It is expected that some affected slaughterhouses and GMEs will exceed threshold levels that have been set, requiring establishments to replace OAs with OVs. However, the FSA would look to maximise the threshold applicable to these establishments, in line with the total national production provision outlined in Regulation 2019/624, as explained in paragraph 44. Where this is not possible then extra OV presence required at affected establishments would generate an additional cost to these businesses due to OVs rate of pay being higher than that of OAs. An OV's charge rate is approximately 30% higher than that of an OA/inspector, before any applicable discount.¹⁸
108. Assessing the total throughput levels of low capacity slaughterhouses and GMEs, as well as allocating individual establishments above or below the maximum annual threshold constitutes a substantial piece of work. Internal engagement and discussions with the OCR Delivery Working Group have begun, in part, to better understand if centrally held data can provide additional understanding in this area.

Q.III: We would welcome supporting evidence on the total throughput levels of low capacity slaughterhouses and Game Handling Establishments, and the distribution of such establishments in relation to the new maximum annual threshold. We would also welcome views on our assumption that the new requirement may result in additional costs on such businesses and the degree to which this change is likely to impact them.

109. From the implementation of the OCR on 14 December 2019, echinoderms will no longer be permitted to be harvested from unclassified areas. As the number of potential FBOs harvesting echinoderms from unclassified areas is unknown, we are currently unable to assess the impact of the change being introduced. In addition, it is understood that the inclusion of 'Holothuroidea' was a drafting error and it is not yet known when this error will be corrected.

Q.IV: We would welcome any evidence stakeholders are able to provide in relation to the number of food business operators that currently harvest echinoderms from unclassified areas.

New import requirements

110. On balance, we anticipate a marginal overall increase in official controls for imported POAO or high-risk FNAO products. The legislation outlines harmonised controls, for the first time, for imports of reptile meat, insects and products derived from insects, raw materials for the production of gelatine

¹⁸ Based on 2019/20 Charge Rates to Food Business Operators (<https://www.food.gov.uk/sites/default/files/media/document/official-controls-charging-guidance-201920.pdf>), Annex A

and collagen, sprouts for human consumption and fats and greaves. Previously, enforcement of these commodities was at the discretion of MSs.

111. Increased import controls are associated with a corresponding rise in compliance costs for the importer. Potential costs include charges and time spent for approval processing, relevant certificates and Sanitary and Phytosanitary checks at the border as well as potential disruption to the supply chain if new import routes have to be established. Robust evidence on the scale of these costs is scarce and highly product specific.
112. In addition, the FSA understands that some of the affected products are already subject to border checks under the current operating regime which will mitigate the tangible impact of a formal harmonisation of controls. We are currently engaging with port officials to understand the practical changes to border procedures and the likelihood of trade disruption in more detail.
113. While we are unable to monetise the costs associated with the new import requirements at this stage, it should be noted that the number of affected consignments is likely to be very small. In particular, we understand that there are currently no imports of reptile meat for human consumption from third countries. Furthermore, the estimated import volume of sprouts for human consumption and rendered animal fats and greaves in 2018 accumulated at most 20,000 tonnes, which is equivalent to less than one percent of all UK food and drink imports from third countries in that year¹⁹.
114. Under OCR 2017/625 IMSOC, as well as other criteria, will determine the level of sampling which has to take place for each high-risk commodity. The system seeks to create a unified platform for existing EU systems, including TRACES, rather than replacing the computational architecture. It is understood that initially, changes in frequencies will still be determined by an EU committee that will meet at regular intervals; we anticipate that IMSOC will influence decisions once enforced. The assumption, under our current understanding, is that IMSOC may automatically change frequencies as IMSOC is implemented further into EU processes. These rates will be based on levels of compliance meaning we could see a decrease or an increase in the number of samples required to be taken. As such, it is intrinsically difficult to quantify what the cost will be for business or understand the potential shift in magnitude at the macro level.
115. However, it is assumed that from the outset current rates and frequency of sampling will remain constant. The FSA supports these changes in principle. However, we realise that we will have to work with industry to ensure compliant trade is not disrupted.

Q.V: We would welcome views, and where possible supporting evidence, from business importing one or more of the products subject to the above changes. What impact do you believe the harmonising of controls will have on your business?

Q.VI: We would welcome evidence from stakeholders, and in particular PHAs, on the number of controls on reptile meat and insects currently performed.

Total costs to Food Business Operators

116. As preparations to implement the OCR are currently in their infancy, the FSA is unable to monetise any of the expected impacts on FBOs beyond one-off familiarisation costs. As such, the total monetised cost to industry is estimated to be £192,000 over a ten-year appraisal period, as reflected in paragraph 102.
117. As internal workstreams progress on the specific additional requirements placed on industry, across all identified policy areas, we will seek to update this analysis to deliver a more thorough representation. We welcome any intelligence from industry stakeholders that can assist in gaining a better understanding of the general impacts and associated costs and benefits.

¹⁹ Import volumes of affected products are based on HMRC UK Trade Info data. It should be noted that we are unable to quantify the import volume of insects and products derived from insects due to a lack of suitable trade statistics.

Enforcement Authorities

118. The 'basic act' of the OCR, Regulation (EU) 2017/625, will make changes across a number of policy areas. However, for the most part these changes will create relatively few impacts for enforcement authorities. Where there are impacts, they will predominantly affect CAs and delegated delivery bodies that perform official controls across a range of areas.
119. In order to perform and deliver statutory obligations, we have identified the number of applicable enforcement authorities across England, Wales and Northern Ireland.

Familiarisation

120. Local Authorities, as CAs, which deliver official regulatory controls across food and feed will have to familiarise themselves with the new requirements. This should enable a smooth transition between the two regimes. We anticipate that one Environmental Health Officer (EHO) and one Trading Standards Officer (TSO) employed at each of the 387 Local Authorities across England, Wales and Northern Ireland will spend one hour reading the new SIs and other provisions, as required by the OCR, and two hours disseminating it to staff via the appropriate channels. We estimate this one-off cost as £132.99 per LA, or £51,000 in total²⁰.
121. Port Health Authorities (PHAs), as CAs, deliver official regulatory controls with regards to imports of POAO and high-risk FNAO will have to familiarise themselves with the new requirements. Across England and Northern Ireland²¹ there are 27 PHAs, including only: existing Designated Points of Entry (DPEs) and Designated Points of Import (DPIs) for high-risk FNAO and Designated Border Inspection Posts (BIPs) for POAO products.²² The number of enforcement agents at each PHA will vary in accordance with the volume of trade received, however each PHA will have a team containing a mix of EHOs, TSOs and Port Health Officers (PHOs), amongst other professions.²³ As the EHOs and TSOs are employed by the respective LA we have chosen not to include them within calculating PHA-specific familiarisation costs, to avoid double counting. We anticipate that one PHO per PHA will spend one hour reading the necessary guidance and two hours disseminating it to staff and notifying main stakeholders via appropriate channels. This one-off cost is estimated to be £67.55 per PHA or £2,000 in total²⁴.
122. Official Control Laboratories (OCLs) are designated by CAs for the purpose of analysing samples taken during official controls and for food and feed enforcement purposes. The analysis of official control samples is carried out in OCLs by official control scientists. As National Reference Laboratories (NRLs) are already familiar with the new changes only OCLs will be required to familiarise themselves. Across England, Wales and Northern Ireland there are 23 OCLs (see Table 2). Anticipating that one professional scientist at each laboratory will spend one hour reading the legislation and one hour disseminating it to staff we estimate a cost of need to each OCL of £50.18, or £1,000 in total.²⁵
123. As the CCA, the FSA will be required to hold expert in-house knowledge of the IMSOC system, both in terms of its content and interface but also in its practical applications. It is believed that one FTE employee will familiarise themselves with the IMSOC system until such point they can be deemed an 'expert'. This is in order to provide support in its wider implementation and also in an advisory capacity to affected policy teams.²⁶ Assuming a SEO grade employee will become the in-house expert, and adopting a central estimate of 24 hours (3 full working days) to become fully versed with the IMSOC system, this one-off cost in productive time lost is estimated to be £1,000.²⁷
124. All field operation managers involved in the delivery of official controls in relation to meat hygiene will

²⁰ Based on the median wage rate for *Inspectors of standards and regulations* (Code 3565) and *Environmental health professionals* (Code 2463), ASHE (2018), table 14.6a.

²¹ There are no DPEs/DPIs/BIPs in Wales.

²² Under OCR 2017/625 DPEs, DPIs and BIPs will be reclassified as Border Control Posts (BCPs). Refer to par. 75 for potential associated costs for this reclassification with regards to requirements in infrastructure upgrades.

²³ Including auxiliary support staff, technical officers and business support officers, for example.

²⁴ Based on the median wage rate for *Health and safety officers* (Code 3567), ASHE (2018), table 14.6a.

²⁵ Based on the median wage rate for *Biological scientists and biochemists* (Code 2112), ASHE (2018), table 14.6a.

²⁶ Imports Surveillance and Incidents will require advice on the day-to-day functioning of the system, e.g data searches and inputting. Also, Strategy and Surveillance will require a general overview of its overall functions.

²⁷ Based on FSA average salary for FY 2018/19.

have to familiarise themselves with the new requirements. As the substance of many of the new provisions do not change the performance of official controls; instead providing nuanced revisions in how they are delivered, it is understood that only field operational managers will have to read the guidance and disseminate it as they see fit. Headcount data identifies 28 field operational managers operating across England and Wales. Assuming, as a central estimate, that each field manager is a Grade 7 employee, we anticipate that each manager will spend one hour reading the guidance and two hours disseminating to. This generates a cost estimate of £127.07 per manager, or £4,000 in total.²⁸

125. In NI, 5 field operations managers will be required to familiarise themselves with the new requirements. Assuming that each field manager is a Grade 7 employee, we anticipate that each manager will also be required to spend one hour reading the guidance and two hours disseminating it relevant colleagues, including Meat Health Inspectors and other key stakeholders. The cost of this is estimated at £205.92 per manager, or £1,000 in total.²⁹

Training

126. Authorised officers³⁰ at each PHA will require additional training to effectively enforce the new legislation. We expect that on average four authorised officers from each of the 27 PHAs (108 in total) will be required to go on a 1.5 day training course. This one-off cost, in productive time lost, is estimated to cost each PHA £1,080.77, or £29,000 in total.
127. Enforcement Authorities will require training and guidance in order to use IMSOC effectively. As the new system will enable a unified platform for existing EU systems, including TRACES, it is understood that the Commission will run a focussed session at a UK venue for enforcement officers and key stakeholder groups. Central estimates suggest that each PHA will require 2 attendees (54 in total) and that the FSA will require 6 attendees. This one-off cost, in productive time lost, is estimated to cost £11,000 in total.
128. Those authorised officers trained in IMSOC will be required to cascade training to other officers, including auxiliary support assistants at each port. They will also be required to support industry during implementation by providing in/formal training and guidance to freight handling agents, importers and associated third-country partners. Over a period of one month, from IMSOCs initial inception, it is assumed that one authorised officer at each PHA will spend a full day per week on training stakeholders, responding to general queries and providing guidance. On average, this will cost each PHA £720.51, or £19,000 in total.
129. It should be noted that the above estimates are based on assumptions around potential training requirements and delivery. These assumptions reflect our current understanding and could be subject to change.

Q.VII: We welcome enforcement authority views on our stated assumptions for training requirements to support delivery of the changes introduced by the OCR. Please provide details of any specific training needs you think will be necessary.

Changes to the delivery of Official Controls

General performance of Official Controls

130. The secondary legislation necessary to provide for the execution of powers and enforcement for the OCR makes no significant changes which would impact on the frequency or number of inland official food and feed controls undertaken by enforcement authorities. Rather it seeks to clarify and enhance current provisions for example by introducing more stringent rules on fraud and provide greater transparency and accountability required by CAs through the publication of information about the organisation and performance of official controls. Such requirements are already being met in the UK.

²⁸ Based on FSA average salary for FY 2018/19.

²⁹ Based on DAERA chargeout rates.

³⁰ Including OVs, EHOs and TSOs.

Campylobacter sampling in broiler slaughterhouses

131. The legislation requires CAs to verify that broiler slaughterhouses have correctly implemented the *Campylobacter* PHC. As explained above, no policy decision has yet been taken as to how the FSA will undertake the verification. If the FSA decides to collect and analyse industry data, this will likely have cost implications to the FSA, as the CCA. Additional administrative resource would be required to create and maintain a framework that centrally gathers and analyses data. This would enable the FSA to monitor compliance at the individual FBO level and on a national scale. Once the FSA clarifies its preferred policy position, a supporting piece of analysis will be completed which will estimate both the cost to industry and the FSA of the preferred verification option.

New imports requirements

132. The Official Control Regulation 2017/625 rebadges DPE/Is and BIPs as Border Controls Posts, or BCPs. BCPs will need to meet specific minimum requirements as laid down in the legislation. Many of the existing DPE and DPI minimum requirements remain in place, but other, new requirements have now been introduced. Any new facilities that wish to become a BCP, once the Regulation has taken effect, will need to fully meet the new requirements and go through the necessary approval process. The changes may therefore affect Port Operators, Port Health and Local Authorities with responsibilities for DPE/Is and BIPs and/or existing BIP/DPE/DPI operators. There may be some work required to ensure that existing facilities meet the new requirements. The financial implications are currently unknown. However, the FSA is drawing up a document which will help to check and verify existing facilities against the new BCP requirements along with a self-assessment checklist, also detailing the new requirements. A letter is planned to be sent to DPEs, along with this checklist in August and Port Health will subsequently be invited to workshops to assist with understanding the new requirements and implementing a plan if changes are required to existing facilities.

Q.VIII: We would welcome information from existing specialised border facilities (DPE/Is and BIPs) on what necessary changes and/or upgrades are required in order to obtain certification as a Border Control Post.

133. New products covered by the legislation, such as insects and reptile meat, will in future be required to be derived from approved third-countries. Raw materials for the production of gelatine and collagen, sprouts for human consumption and fats and grieves will have to be derived from approved establishments in third-countries. Under harmonising legislation across these commodities, new controls could result in additional administrative requirements; increasing the burden of work on PHAs. For example, consignments of reptile meat products will be required to arrive with model health certificates, for PHAs to assess and sanction. As trade in these commodities is expected to remain low, any increase in administrative burden for enforcement authorities is expected to be relatively muted; and might further be offset by general simplifications of administrative procedures.

Official Veterinarian resource requirements

134. As outlined in paragraph 42ff, additional OV resource may be required at low capacity slaughterhouses and GMEs for PMI. Additional costs of OV presence will fall on the affected individual establishment, although there may be some associated administrative costs to the CCA. Any such additional cost is expected to be marginal as resource activity costs (in this case switching OAs for OVs) would be included in the direct cost element of the hourly rates charged to industry.

Funding of analyses carried out by OCLs

135. It is known that there are UK OCLs that currently sub-contract samples for analysis to partner laboratories in other member states (where the partner laboratory is not officially designated as an OCL in that MS) and these may also receive, and subsequently sub-contract samples from other UK OCLs. As explained in paragraph 35, such sub-contracting of samples to other MS would not be permissible under the changes to the OCR which could have a financial impact on OCLs. Alternative arrangements are being explored for the affected laboratories such that any new situation may not have any incremental impact.

136. We are currently unable to quantify this impact as it would have to be calculated on a case-by-case basis where it is known exactly what tests and how many samples are being sub-contracted. The impact of such increased costs of sub-contracting the analysis of samples will be dependent on finding suitable alternative sources for analysis, either by an alternative UK laboratory, another MS OCL or a commercial alternative. Depending on options, this could have an associated cost for LAs, as the primary funders of OCLs. However, alternative arrangements are being explored for the affected laboratories such that any new situation may not have any incremental impact.

Q.IX: We would welcome views from Official Control Labs representatives, or LAs that currently send/receive sub-contracts samples to/from other non-designated laboratories in other Member States. Specifically, we invite evidence on the impact(s) that may arise from this change.

Total costs to Enforcement Authorities

137. We are only able to monetise the one-off familiarisation costs (including familiarisation and associated training requirements) to enforcement bodies with regards to the new SIs and provisions included within OCR 2017/625. The total identified transitional costs are £119,000.
138. It should be noted that, where there is an overlap between affected Enforcement Authorities between Defra and FSA, familiarisation costs (of up to £119,000) might be double counted.

Total costs

139. The total costs associated with Policy Option 1 over a 10-year appraisal period are £311,000 with a Net Present Value (NPV) of £311,000. Industry will assume 62% of total costs imposed as a result of this policy, with enforcement agencies assuming the remaining 38%. As such the Equivalent Annual Net Direct Cost to Business (EANDCB) is £22,000. Benefits were not monetised, therefore the total net cost over the 10-year appraisal period is £311,000.

BENEFITS

Food and Feed Business Operators

Simplified legislative framework

140. Overall, industry should benefit from a harmonised and coherent regulatory approach to official controls and enforcement actions along the agri-food chain, and from a better targeting of risks.
141. In particular import controls would be streamlined and adjusted to actual risk levels in the long-term. It is expected that the harmonisation of entry documents and the establishment of a comprehensive management system, IMSOC, will reduce the administrative burden for importers of high-risk food and feed. As CAs and business operators have not yet had the opportunity to test early versions of IMSOC, it is difficult at this time to estimate the extent of these changes. IMSOC aims to provide numerous benefits. The harmonisation of documents will create a familiar and consistent format, making it easier and more accessible for importers and stakeholders to use. IMSOC will allow competent authorities access to various relevant data/intelligence by interlinking a variety of current systems used for imported products. The intended long-term risk-based adjustments to levels of controls aims to make more efficient use of resource, with the aim of shifting resource as levels of risk change. These adjustments aim to allow changes of frequencies to occur quicker as data and information is analysed on an ongoing basis.
142. Closer cooperation among CAs would improve the overall effectiveness of delivery of official controls, reducing duplication, increasing consistency and ensuring non-compliance is dealt with in a timely manner.

Q.X: Do you agree that a harmonised and coherent regulatory approach to official controls will deliver any benefits and/or cost savings to industry? We would welcome evidence on what benefits (if any) you expect to be delivered.

Additional changes (POAO official controls)

143. The impact of changing some existing requirements on official controls of POAO should enable certain FBOs to generate cost savings across their operations. As the changes will depend on the take up by FBOs, as well as a high level of uncertainty surrounding the future delivery process, it is not possible to estimate the potential cost savings at present. The ability for an FBO to apply these changes depends on a confirmatory risk assessment by the CA which could limit application at some establishments.

Q.XI: We would welcome views from industry stakeholders on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

Enforcement Authorities

Reduced administrative burden

144. We do not expect any substantial benefits for enforcement authorities. While they could benefit, overall, from a simplification and consolidation of the legislative framework, we are unable to substantiate this due to a high level of uncertainty surrounding the future delivery process.

Q.XII: We would welcome views from PHAs and LAs on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

TOTAL NET COST

145. The total costs associated with Policy Option 1 over a 10-year appraisal period are £311,000 with a Net Present Value (NPV) of £311,000. Industry will assume 62% of total costs imposed as a result of this policy, with enforcement agencies assuming the remaining 38%. As such the Equivalent Annual Net Direct Cost to Business (EANDCB) is £22,000.
146. Benefits were not monetised, therefore the total net cost over the 10-year appraisal period is £311,000.

Wider considerations

Risks and assumptions

147. A summary of key risks and assumptions underpinning the assessment is provided below:

- All impacts have been assessed to the best of our knowledge and ability to date. However, and as outlined in the sections above, there remains a high level of uncertainty around the implementation of the regulation in certain areas, in particular where tertiary legislation is affected. We have been unable to monetise any recurring costs to industry or enforcement bodies, which over time could deliver a larger impact. As such, the exact impacts are therefore likely to differ from the monetised impacts described in this assessment.
- We have only assessed the impacts of the necessary domestic secondary legislation and those pieces of tertiary legislation which have already been negotiated. All impacts of legislation that is still being negotiated by the Commission and that will be implemented after December 2019, has been excluded. This Impact Assessment can therefore not draw a full picture of the impacts that the OCR will ultimately have for FSA stakeholders as a whole.
- The Impact Assessment is based on the assumption that the United Kingdom will be in an Implementation Period in December 2019 and that trade between the UK and the EU remains unchanged compared to the status quo if the OCR was implemented. The consequences of a non-negotiated Exit have not been considered in the assessment.

Small and Micro Business Assessment (SaMBA)

148. EU legislation generally applies to food and feed businesses regardless of size, as requirements are intended to be risk based to reflect the activities undertaken. It is estimated that there were approximately 170,000 micro businesses and 40,000 small businesses registered in the agri-food sector in 2018, which together represents more than 95% of all food and feed businesses in the UK³¹. It is therefore not feasible to exempt those businesses from the OCR in general as this would fail to achieve the intended effect of reducing risks to consumer health. The negative consequences of an increased risk for public health would be disproportionate to the additional compliance costs to small and micro businesses.
149. The FSA estimates that there are currently a million cases of foodborne disease per year. With an estimated cost per case (in terms of financial losses as well as pain and suffering) of nearly £1,000, even a small hypothetical increase of cases of foodborne disease of 1% could be associated with a societal cost of nearly £10m. The associated costs of severe food incidents exceed these costs by a multiple, with the costs of BSE and Foot and Mouth Disease to the UK economy estimated to exceed several billion pounds.³² In comparison, the estimated costs to industry in this assessment accumulate £192,000.
150. That said, the FSA makes every effort to minimise the burden on small and micro businesses and pays attention to impacts on them. The FSA appreciates that micro and small businesses might find it more difficult to familiarise themselves with new import processes. To mitigate for such disproportionate effects, the FSA is planning to provide additional support, detailed guidance and training to Port Health Officers to ensure they can assist micro and small importers in their familiarisation process.
151. The proposed amendments should therefore not have any disproportionate negative impact on small and micro businesses. If anything, a more streamlined and harmonised controls regime across the EU might benefit micro and small businesses because they will be regulated in a proportionate and consistent way according to their business activities across the agri-food chain.

Trade Implications

152. Implementing the OCR could have implications for trade of high-risk food and feed products with third countries as a result of new requirements and changes to existing border procedures.

³¹ Based on ONS' Inter Departmental Business Register (IDBR), all businesses registered in SIC Codes 10,11,46,47 and 56.

³² DTZ Pieda Consulting (1998): *The Impact of BSE on the UK Economy*; and DEFRA/DCMS (2002). *Economic cost of foot and mouth disease in the UK: a joint working paper*.

153. The OCR aims to integrate and harmonise rules across sectors. Assuming the new legislation is successful in reducing the administrative burden on importers, this could facilitate trade with third countries and contribute to lower food prices, as 20% of food consumed in the UK currently originates in third countries.³³
154. Adherence with the OCR will also enable the UK to demonstrate that food and feed produced and processed within the UK have been produced and handled in accordance with EU requirements. This will help to validate that food and feed is safe and fit for purpose and can stimulate demand for imports from the UK. The UK exports £22bn worth of food, feed and drink annually, 40% of which are exported to third countries.³⁴ Maintaining and strengthening confidence in UK produce is therefore likely to benefit the UK industry.
155. While the OCR also proposes to introduce some new regulatory requirements for imports of selected products into the Union, including reptile meat, insects for human consumption and rendered animal fats and greaves, trade volumes of the affected products are very small relative to the UK's total import volumes.
156. We are engaging with industry stakeholders and other government departments to understand these implications in further detail. However, as trade flows are dependent on a variety of different factors and complex to model, we will not be able to assess the net impact on trade.

³³ Defra (2019): Food Statistics in your pocket: Summary (National Statistics, updated 8 April 2019): <https://www.gov.uk/government/statistics/food-statistics-pocketbook>.

³⁴ Defra (2017): Agriculture in the United Kingdom 2017, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/741062/AUK-2017-18sep18.pdf, chapter 13

OCR: Change to delivery/practices

The table below outlines the OCR changes identified by the FSA to delivery/practice taking affect from 14 December 2019. The changes identified outline the regulatory provisions that need to be provided for in domestic secondary legislation in the event that the UK leaves the EU with an implementation period.

Current legislation	Current requirements	Provision under OCR/tertiary legislation	Change to delivery/practice
Commission implementing Regulation on uniform practical arrangements of multi annual control plans and annual reports by Member States on the presence of contaminants in food			Under negotiation
Regulation 2016/6 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station	<p>Article 9 Prior notification</p> <p>1.Feed and food business operators or their representatives shall give prior notification of the arrival of each consignment of products referred to in Article 5(1).</p> <p>2.For the purpose of prior notification, feed and food business operators or their representatives shall complete:</p> <p>(a) for products of non-animal origin: Part I of the common entry document (CED) referred to in point (a) of Article 3 of Regulation (EC) No 669/2009, taking into account the notes for guidance for the CED laid down in Annex II to that Regulation; for the</p>	<p>Prior notification rules are laid down in Regulation 2019/1013.</p> <p>The legislation containing the Common Veterinary Entry Document (CVED) and Common Entry Document (CED) is being amended as a result of the publication of the OCR.</p>	<p>No substantive changes to delivery/practice</p> <p>Current legislation needs to be amended to refer to definitions in the OCR. No changes to delivery/practice.</p> <p>Current legislation to be amended to:</p> <p>Replace 'Common Health Entry Document (CHED-D) as provided for in [DN: appropriate reference to the EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal]'. </p>

	<p>purpose of this Regulation, Box I.13 of the CED can contain more than one commodity code;</p> <p>(b) for fish and fishery products: the common veterinary entry document (CVED) set out in Annex III to Commission Regulation (EC) No 136/2004(1).</p> <p>The respective document shall be transmitted to the competent authority at the designated point of entry or border inspection post, at least two working days prior to the physical arrival of the consignment.</p>	<p>It is likely that CEDs will be replaced with a CHED D with the introduction of the yet-to-be published tertiary legislation replacing Regulation (EC) No. 669/2009.</p> <p>Common Veterinary Entry Document (CVED) as provided for in Article 2 of Commission Regulation (EC) No 136/2004 but this will be replaced by a 'Common Health Entry Document (CHED-P) with the introduction of the yet-to-be published tertiary legislation replacing Regulation (EC) No. 136/2004.</p>	<p>Replace 'Common Veterinary Entry Document' with 'Common Health Entry Document'</p>
<p>Commission Decision 2011/884/EU on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC, as amended by Commission Decision 2013/287/EU</p>	<p>Article 2 (Definitions)</p> <p>For the purposes of this Decision, the definitions laid down in Articles 2 and 3 of Regulation (EC) No 178/2002, Article 2 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules and Article 3(b)</p>	<p>Article 3 (Definitions) of OCR</p> <p>Relevant provisions of yet-to-be published tertiary legislation replacing Regulation (EC) No. 669/2009</p>	<p>No substantive changes to delivery/practice. Current legislation needs to be amended to refer to definitions in the OCR. No changes to delivery/practice.</p> <p>Current legislation to be amended to:</p> <ul style="list-style-type: none"> • Replace 'Article 2 of Regulation 882/2004 with:

	and (c) of Commission Regulation (EC) No 669/2009 on increased controls on imports of certain feed and food of non-animal origin shall apply.		<p>‘Article 3 of Commission Regulation 2017/625’</p> <ul style="list-style-type: none"> Replace ‘Article 3 (b) and (c) of Regulation (EC) No. 669/2009’ with: <p>‘[DN: Insert appropriate reference to EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal]’</p>
	<p>Article 3 (Prior notification)</p> <p>1. Feed and food business operators or their representatives shall give adequate prior notification of the estimated date and time of the physical arrival of the consignment and of the nature of the consignment to the competent authorities at the Border Inspection Post or at the Designated Point of Entry as appropriate. Operators shall also indicate the designation of the product as to whether it is food or feed.</p> <p>2. For that purpose, they shall complete the relevant parts of the common entry document (CED) referred to in Annex II to Regulation (EC) No 669/2009, or the common veterinary entry document (CVED), as provided for in Article 2 of Commission Regulation (EC) No</p>	<p>Article 3 (Definitions)</p> <p>Article 3(38): Definition of ‘border control post’ Note: Under OCR ‘border inspection posts’ (BIPs), ‘designated points of entry’ (DPEs), ‘points of entry’ and ‘first points of introduction’ will collectively be known as ‘border control posts’.</p>	<p>No substantive changes to delivery/practice. Current legislation needs to be amended to refer only to ‘border control posts’.</p> <p>Current legislation to be amended to:</p> <ul style="list-style-type: none"> Replace ‘Border Inspection Post or at the Designated Point of Entry as appropriate’ with: <p>‘Border Control Post’ as defined in Article 3(38) of Regulation (EU) 2017/625</p> <p>No substantive changes to delivery/practice other than the overarching need for the competent authority to complete the relevant new type of common entry document provided for by the OCR and yet-to-be published tertiary legislation.</p>

	136/2004 (*), and transmit that document to the competent authority at the Border Inspection Post or at the Designated Point of Entry as appropriate, at least one working day prior to the physical arrival of the consignment.	Article 56 (Common Health Entry Document (CHED)) Relevant provisions of yet-to-be published tertiary legislation replacing Regulation (EC) No. 669/2009.	Current legislation to be amended to: <ul style="list-style-type: none"> Replace 'Common Entry Document (CED) referred to in Annex II to Regulation (EC) No 669/2009' with: 'Common Health Entry Document (CHED-D) as provided for in [DN: appropriate reference to the EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal]'. Replace 'Common Veterinary Entry Document (CVED) as provided for in Article 2 of Commission Regulation (EC) No 136/2004' with: 'Common Health Entry Document (CHED-P) as provided for in [DN: insert appropriate reference to the EU legislation that will replace Regulation (EC) No. 136/2004, when it is published in the Official Journal]'.
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised genetically modified rice in rice products originating from China</i>	Article 2(1) "Article 2 of Regulation (EC) No 882/2004"	ANNEX V - CORRELATION TABLES REFERRED TO IN ARTICLE 146(2) [Repeals]	According to Annex V, replace with: "Article 3 of Regulation (EU) 2017/625"

<i>and repealing Decision 2008/289/EC</i>		1. Regulation (EC) No 882/2004	
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC</i>	<u>Article 2(1)</u> <u>&</u> <u>Article 3(2)</u> “Article 3 (b) and (c) of Regulation (EC) No. 669/2009”	If becomes relevant - Insert appropriate reference to EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal	Not yet known
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC</i>	<u>Article 3(1) & Article 3(2)</u> Where mentioned “Border Inspection Post or at the Designated Point of Entry”	Would seem to have been renamed as “Border Control Post” as defined in Articles 3(38) and 47(1) of Regulation (EU) 2017/625	Could potentially insert its definition as “Border Control Posts” at Article 2(2)(f) of retained 2011/884/EC and replace wording.
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC</i>	all instances of common entry document ‘CED’	Replace with common health entry document ‘CHED-D’ Provided by appropriate reference to the EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal	Although not part of OCR – there is the possible expectation to be replaced into ‘Common Health Entry Document’ ‘CHED-D’
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised</i>	all instances of ‘common veterinary entry document’ ‘CVED’ as provided for in Article 2 of Commission Regulation (EC) No 136/2004	Replace with ‘CHED-PP’ Provided by appropriate	Although not part of OCR – expected to be replaced into ‘Common Health Entry Document for Plants, Plant

<i>genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC</i>		reference to the EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal	Products and Plant propagating material' 'CHED-PP'
Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed	<p><u>ANNEX - Paragraph 3(b) + Paragraph 4</u></p> <p>"Community reference laboratories laid down in Article 32 of Regulation (EC) No 882/2004 "</p> <p>&</p> <p><u>Article 32 of EU regulation:</u></p> <p>Community reference laboratory</p> <p>The Community reference laboratory and its duties and tasks shall be those referred to in the Annex.</p> <p>National reference laboratories may be established in accordance with the procedure referred to in Article 35(2).</p> <p>Applicants for authorisation of genetically modified food and feed shall contribute to supporting the costs of the tasks of the Community reference laboratory and the European Network of GMO laboratories mentioned in the Annex.</p>	<p>ANNEX V - CORRELATION TABLES REFERRED TO IN ARTICLE 146(2)</p> <p><u>[Repeals]</u></p> <p>1. Regulation (EC) No 882/2004</p> <p>&</p> <p><u>Article 93(5)</u></p> <p>By way of derogation from paragraphs 1 and 2 of this Article, the laboratories referred to in the first paragraph of Article 32 of Regulation (EC) No 1829/2003 and the first paragraph of the Article 21 of Regulation (EC) No 1831/2003 shall be the</p>	<p>Not required</p> <p>&</p> <p>This includes all mention of 'Community' in Community Reference Lab for OCR changes into "European Union Reference Lab"</p> <p>Reference laboratory</p> <p>1. The appropriate authority may appoint a reference laboratory to perform the duties and tasks set out in the Annex.</p> <p>2. Applicants for authorisation of genetically modified food and feed shall contribute to supporting the costs of the duties and tasks of the reference laboratory.</p> <p>3. The contributions from applicants shall not exceed the costs incurred in carrying out the validation of detection methods.</p> <p>4. The appropriate authority may prescribe—</p>

	<p>The contributions from applicants shall not exceed the costs incurred in carrying out the validation of detection methods.</p> <p>Detailed rules for implementing this Article and the Annex may be adopted in accordance with the regulatory procedure referred to in Article 35(2).</p> <p>Measures designed to amend non-essential elements of this Regulation and adapting the Annex shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3).</p>	<p>European Union reference laboratories having the responsibilities and performing the tasks referred to in Article 94 of this Regulation in the areas respectively of:</p> <p>(a) GMOs and genetically modified food and feed; and</p> <p>(b) feed additives.</p>	<p>(a) measures for implementing this Article and the Annex; and</p> <p>(b) measures designed to amend non-essential elements of this Regulation and adapting the Annex.</p>
<p>Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed</p>	<p><u>Article 5(5)(b) GM Food:</u> <u>In the case of GMOs or food containing or consisting of GMOs, the application shall also be accompanied by:</u></p> <p>(b) a monitoring plan for environmental effects conforming with Annex VII to Directive 2001/18/EC, including a proposal for the duration of the monitoring plan; this duration may be different from the proposed period for the consent.</p> <p><u>Article 17(5)(b) GM Feed:</u> <u>In the case of GMOs or feed containing or consisting of GMOs, the application shall also be accompanied by:</u></p>	<p><u>Article 23(2)(a)(ii)</u> 2. The Commission is empowered to adopt delegated acts in accordance with Article 144 to supplement this Regulation...</p> <p>(ii) the cultivation of GMOs for food and feed production and the correct application of the plan for monitoring referred to in point (e) of Article 13(2) of Directive 2001/18/EC and in point (b) of Article 5(5) and point</p>	<p>No change expected onto delivery/practice as its function is to confer the capability to apply additional or change the requirements of the monitoring plan for GMOs.</p> <p>There are no expected plans received from the Commission for this to happen.</p>

	<p>(b) a monitoring plan for environmental effects conforming with Annex VII to Directive 2001/18/EC, including a proposal for the duration of the monitoring plan; this duration may be different from the proposed period for the consent.</p>	<p>(b) of Article 17(5) of Regulation (EC) No 1829/2003;</p> <p>&</p> <p><u>Article 23(3)(b)</u> 3. The Commission may, by means of implementing acts, lay down rules on uniform practical arrangements for the performance of the official controls... is necessary to respond to recognised uniform hazards and risks of: (b) the cultivation of GMOs for food and feed production and the correct application of the plan for monitoring referred to in point (e) of Article 13(2) of Directive 2001/18/EC and in point (b) of Article 5(5) and point (b) of Article 17(5) of Regulation (EC) No 1829/2003.</p>	
<p>Commission Regulation (EC) No 1981/2006 of 22 December 2006 on detailed rules for the implementation of Article 32 of</p>	<p><u>ANNEX III</u> <u>Amendment to the Annex to Regulation (EC) No 1829/2003</u> <u>Point 3(b) & Point 4</u></p>	<p>ANNEX V - CORRELATION TABLES REFERRED TO IN</p>	<p>No delivery required – was the text amending the ANNEX of 1829/2003, as had already been noted above</p>

Regulation (EC) No 1829/2003 of the European Parliament and of the Council as regards the Community reference laboratory for genetically modified organisms	“without prejudice to the responsibilities of the Community reference laboratories laid down in Article 32 of Regulation (EC) No 882/2004”	ARTICLE 146(2) [Repeals] 1. Regulation (EC) No 882/2004	UK Statutory Instruments > 2019 No. 705 > PART 4 Revocation of retained direct EU legislation Revocation of Commission Regulation (EC) No. 1981/2006 390. Commission Regulation (EC) No. 1981/2006 on detailed rules for the implementation of Article 32 of Regulation (EC) No. 1829/2003 of the European Parliament and of the Council as regards the Community reference laboratory for genetically modified organisms is revoked.
2013/287/EU: Commission Implementing Decision of 13 June 2013 amending Implementing Decision 2011/884/EU on emergency measures regarding unauthorised genetically modified rice in rice products originating from China Text with EEA relevance	all instances of common entry document ‘CED’ & all instances of ‘common veterinary entry document’ ‘CVED’	See above as commented in Commission Decision 2011/884/EU	No delivery required - as this is an amending implementing decision onto 2011/844, and is not required to be made again separate to amending 2011/844
Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC	<u>Article 9(2)</u> and the Community Reference Laboratory established under Regulation (EC) No 1829/2003.	Regulation (EC) No 1829/2003 – Article 32 References to ‘Community’ removed	

<p>Commission Regulation (EC) No 641/2004 of 6 April 2004 on detailed rules for the implementation of Regulation (EC) No 1829/2003 of the European Parliament and of the Council as regards the application for the authorisation of new genetically modified food and feed, the notification of existing products and adventitious or technically unavoidable presence of genetically modified material which has benefited from a favourable risk evaluation</p>	<p>ANNEX I Method Validation Instances of “Community Reference Laboratory (CRL)”</p>	<p>Regulation (EC) No 1829/2003 – Article 32 References to ‘Community’ in ‘Community Reference Laboratory’ removed</p>	<p>No delivery required</p>
<p>Regulation 854/2004 Chapter 1 Article 1</p>	<p>Sets out the scope of the regulations</p>	<p>Commission delegated regulation EU 2019/624 Article 1 Subject, matter & scope</p>	<p>Details the subject, matter & scope of the regulations.</p>
<p>Regulation 854/2004 Chapter 1 Article 2 - Definitions</p>	<p>Article 2 provides definitions of wording that applies for the purpose of the regulation</p>	<p>Commission delegated regulation EU 2019/624 Article 2 Definitions</p>	<p>There are some additions to the ‘Definitions’ that apply for the purpose of the regulation. These are as follows: follows: (2) ‘holding of provenance’ means the holding where the animals were last reared. In the case of semi-domesticated cervids as defined in point 2(q) of Annex I to Regulation (EC) No 999/2001 of the European Parliament and of the Council (7), it includes round-ups intended to select animals for slaughter;</p>

			<p>(5) 'staff designated by the competent authorities' means a person other than the official auxiliary and the official veterinarian, who is qualified in accordance with this Regulation to act in such a capacity in cutting plants and to whom the competent authorities assign the performance of specific actions;</p> <p>(17) 'Low-capacity slaughterhouse' means a slaughterhouse designated by the competent authorities on the basis of a risk analysis and in which slaughtering takes place only during part of the working day or takes place during the whole working day but not on each working day of the week;</p> <p>(18) Low-capacity game-handling establishment' means a game-handling establishment designated by the competent authorities on the basis of a risk analysis and in which game-handling takes place only during part of the working day or takes place during the whole working day but not on each working day of the week;</p> <p>(19) 'livestock unit' means a livestock unit as defined in Article 17(6) of Regulation (EC) No 1099/2009;</p>
Regulation 854/2004 Annex I Section III Chapter I point 2 and II Point 1	In relation to ante-mortem inspection and checks concerning the welfare of animals, official auxiliaries may only help with purely practical tasks at ante-mortem inspection which may	Article 3(1)	There is more scope for the OA to undertake the AMI under the supervision of the OV on species other than poultry and lagomorphs

Annex I Section III Chapter II Point 2(a) Annex I Section III Chapter II Point 3	include a preselection of animals with abnormalities.	Article 3(2) Article 3(3)	provided the OV does the AMI where abnormalities are detected by the OA. There is no change to the tasks for an OA under the responsibility of an OV where AMI is undertaken at the holding of provenance by an OV (note OV includes approved veterinarian as defined in Regulation 2017/625 Article 3) There are no changes to the situations where the derogation allowing OAs to undertake AMI do not apply.
Regulation (EC) 854/2004, Annex I, Section II, Chapter V, Paragraph 1(a)	Meat from animals which do not undergo AMI before emergency slaughter must be declared as unfit for human consumption.	Article 4	With regards to domestic ungulates only, the OV may perform ante-mortem inspection outside of the slaughterhouse in the case of emergency slaughter. Official veterinarian includes approved veterinarian. Meat from emergency slaughter which passes AMI can enter the food chain.
Regulation 854/2004 Annex I Section IV Chapter IV, Chapter V, Chapter VI and VII	AMI is currently allowed at the holding of provenance for only for pigs, poultry, farmed lagomorphs and farmed game	Article 5 Article 6 Point 5	The CA may allow AMI at the holding of provenance for all species. There is species specific criteria and conditions laying down when ante-mortem inspections may be performed at the holding of provenance that now apply to all species.

			The completed health certificate must accompany the animals to slaughter but in the case of farmed game, the health certificate may be sent in advance and slaughter can be delayed for up to 28 days before a new AMI is required.
Regulation 1244/2007 Annex II Point 2a & 2b (amending Regulation 2074/2005)	Sets out the requirements for the official controls for the inspection of meat detailing that the competent authority may decide that the OV may need not be present at all times during post-mortem inspection, provided that certain conditions are met.	Article 7	Addition of thresholds for the maximum throughput at small slaughterhouses and game handling establishments which can take advantage of official auxiliaries carrying out PMI without an OV being present.
Regulation 854/2004 Annex I Section III Chapter II Point 3	Details the circumstances when PMI PMI must be carried out by the OV	Article 8	No change
Regulation 854/2004 Annex I Section III Chapter I Point 1	Permits the use of official auxiliaries to undertake audit activities in slaughterhouses and game handling establishments under the responsibility of the OV veterinarian, only as regards the collection of information on good hygiene practices and HACCP-based procedures	Article 9	There is no change to this practice
Regulation 854/2004 Annex I Section III Chapter III Point A & B	Provides provisions for the use of other staff as designated by the CA to carry out certain tasks of the OA under the supervision, direction & authority of the OV	Article 10	Makes provision for the use of staff as designated by the competent authority other than official veterinarians and official auxiliaries to undertake certain tasks at cutting plants. These staff now are required to meet minimum qualification requirements
		Article 11	Not applicable to official controls on meat

		Article 12	Specific derogations on certain species of deer as they apply in Finland and Sweden
Regulation 854/2004 Annex I Section III Chapter IV Point A & B	Sets out the professional qualifications/training requirements for OV's & OA's	Article 13	Details the requirements for minimum qualification requirements for 'other staff' that may be designated by the CA to carry out certain tasks.
Regulation 854/2004 Annex I Section III Chapter III Pont A & B	Details the professional qualifications/training requirements required for OV's & OA's	Article 14 & Chapter III Point 5	Details the training requirements of 'other staff' as designated by the CA
Regulation 854/2004 Article 1 Scope	No significant changes	Commission delegated regulation EU 2019/627 Article 1	The Regulation details those official controls and actions to be performed by the competent authorities taking into account the requirements of Article 18(2), (3) and (5) of Regulation (EU) 2017/625 and Delegated Regulation (EU) 2019/624.
Regulation 854/2004 Article 2 Definitions	Definitions – provides guidance for the purpose of this regulation	Article 2	No new definitions which are not included in the delegated regulation. Some definitions, e.g. Official veterinarian set out in Regulation 2017/625.
Regulation 854/2004 Chapter II Article 3 Approval of Establishments	Specific performance requirements for audits by the competent authorities in establishments handling products of animal origin	Article 3	Some changes to the detail of what audits should include, e.g. at A3 Point 3 They shall, in particular, determine whether the procedures guarantee, to the extent possible, that products of animal origin: (a) comply with Article 3 of Regulation (EC) No 2073/2005 as regards microbiological criteria; (b) comply with Union legislation on:

			<ul style="list-style-type: none"> — the monitoring of chemical residues, in accordance with Council Directive 96/23/EC and Commission Decision 97/747/EC; — maximum residue limits for pharmacologically active substances, in accordance with Commission Regulation (EU) No 37/2010 (33) and Commission Implementing Regulation (EU) 2018/470; — prohibited and unauthorised substances, in accordance with Commission Regulation (EU) No 37/2010, Council Directive 96/22/EC, Commission Decision 2005/34/EC; — contaminants, in accordance with Regulations (EC) No 1881/2006 and (EC) No 124/2009 setting maximum levels for certain contaminants in food; — pesticide residues, in accordance with Regulation (EC) No 396/2005 of the European Parliament and of the Council; (c) do not contain physical hazards, such as foreign bodies.
Regulation 854/2004 Article 4	9. The nature and intensity of auditing tasks in respect of individual establishments shall depend upon the assessed risk. To this end, the competent authority shall regularly assess: (a) public and, where appropriate, animal health risks; (b) in the case of slaughterhouses, animal welfare aspects;	Article 4 (2)	Introduces the possibility of the competent authority (CA) examining 'private control systems or independent third-party certification' systems where these have been incorporated into food safety systems

	(c) the type and throughput of the processes carried out; and (d) the food business operator's past record as regards compliance with food law.		
Regulation 854/2004 Article 5 Fresh Meat	Specific requirement for identification marking (2) The health marking of carcasses of domestic ungulates, farmed game mammals other than lagomorphs, and large wild game, as well as half-carcasses, quarters and cuts produced by cutting half-carcasses into three wholesale cuts, shall be carried out in slaughterhouses and game-handling establishments in accordance with Section I, Chapter III, of Annex I. Health marks shall be applied by, or under the responsibility of, the official veterinarian when official controls have not identified any deficiencies that would make the meat unfit for human consumption.	Article 5	No change Compliance with the requirements of Regulation (EC) No 853/2004 concerning the application of identification marks shall be verified in all establishments approved in accordance with that Regulation, in addition to verification of compliance with other traceability requirements in accordance with Article 18 of Regulation (EC) No 178/2002.
		Article 6 - technological developments	New and requires approval by the Commission/other MS before new technologies can be used as part of official controls.
Regulation 854/2004 Annex I Section I Chapter I		Article 7 - additional requirements for audits in establishments handling meat	Changes in detail plus Article 7 Point 3 includes reference to checking compliance with microbiological criteria in Article 3 of Regulation (EC) No 2073/2005.

		Article 8 - Official Control on Fresh Meat – Relevance of audit results	New statement of good practice in taking account of previous audits when deciding what areas to concentrate audits on.
		Article 9 Obligations of the competent authorities as regards checks of documents	A new requirement for the CA to ensure food chain information is in the appropriate form and that appropriate checks and communication of information takes place.
		Article 10 Obligations of the official veterinarian as regards checks of documents - Annex I Section I Chapter I A	Detail is broadly the same
Regulation 854/2004 Annex I Section I Chapter II B as supplemented by Section IV Specific Requirements	Sets out the requirements as regards ante-mortem inspection at the slaughterhouse	Article 11	There are no significant changes
Regulation 854/2004 Annex I Section I Chapter II D as supplemented by Section IV Specific Requirements	Sets out the requirements as regards ante-mortem inspection at the slaughterhouse	Article 12	There are no significant changes
		Article 13	New derogation on the timing of PMI which only applies to low-capacity slaughterhouses and low-capacity game handling establishments which allows an OV to undertake PMI up to 24 hours after slaughter/ arrival at a GHE where neither the official veterinarian nor the official auxiliary

			are present in the game-handling establishment or slaughterhouse during slaughter and dressing. This may have implications for the current policy on cold inspections.
Regulation 854/2004 Annex I Section I Chapter II, D 2	Sets out when additional examinations are to take place, such as palpation & incision of parts of the carcass & offal & laboratory tests, whenever considered necessary.	Article 14	There are no significant changes
Regulation 854/2004 Annex I Section I Chapter II D Point 3 & Point 4	Sets out the requirements for post-mortem inspection. Currently domestic solipeds, bovine animals over 6 months old & swine over 4 weeks old must be submitted for post-mortem inspection split lengthways into carcasses down the spinal column.	Article 15	<p>There are changes to the age at which the carcasses have to be split. Now, the OV shall require that carcasses of domestic solipeds, bovine animals over eight months old and domestic swine more than five weeks old are submitted for post-mortem inspection split lengthways into half carcasses down the spinal column.</p> <p>There is also a new provision that low-capacity slaughterhouses or low-capacity game-handling establishments handling fewer than 1 000 livestock units per year, the OV may, for sanitary reasons, authorise the cutting into quarter carcasses of adult domestic solipeds, adult bovine animals and adult large wild game before post-mortem inspection.</p>
Regulation 854/2004 Annex I Section I Chapter II D Point 5	Requirements that in the event of emergency slaughter, the carcass shall be subjected to post-mortem examination as soon as possible.	Article 16	There are no significant changes

		Article 17	Confirms that PMI must be carried out in accordance with the requirements set out in the Regulation.
Regulation 854/2004 Annex I Section IV Chapter I A	Currently, bovine animals under six weeks old primarily undergo visible inspection. The trachea and the main branches of the bronchi must be opened lengthwise and the lungs must be incised in their posterior third, perpendicular to their main axes (these incisions are not necessary where the lung are excluded from human consumption)	Article 18	<p>There is a significant change in that bovine animals under eight months old (or under 20 months old if reared without access to pasture land during their whole life in an officially tuberculosis-free Member State or region of a Member State in accordance with Article 1 of Decision 2003/467/EC) can undergo visual inspection of the following:-</p> <p>a) the head and throat; together with palpation and examination of the retropharyngeal lymph nodes, however, in order to ensure the surveillance of the officially tuberculosis free status, Member States may decide to carry out further investigations; inspection of the mouth and fauces</p> <p>(b) the lungs, trachea and oesophagus; palpation of the lungs; palpation and examination of the bronchial and mediastinal lymph nodes;</p> <p>(c) the pericardium and heart;</p> <p>(d) the diaphragm;</p> <p>(e) the liver and the hepatic and pancreatic lymph nodes,</p> <p>(f) the gastro-intestinal tract, the mesentery and gastric and mesenteric lymph nodes</p>

			<p>(g) the spleen (h) the kidneys (i) the pleura and peritoneum (j) the umbilical region and the joints of young animals. When there are indications of possible risk to human health, animal health or animal welfare indicated in accordance with Article 24, then post-mortem inspection procedures using incision and palpation of the carcase and offal must be followed.</p>
Regulation 854/2004 Annex I Section IV Chapter I Point B	Sets out the inspection procedures which relate to visible & incision PM requirements for bovine animals over 6 weeks old & includes that the lungs be incised in their posterior third, perpendicular to their main axes (these incisions are not necessary where the lungs are excluded from human).	Article 19	The new procedures relate to bovine animals over 8 months old (not 6 weeks as is current). The PMI procedures remain the same except that the lungs do not need to be incised, visual inspection and palpation is only required.
Regulation 854/2004 Annex I Section IV Chapter II	Sets out the inspection procedures for domestic sheep & goats of all ages.	Article 20	Distinguishes PMI requirements from sheep with erupted incisors and goats over 6 months old where the requirements are set out in Article 21. There are no significant changes.
Regulation 854/2004 Annex I Section IV Chapter II	Sets out the inspection procedures for domestic sheep & goats of all ages.	Article 21	Distinguishes PMI requirements from those sheep with no erupted incisors and goats under 6 months old. There are no significant changes.
Regulation 854/2004 Annex I Section IV Chapter III	Sets out the inspection procedures for domestic solipeds. Current procedures require that the includes that the lungs be incised in their posterior third, perpendicular to their main axes (these incisions are not necessary where the lungs are	Article 22	There is no need for incision of the lungs or heart unless there are indications of possible risk to human health, animal health or animal welfare indicated in accordance with Article 24. There are no other significant changes.

	excluded from human). Current procedures also require that heart be incised so as to open the ventricles and cut through the interventricular septum.		
Regulation 854/2004 Annex I Section IV Chapter IV Point B	Sets out the inspection procedures for domestic swine	Article 23	There are no significant changes
		Article 24	Where there are indications of a possible risk to human health, animal health or animal welfare in domestic bovine animals, domestic sheep and goats, domestic solipeds and domestic swine, there is a new list detailing when PMI should revert to include incision and palpation.
Regulation 854/2004 Annex I Section IV Chapter V Point B	Sets out the inspection procedures for poultry & under current requirements, all birds are to undergo PMI. In addition, the OV is to personally carry out:- (a) daily inspection of the viscera and body cavities of a representative sample of birds; (b) a detailed inspection of a random sample, from each batch of birds having the same origin, of parts of birds or entire birds declared unfit for human consumption following post-mortem inspection; and (c) any further investigations necessary when there is reason to suspect that the meat from the birds concerned could be unfit for human consumption.	Article 25	All poultry shall undergo post-mortem inspection which may include the assistance of slaughterhouse staff provided the criteria in accordance with Article 18(3) of Regulation (EU) 2017/625 is met. In addition, the OA is permitted to carry out those checks which were previously carried out personally by the OV as detailed under the current arrangements. However, there is a new derogation that may be applied (in paragraph 2) in that the CA may decide that only a representative sample of poultry from each flock undergoes post-mortem inspection provided certain conditions are met.

Regulation 854/2004 Annex I Section IV Chapter VI	Current procedures are that the inspection procedures for poultry are to apply to farmed lagomorphs	Article 26	There are no significant changes. The inspection procedures for poultry are to apply to farmed lagomorphs. The requirements for a single poultry flock applies to lagomorphs slaughtered the same day from single holding of provenance.
Regulation 854/2004 Annex I Section IV Chapter VII	Sets out the inspection procedures for farmed game. Current procedures are that PMI procedures described for bovine and ovine animals, domestic swine and poultry are to be applied to the corresponding species of farmed game.	Article 27	Various changes to PMI requirements for certain cervidae (deer) and suidae. In the case of small (< 100 kg) <i>Cervidae</i> , the post-mortem procedures for young domestic sheep and goats apply. However, in the case of reindeer the post-mortem procedures for older ovine animals apply and the tongue may be used for human consumption without inspection of the head. In the case of game of the family <i>Suidae</i> , the post-mortem procedures for domestic swine apply. in the case of large game of the family <i>Cervidae</i> and other large game, the post-mortem procedures for bovine animals apply. There are no other significant changes.
Regulation 854/2004 Annex I Section IV Chapter VIII	Sets out the inspection procedures for wild game.	Article 28	There are no significant changes
Regulation 854/2004	Annex I Section IV Chapter IX A	Article 29	Contains more detail on the checks required: 1. In addition to the requirements of Regulation (EC) No 999/2001 concerning the official controls to be carried out in relation to TSEs, the

			<p>official veterinarian shall check the removal, separation and, where appropriate, marking of specified risk material also in accordance with the rules laid down in Article 8(1) of that Regulation and in Article 12 of Regulation (EC) No 1069/2009 on animal by-products.</p> <p>2. The official veterinarian shall ensure that the food business operator takes all necessary measures to avoid contaminating meat with specified risk material during slaughter, including stunning. This includes the removal of specified risk material.</p>
Regulation 854/2004 Annex I Section IV Chapter IX B		Article 30 - Practical arrangements for official controls for cysticercosis during post-mortem inspection in domestic bovine animals and Suidae	The requirements extend to Suidae and make provision for PMI in bovines not to include incision if certain criterion is met.
Regulation 854/2004 Annex I Section IV Chapter IX C		Article 31 - Practical arrangements for official controls for Trichinella during post-mortem inspection	No change
Regulation 854/2004 Annex I Section IV Chapter IX D		Article 32 - Practical arrangements for official controls for glanders during post-mortem inspection of solipeds	<p>New requirements</p> <p>1. Fresh meat of solipeds shall be placed on the market only if it was produced from solipeds kept for at least 90 days prior to the date of slaughter in a Member State or in a</p>

			<p>third country or region thereof from which it is authorised to bring solipeds into the Union. 17.5.2019 L 131/72 Official Journal of the European Union EN</p> <p>2. In the case of solipeds originating from a Member State or third country or region thereof not meeting the World Organisation for Animal Health criteria for a glanders-free country, solipeds shall be inspected for glanders by a careful examination of the mucous membranes of the trachea, larynx, nasal cavities and sinuses and their ramifications, after splitting the head in the median plane and excising the nasal septum.</p> <p>3. Meat produced from solipeds in which glanders has been diagnosed shall be declared unfit for human consumption.</p>
Regulation 854/2004 Annex I Section IV Chapter IX E		Article 33 - Practical arrangements for official controls for tuberculosis during post-mortem inspection	No change is expected.
Regulation 854/2004 Annex I Section IV Chapter IX F		Article 34 - Practical arrangements for official controls for brucellosis during post-mortem inspection	No change is expected.
Regulation 854/2004 Annex I Section IV Chapter IX G		Article 35 - Practical arrangements for official controls for Salmonella	No changes.

Regulation 854/2004		Article 36 - Practical arrangements for official controls for Campylobacter	New requirement requiring the CA to undertake verification of FBOs implementation of the campylobacter PHC:
Regulation 854/2004		Article 37 - Specific requirements as regards laboratory tests	Cross references to other legislation where sampling/test methods are specified
Regulation 854/2004 Annex I Section I Chapter I Point 1		Article 38 - Official controls on animal welfare at transport and slaughter	Broadly the same
Regulation 854/2004 Annex I Section II Chapter I	Sets out the measures with regards to the communication of inspection results	Article 39	The measures are broadly the same but now includes a model document at Annex I which the OV may use for the purpose of communicating the relevant results of ante-mortem and post-mortem inspections to the holding of provenance where the animals were kept before slaughter. Also, where the animals were kept on a holding of provenance in another Member State, the competent authorities of the Member State in which they were slaughtered shall communicate the relevant results of ante-mortem and post-mortem inspections to the competent authorities in the Member State of provenance. They shall use the model document in Annex I in the official languages of both Member States involved or in a language agreed between both Member States.

Regulation 854/2004 Annex I Section II Chapter II		Article 40 - Measures in cases of non-compliance with requirements for food chain information	Requirements broadly the same
Regulation 854/2004 Annex I Section II Chapter II Point 4	Sets out the measures in cases of non-compliance recorded in food chain information	Article 41	There is no change to requirements
Regulation 854/2004 Annex I Section II Chapter II Point 5	Sets out the measures in cases of misleading food chain information	Article 42	There is no change to requirements
Regulation 854/2004 Annex I Section II Chapter III	Sets out the measures in cases of non-compliance with requirements for live animals & includes that when there are overriding animal welfare considerations, horses may undergo slaughter at the slaughterhouse even if the legally required information concerning their identity has not been supplied. However, this information must be supplied before the carcass may be declared fit for human consumption. These requirements also apply in the case of emergency slaughter of horses outside the slaughterhouse	Article 43	The requirements are broadly the same except that the reference relating to the measures in respect of the overriding animal welfare considerations for horses has been omitted.
Regulation 854/2004 Annex I Section II Chapter IV	Sets out the measures in cases of non-compliance with requirements for animal welfare	Article 44	There are no changes to these measures
Regulation 854/2004 Annex I Section II Chapter V	Sets out the measures in cases of non-compliance with requirements for fresh meat	Article 45	There are no changes to these measures
Regulation 854/2004 Article 4 3a)	Sets out the audit requirements in respect of good hygiene practices & d	Article 46	There is a new measure in cases of non-compliance with requirements on

4 & 5	hazard analysis and critical control point (HACCP)-based procedures	This is a new measure in cases of non-compliance with requirements on good hygiene practices	<p>good hygiene practices, which allows the competent authority to require line-speeds to be reduced though in reality, this is currently being carried out where necessary.</p> <p>The competent authorities may instruct the food business operator to take immediate corrective action, including a reduction in the speed of slaughter, where this is considered necessary by the official present in the following cases:</p> <p>(a) where contamination is detected on external surfaces of a carcase or its cavities and the food business operator does not take appropriate action to rectify the situation; or</p> <p>(b) if the competent authorities consider that good hygiene practices are jeopardised.</p> <p>2. In such cases, the competent authorities shall increase the intensity of inspection until such time as they are satisfied that the food business operator has regained control of the process.</p>
Regulation 854/2004 Annex I Section II Chapter V Point 2	Sets out the restrictions for certain fresh meat	Article 47	There are no significant changes
Regulation 854/2004 Annex I Section I Chapter III	Sets out the requirements for health marking	Article 48 & Annex II	There are no significant changes
		Article 73	This is a new requirement for the ante-mortem and post-mortem

			inspection of reptiles. This is to be done in accordance with the ante-mortem & post-mortem requirements as for other species as detailed in Article 11 (AMI) & Articles 12, 13 & 14.
Article 47(2), Regulation 2017/625 BCP positive list A list/s will be drawn up of all animals and goods to be subject to veterinary controls at BCPs. Legislation is to be made under this provision which will set out these lists once published.	Not yet published - subject to a technical, indicative vote in the PAFF committee on Thursday 18 July.		Not yet published - subject to a technical, indicative vote in the PAFF committee
Published: Regulation 2019/478 (Article 47(3), Regulation 2017/625 Additional goods to be checked at BCPs) https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2019.082.01.0004.01.ENG	The list of products that require veterinary checks is laid down in Commission Decision 2007/275 (as amended). The Decision also requires certain composite products and hay and straw to be checked. Hay and straw are subject to checks because the origin and subsequent destination may present a risk to spreading infectious and contagious animal diseases.		Amends Regulation 2019/625. Regulation (EU) 2017/625 establishes the framework for official controls and other official activities to verify the correct application of Union food and feed law. That framework includes official controls performed on animals and goods entering the Union from third countries. Regulation (EU) 2017/625 requires for certain categories of animals and goods that each consignment is made subject to official controls at

			<p>designated border control posts of first arrival into the Union, because of the risk those categories of animals and goods may pose to public and animal health.</p> <p>In addition to the categories of consignments already listed in Regulation (EU) 2017/625, foodstuffs containing both products of plant origin and processed products of animal origin (composite products), as well as hay and straw should undergo official controls at border control posts as they too may pose a risk to public and animal health.</p>
<p>Published: Regulation 2019/1081</p> <p>(Article 49 (5), Regulation 2017/625)</p> <p>Specific staff training requirements for BCP staff without OV status working with animals and POAO</p>	<p>UK ports employ Official Fish Inspectors (OFIs) to undertake controls of fish and fishery products at BIPs. A derogation allows this under Article 1 of Decision 93/352/EEC and Article 3 of Regulation 136/2004/EC. These Inspectors are suitably qualified Environmental Health Officers.</p> <p>Support staff often assist OVs and OFIs at the BIP with official controls. This is overseen by the OV and/or OFI.</p> <p>Note – the UK Food Law Code of Practice lays down the current</p>		

	qualifications and experience required by non-OV/OFI staff at the BIP.		
<p>Published: Regulation 2019/1081</p> <p>(Article 49 (5), Regulation 2017/625)</p> <p>Specific staff training requirements for BCP staff without OV status working with animals and POAO</p>	<p>UK ports employ Official Fish Inspectors (OFIs) to undertake controls of fish and fishery products at BIPs. A derogation allows this under Article 1 of Decision 93/352/EEC and Article 3 of Regulation 136/2004/EC. These Inspectors are suitably qualified Environmental Health Officers.</p> <p>Support staff often assist OVs and OFIs at the BIP with official controls. This is overseen by the OV and/or OFI.</p> <p>Note – the UK Food Law Code of Practice lays down the current qualifications and experience required by non-OV/OFI staff at the BIP.</p>		<p>This Regulation introduces a new training requirement for non-OV staff at BCPs</p> <p>OV and plant health staff are exempt from this training.</p> <p>All other staff involved in POAO controls must undergo additional training which must cover the requirements of Article 3:</p> <p>1. The content of the training programme shall be determined according to the animals and goods for which the border control posts are designated and the tasks and responsibilities to which the staff are assigned.</p> <p>2. The training programme shall cover the following subject matters:</p> <ul style="list-style-type: none"> (a) applicable Union legislation concerning the entry into the Union of animals and goods, including procedures and activities to be carried out during and after physical checks; (b) general principles of examination of animals; (c) examination of the fitness to travel of animals; (d) practical aspects of handling of animals in line with Union legislation,

			<p>including arrangements to prevent or reduce delays at border control posts and, where necessary, to feed, water, unload and accommodate the animals;</p> <p>(e) sensorial examination of goods;</p> <p>(f) examination of the means of transport and the transport conditions, including the management of temperature-sensitive goods (cold chain) and the transport of animals;</p> <p>(g) identification of animal species, including, when appropriate, identification of invasive alien species as defined in point (2) of Article 3 of Regulation (EU) No 1143/2014 of the European Parliament and of the Council (4) introduced via animals and goods;</p> <p>(h) control procedures, concerning:</p> <p>(i) the use of equipment;</p> <p>(ii) the implementation of monitoring plans;</p> <p>(iii) sampling procedures and laboratory analysis with regard to animals and animal and public health aspects;</p> <p>(i) methods for the interpretation of laboratory test results and related decisions in accordance with the requirements of applicable Union legislation;</p> <p>(j) risk assessment, including data gathering in relation to animal and public health in order to carry out appropriately targeted physical checks;</p>
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			(k) prevention of cross-contamination and compliance with relevant biosecurity standards; (l) labelling requirements for goods referred to in Article 47(1)(b) of Regulation (EU) 2017/625; (m) investigations and control techniques aimed at detecting fraudulent or deceptive practices in trade.
Article 51, Regulation 2017/625 Rules on transshipment and onward movement	TBC – not yet published		TBC – not yet published
Article 52(1), Regulation 2017/625 Rules for the performance of controls at BCPs	TBC – not yet published		TBC – not yet published
Article 53, Regulation 2017/625 Official controls not performed at Border Control Posts	TBC – not yet published		TBC – not yet published
Article 54(3), Regulation 2017/625 Frequency rates for BCP controls	TBC – not yet published		TBC – not yet published
Article 54(4), Regulation 2017/625 Will merge Regulation 669/2009 and other temporary measures. Will look similar to existing system but contingent on Article 54(3) methodology.	TBC – not yet published		TBC – not yet published
Published: Regulation 2019/1013	FNAO – at least one day prior to the physical arrival of the consignment		Unifying rules on prior notification – major change is prior notification for

<p>(Article 58, Regulation 2017/625)</p> <p>Prior Notification</p> <p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1013&from=EN</p>	<p>POAO – in advance of arrival currently.</p>		<p>animals and goods (POAO and FNAO) will now be one day. To note, there is a derogation when the consignment is transported from the place of dispatch to the border control post in less than 24 hours – notification at least four hours before the expected arrival.</p>
<p>Please note that the empowerment in Art.60(2) has been bundled with the one in Art.64(4)</p> <p>Published: Regulation 2019/1014</p> <p>Article 60(2), Regulation 2017/625</p> <p>Public listing of BCP information</p>	<p>More applicable to CCAs.</p> <p>BIP listings are currently contained in Decision 2009/821. The entry contains details such as the BIP name, the designation e.g. port or airport and whether the facility is approved for human and/or animal consumption or live animals.</p>		<p>Given the change in designation, from BIP to BCP and broadened scope to include goods (FNAO) and plants, some additional administrative requirements have been introduced such as the type of BCP (ports, airport, road or rail), full contact details inc. for inspection centres, categories of goods, animals and specifications plus any additional specifications regarding the scope of the designation.</p> <p>This Regulation lays down rules for the implementation of Regulation (EU) 2017/625 as regards:</p> <p>(a) common detailed rules on minimum requirements for the infrastructure, equipment and documentation of border control posts and control points other than border control posts;</p>
<p>Article 64(4), Regulation 2017/625</p>	<p>Currently official controls on 'higher risk' FNAO are undertaken at either a Designated Point of Entry (DPE) or a Designated Point of Imports (DPI).</p>		

<p>BCP Facilities Requirements</p> <p>*See attached file also.</p>	<p>Import legislation dictates which whether a DPE or DPI can be used.</p> <p>Minimum requirements for DPEs are laid down in Article 4 of Regulation 669/2009 and similar requirements for DPIs are laid down in Article 6 of Regulation 884/2014.</p> <p>POAO is required to be imported through a Border Inspection Post (BIP). These requirements are considered to be more stringent than the FNAO minimum requirements, and are laid down in Decision 2001/812 and Directive 97/78.</p>		<p>(b) specific detailed rules on minimum requirements for border control posts designated for the categories of animals and goods referred to in Article 47(1)(a) and (b) of Regulation (EU) 2017/625;</p> <p>(c) detailed rules on minimum requirements for inspection centres;</p> <p>(d) the format, categories, abbreviations and other information for the listing of border control posts and control points other than border control posts.</p>
<p>Please note the empowerment in Art.62(3) has been bundled with those in Art.64(2) and (5)</p> <p>Published: Regulation 2019/1012</p> <p>Article 64(2), Regulation 2017/625</p> <p>Situations in which BCPs may be located away from the immediate point of entry into the Union</p> <p>Article 62(3), Regulation 2017/625</p> <p>Partial withdrawal of BCP status</p>	<p>These are derogations from the Regulation 2017/625 requirements.</p> <p>a.) Regulation (EU) 2017/625 provides that Member States are to notify the Commission before designating border control posts, so that the Commission can verify and, where necessary, carry out controls to check if they comply with the minimum requirements for the designation laid down therein. Regulation (EU) 2017/625 empowers the Commission to lay down certain detailed rules on these minimum requirements. Those detailed rules have been laid down in Commission Implementing Regulation (EU) 2019/1014 (2), (hereinafter collectively referred to as 'the minimum requirements'). Regulation</p>		<p>This Regulation lays down derogation rules from the 2017/625 requirements concerning:</p> <p>(a) the designation of a border control post or of a control point other than a border control post where the designation has been partially withdrawn (Article 62(3) of Regulation 2017/625). The derogation from designation requirements are not relevant to control point as their designation need to be made in accordance with Art.59(1) only.;</p> <p>(b) border control posts situated at a distance other than in the immediate vicinity of the point of entry into the Union due to specific geographical constraints.</p>

<p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1012&from=EN</p>	<p>(EU) 2017/625 also provides that Member States are to withdraw the designation of the border control post where it ceases to comply with the requirements for the designation for all or for certain categories of animals and goods for which the designation was made. (3) However, where the withdrawal of the designation was partial because it concerned a specific category of animals or a specific category of goods, or all categories of animals or all categories of goods where the border control post was designated for categories of animals and goods, Member States should be allowed to re-designate the border control post for those categories of animals or goods for which the designation was withdrawn without being first required to give the Commission the opportunity to carry out controls to verify compliance with the minimum requirements. In such cases, addressing the non-compliance should not involve actions as extensive as those necessary to designate a border control post for the first time. It is therefore appropriate to establish rules whereby Member States are allowed to re-designate the border control post for those categories of animals or goods without being first required to give the Commission the opportunity to carry out controls to verify compliance with the minimum requirements.</p>		
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	<p>The derogation from the rules of Regulation (EU) 2017/625 concerning the designation of border control posts should only apply where the re-designation takes place within two years from the date of the partial withdrawal of the designation. If the re-designation takes place more than two years from the date of the partial withdrawal, in order to assess the changes that occurred at the border control posts, the Commission should retain the possibility to perform controls to verify that the border control post complies with the minimum requirements. (6) Regulation (EU) 2017/625, in certain cases, allows official controls to be performed at control points other than border control posts and it requires that those control points comply with the minimum requirements and the requirements for the designation and withdrawal of the designation of border control posts. Therefore, it is appropriate that the rules of this Regulation, concerning the re-designation of border control posts also apply to control points.</p> <p>Point b.) Regulation (EU) 2017/625 requires border control posts to be located in the immediate vicinity of the point of entry into the Union. However, in order to enable the efficient organisation and performance of</p>		
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	<p>official controls and other official activities, rules should be laid down to specify the cases of specific geographical constraints and the conditions under which border control posts can be located at a distance other than in the immediate vicinity of the point of entry into the Union. Geographical constraints should be those that result from the natural characteristics and landscape of the point of entry, and the distance from the point of entry should not exceed what is strictly necessary to overcome the difficulties caused by the geographical constraints. Furthermore, that distance should not be such as to pose a risk to human, animal and plant health, animal welfare and the environment. Specific geographical constraints should include those that may cause major transportation constraints like, for example, high passes with roads unsuitable for the movement of animals and goods or causing significant delays in their movement.</p>		
<p>Article 65(6), Regulation 2017/625</p> <p>Rules for intensified controls at BCPs</p>	TBC – not yet published		TBC – not yet published
<p>Article 77(1), Regulation 2017/625</p> <p>Rules for specific types of official controls at BCPs.</p>	TBC – not yet published		TBC – not yet published

Article 77 (3), Regulation 2017/625			
Ship supply and re-import			
<p>Published: Regulation 2019/628</p> <p>(Article 90, Regulation 2017/625)</p> <p>Official Certificates</p> <p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0628&from=EN</p>	<p>Where an original certificate has been lost or destroyed, the competent authority of exporting country may provide an authenticated copy of the original certificate.</p> <p>Codex rules allow for replacement certificates to be issued. Commission advice is that these should be used in limited circumstances such as lost or destroyed certificates and for minor mistakes in the original certificate. They should not be used for more fundamental problems such as misrepresentation of the consignment.</p> <p>Replacement certificates should include the reference number of the cancelled certificate.</p>		<p>New model health certificate format to be used for electronic certification. Paper certificates are still acceptable.</p> <p>Some new certificates for rendered fats and greaves, insects and reptile meat. This comes from the new import conditions and the end of the transition period for those goods.</p> <p>Most model certificates have replaced what is currently in R.854/2004</p> <p>Replacement certificates: Competent authorities may issue a replacement certificate only in the case of administrative errors in the initial certificate or where the initial certificate has been damaged or lost.</p> <p>The replacement certificate shall not modify information in the initial certificate concerning the identification, traceability and health guarantees of consignments.</p> <p>In addition, the replacement certificate shall: a.) make clear reference to the unique code referred to in Article 89(1)(a) and the date of issue of the</p>

			<p>initial certificate, and clearly state that it - replaces the initial certificate;</p> <p>b.) have a new certificate number different to that of the initial certificate;</p> <p>c.) carry the date when it was issued, as opposed to the date of issue of the initial certificate; and</p> <p>d.) be presented in its original to the competent authorities, except in the case of electronic replacement certificates submitted in IMSOC.</p>
<p>Published: Regulation 2019/625</p> <p>(Article 126(1), Regulation 2017/625 Establishment of import conditions (third country listings, registered establishments and certification requirements)</p> <p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0625&from=EN</p>	<p>Third country listings are laid down in multiple pieces of existing legislation.</p> <p>There are no third country listings for some of the newly harmonised products such as reptile meat.</p>		<p>Sets out framework for import conditions – third country listing, establishment requirements and certification.</p> <p>Linked to the repeal of Regulation 854/2004 – making good on requirements of Regulation 853/2004</p> <p>Contains details of the third country listings – some products/categories are retained in existing legislation whilst others are now contained in the Annex to the Regulation e.g. snails, fish and fishery products, live bivalve molluscs, echinoderms etc and insects for human consumption.</p>

			<ul style="list-style-type: none"> • In light of the introduction of the IMSOC, the format to model health certificates has been slightly altered to adapt to this usage where relevant. • Similarly, some certificates currently featured in regulation pursuant to Regulation 854/2004 has been transferred here and new certificates are introduced for sprouts and seeds, reptile meat, insects, other POAO, ante-mortem inspection at the holding of provenance and emergency slaughter outside of the slaughterhouse. <p>Some significant changes: Composite products Sprouts Raw materials for gelatine and collagen</p>
<p>Published: Regulation 2019/626</p> <p>(Article 127(2), Regulation 2017/625)</p> <p>Listing of third countries approved</p>	<p>Lists of third countries currently exist for harmonised products intended for import into the EU.</p> <p>Lists for non-harmonised products do not currently exist, for example reptile meat and insects for human consumption.</p> <p>These are currently subject to national rules, so variation may occur between Member States.</p>		<p>For the most part existing third country lists are retained and references are made to existing regulations (e.g. Regulation 206/2010 for fresh meat and meat preparations of ungulates).</p> <p>As a result of Regulation 854/2004 being repealed pursuant legislation which includes lists for frogs' legs,</p>

			<p>snails, fishery products and live bivalve molluscs is moved here.</p> <p>New third country lists are introduced for reptile meat and live insects for human consumption.</p>
Article 134, Regulation 2017/625	TBC – not yet published		TBC – not yet published
The functioning of the IMSOC			
Regulation 854/2004 Annex IV, Chapter 1	<p>Control of milk and colostrum production holdings.</p> <p>Animals on milk and colostrum holdings must be subject to official controls to verify health requirements., in particular health status and use of veterinary medicinal products. IF there are grounds to suspect health requirements are not being complied with, the general health status is to be checked, Milk and Colostrum holdings are also to undergo official controls to verify that the hygiene requirements are being complied with. If it is shown these are not being met the CA is to verify that appropriate steps are taken to correct the situation.</p>	49	<p>Introduction of the requirement that the official veterinarian shall verify the health requirements for raw milk and colostrum products as laid down in Part I of Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004. In particular the OV shall verify; health status, absence of unauthorised pharmacologically active substances, possible presence of residues of authorised pharmacologically active substances, pesticides or contaminants does not exceed the levels laid down in Regulations (EU) No 37/2010, (EC) No 396/2005 or (EC) No 1881/2006. If there are grounds that the health requirements are not being met, the OV shall check the general health status of the animals.</p> <p>This will be managed through DHIs with OV oversight.</p>

Regulation 854/2004 Annex IV, Chapter 1	<p>Control of raw milk and colostrum upon collection. the competent authority is to monitor the checks carried out in accordance with Annex III, Section IX, Chapter I, Part III to Regulation (EC) No 853/2004.</p> <p>If the food business operator has not corrected the situation within three months of first notifying the competent authority of non-compliance with the criteria with regard to plate count and/or somatic cell count,</p> <p>delivery of raw milk and colostrum from the production holding is to be suspended or</p> <ul style="list-style-type: none"> — in accordance with a specific authorisation of, or general instructions from, the competent authority — subjected to requirements concerning its treatment and use necessary to protect public health. <p>This suspension or these requirements are to remain in place until the food business operator has proved that the raw milk and colostrum again complies with the criteria.</p>	50	<p>Minor change – When testing competent authorities shall use analytical methods set out in Annex III to check compliance with limits in Part III of Chapter I, Section IX of Annex III to Regulation (EC) No 853/2004 (DETERMINATION OF PLATE COUNT AND SOMATIC CELL COUNT) and verify application of pasteurisation process to dairy products in Part II of Chapter II, Section IX of Annex III to Regulation (EC) No 853/2004 (DETERMINATION OF ALKALINE PHOSPHATASE ACTIVITY IN COW'S MILK).</p>
Regulation 854/2004 Annex IV, Chapter 1	<p>Control of milk and colostrum production holdings. Animals on milk and colostrum holdings must be subject to official controls to verify health requirements., in particular health status and use of</p>	49	<p>Introduction of the requirement that the official veterinarian shall verify the health requirements for raw milk and colostrum products as laid down in Part I of Chapter I of Section IX of Annex III to Regulation (EC) No</p>

	veterinary medicinal products. IF there are grounds to suspect health requirements are not being complied with, the general health status is to be checked, Milk and Colostrum holdings are also to undergo official controls to verify that the hygiene requirements are being complied with. If it is shown these are not being met the CA is to verify that appropriate steps are taken to correct the situation.		853/2004. In particular the OV shall verify; health status, absence of unauthorised pharmacologically active substances, possible presence of residues of authorised pharmacologically active substances, pesticides or contaminants does not exceed the levels laid down in Regulations (EU) No 37/2010, (EC) No 396/2005 or (EC) No 1881/2006. If there are grounds that the health requirements are not being met, the OV shall check the general health status of the animals. This will be managed through DHIs with OV oversight.
Regulation 854/2004 Annex II Chapter 1	This Annex applies to live bivalve molluscs and, by analogy, to live echinoderms, live tunicates and live marine gastropods.	51	Lists an exclusion that Title V does not apply to live marine gastropods and live <i>Holothuroidea</i> that are not filter feeders.
Regulation 854/2004 Annex II Chapter 2 Part A Paragraph 1 and 2	Classification of production and relaying areas for live bivalve molluscs	52	No change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 3	Classification requirements of Class A areas	53	No change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 4	Classification requirements of Class B areas	54	No change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 5	Classification requirements of Class C areas	55	No change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 6(a)(b)(c)	Requirements for deciding in principle to classify a production or relaying area it must	56	No significant change

Regulation 854/2004 Annex II Chapter 2 Part A paragraph 6(d)	establish a sampling programme of bivalve molluscs in the production area	57	No significant change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 6(d)	The competent authorities shall establish a procedure to ensure that the sanitary survey referred to in Article 56 and the monitoring programme referred to in Article 57 are representative of the area considered.	58	No significant change
Regulation 854/2004 Annex II Chapter II Part B Para 1	Monitoring of classified production and relaying areas	59	No significant change
Regulation 2074/2005 Annex III – Analytical methods in Chapter 1 to Chapter 3 are moved to Annex V of 2019/627	RECOGNISED TESTING METHODS FOR DETECTING MARINE BIOTOXINS	60	No significant change
Regulation 854/2004 Annex II Chapter II part B para 2 to 8	Sampling Plans	61	Minor Change (4) Change from 854/2004 which said that sampling frequency for toxin analysis in LBM is as a general rule to be weekly, which can be reduced in specific areas or specific types of molluscs if a risk assessment suggests a very low risk of toxic episodes. The wording “as a general rule” has been removed to read “shall be weekly” although the risk assessment still permits reduced sampling. (8) Change of regulation from Regulation EC No 466/2001 to Regulation (EC) No 1881/2006.

Regulation 854/2004 Annex II Chapter II Part C Para 1	Closing production area where results of sampling show the health standards are exceeded or that there may be risk to health. The CA can reclassify an area as Class B or C if it meets the requirements in Part A	62	<p>Significant Change – Flexibility</p> <p>When the results of microbiological monitoring show that the health standards (In Article 53, Requirement for Class A areas) are not met, the CA may, only on a temporary and non-recurring basis, on the basis of a risk assessment, permit the continued harvesting without closure or reclassification subject to</p> <ul style="list-style-type: none"> a) The classified production area and all approved establishments receiving LBM are under official control of the same CA. b) The LBM are subjected to appropriate restrictive measures i.e. purification, relaying or processing. <p>3The accompanying registration document, as referred to in Chapter I of Section VII of Annex III to Regulation (EC) No 853/2004, shall include all the information concerning the application of paragraph 2.</p> <p>4. The competent authorities shall establish the conditions under which paragraph 2 can be availed of in order to ensure, for the production area concerned, maintenance of the compliance with the criteria established in Article 53.</p>
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Regulation 854/2004 Annex II Chapter II Part C Para 2	Re-opening of production areas after closure due to presence of plankton or excessive levels of toxins in molluscs.	63	Minor amendment – where there was a previous generic requirement to comply with Community legislation, the specific EU Regulations have been stated in paragraph <ul style="list-style-type: none"> 1. Chapter V of Section VII of Annex III to Regulation (EC) No 853/2004 and present no other risk to human health. 2. point 2 of Chapter V of Section VII of Annex III to Regulation (EC) No 853/2004, point 2 of Chapter V of Section VII of Annex III to Regulation (EC) No 853/2004
Regulation 854/2004 Annex II, Chapter 2 part D Para 1 and 2	Setting up a control system of laboratory tests to verify FBOs compliance with requirements for the end product.	64	No significant change
854/2004 Annex II, Chapter 2 part E Para (c) and Part F	act promptly where the controls prescribed in this Annex indicate that a production area must be closed or reclassified or can be re-opened. Taking into account FBO's own checks	65	Minor change – Article 65 (1) adds flexibility where live bivalve molluscs are subject to the application of measures as referred to in Article 62(2).
Regulation 854/2004 Annex II, Chapter 2, Part E, Para (a), (b)	Establish an up to date list of approved production areas and relaying areas and their classification	66	Minor change – change of wording from 'approved production area' to 'classified production area'
Regulation 854/2004 Annex III Chapter 1, para 1	List of official controls on the production and placing on the market of fishery products	67	Minor change – change of wording to include verification of compliance with the requirements set out in Section VIII of Annex III to Regulation (EC) No 853/2004,
Regulation (EC) 854/2004 Annex III Chapter 1 Para 2	Site of official controls	68	Minor Change – (1) change from 'may carry out' to 'shall carry out'. This does not alter the frequency of official controls on

			vessels and can continue on a risk basis (2) Wording has been simplified but content is the same.
Regulation (EC) 854/2004 Annex III, Chapter I, paragraph 3	Inspection of a factory or freezer vessel flying the flag of a Member State carried out with a view to the approval of the vessel, inspection of the vessel while it is at sea or when it is in a port in another Member State or in a third country. Approval of another member state to carry out inspection.	69	Minor change – Inclusion of reefer vessels. Reefer vessels have been defined in 2019/625 as ‘reefer vessel’ means a vessel equipped to store and transport palletized or loose cargo (bulk) goods in temperature controlled holds or chambers; They have been listed as a vessel requiring approval in the “Technical specifications in relation to the master list and the lists of EU approved food establishments and certain other specified food establishments” since at least the 2014 revision under Section 0: General activity establishments. Therefore there has been an existing requirement for them to be approved. To note, the longer approval time limits in R2017/625 - Article 148(4) apply only to factory and freezer vessels.
Regulation (EC) 854/2004 Annex III, Chapter II	Official Control of Fishery Products – official controls are to include at least the following elements organoleptic examinations, freshness indicators, histamine, residues and contaminants, microbiological checks, parasites and poisonous fishery products checks	70	Minor changes – where there was a previous generic requirement to comply with Community legislation, the specific EU Regulations have been stated in Annex VI, Chapter of 2019/627 A - Council Regulation (EC) No 2406/96 B – In accordance with Annex VI, Chapter 2 C - Regulation (EC) No 2073/2005.

			<p>D</p> <p>Monitoring arrangements shall be established in accordance with Directive 96/23/EC and Decision 97/747/EC to control compliance with the EU legislation on: — maximum residue limits for pharmacologically active substances, in accordance with Regulations (EU) No 37/2010 and (EU) No 2018/470; — prohibited and non-authorised substances, in accordance with Regulation (EU) No 37/2010, Directive 96/22/EC and Decision 2005/34/EC; — contaminants, in accordance with Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in food; and — pesticide residues, in accordance with Regulation (EC) No 396/2005.</p> <p>E - Regulation (EC) No 2073/2005.</p> <p>F – Part D of Chapter III of Section VIII of Annex III to Regulation (EC) No 853/2004 and Section I of Annex II to Regulation (EC) No 2074/2005.</p>
Regulation (EC) 854/2004 Annex III, Chapter III	<p>Decisions after controls</p> <p>Declaring fishery products unfit for human consumption if organoleptic, chemical, physical or microbiological checks or checks for parasites have shown that they are not in compliance with the relevant Community legislation;</p>	71	<p>Minor changes - where there was a previous generic requirement to comply with Community legislation, the specific EU Regulations have been stated</p> <p>(a) Section VII of Annex III of Regulation (EC) No 853/2004 and/or Regulation (EC) No 2073/2005;</p> <p>(EU) No 37/2010, (EC) No 396/2005, (EC) No 1881/2006, or residues of</p>

			substances that are prohibited or unauthorised in accordance with Regulation (EU) No 37/2010 or Directive 96/22/EC, or are not in compliance with any other relevant Union legislation on pharmacologically active substances;
Regulation (EC) 2074/2004 Article 6c	Requirements concerning the official controls on fishery products caught by vessels flying the flag of Member States entering the Union after being transferred in third countries with or without storage	72	<p>Minor Changes – 2074/2005 has been amended and 854/2004 has been repealed by 2017/625 therefore references to model health certificates and provisions for lists of third countries and establishments in third countries are no longer listed in 854</p> <p>(1) third countries listed as provided for in Article 126(2)(a) of Regulation (EU) 2017/625 & in accordance with the model health certificate set out in Chapter B of Part II to Annex III to Implementing Regulation (EU) 2019/628.</p> <p>(2) shall appear in a list as provided for in Article 5 of Delegated Regulation (EU) 2019/625</p> <p>(3) third country shall be listed as provided for in Article 3 of Delegated Regulation (EU) 2019/625 and the vessel shall appear in a list as provided for in Article 5 of Delegated Regulation (EU) 2019/625.</p>
882/2004 - Article 12(1)	CA required to designate OLs to carry out the analysis of official control samples.	2017/625 Article 37(1) - designation of official laboratories	Possibilities for designation extended to include a laboratory in a different member state

882/2004 – Article 12	CAs may designate OLs that are accredited to specific European standards to carry out the analysis of official control samples.	2017/625 Article 37(2) on the designation of OLs located in another MS or third country	More restrictive - rules specified for nominating a laboratory in a different MS, sub-contracting of analyses to other MS labs must be only to an official laboratory that is officially recognised in the receiving MS.
		2017/625 Article 37(3)	Designation of an official laboratory shall be in writing and include specified detailed descriptions
882/2004 - Article 12(2)	CA may only designate laboratories that are accredited in accordance with listed specific European Standards	2017/625 Article 37(4)	Designation conditions move beyond European standards to include principles in a list of expected criteria to be met. All OLs must be accredited in accordance with ISO Standard 17025.
882/2004 - Article 12(3)	The accreditation and assessment of testing laboratories may relate to individual tests or groups of tests.	2017/625 Article 37(5)	Inclusions for the scope of the accreditation of an official laboratory are specifically listed and more prescriptive.
		2017/625 Article 37(6)	In cases where there is a new or particularly uncommon test (and no designated OLs have capacity to perform it), CA can request laboratories which don't meet required criteria to perform the tests.
		2017/625 Article 38(1) - Obligations of official laboratories	New requirements for laboratories to immediately notify the competent authorities in case of identification of a risk, unless there a specific arrangement in place for this not to be done immediately.
		2017/625 Article 38(2)	Official laboratories to take part in inter-laboratory comparative tests and proficiency tests when requested by EU-RL or NRLs.

		2017/625 Article 38(3)	At the request of CAs, OLs shall make publicly available the names of the methods used for analyses, tests or diagnoses performed in the context of official activities.
		2017/625 Article 38(4)	At the request of CAs, OLs shall indicate, together with the results, the method used for each analysis performed in the context of official activities.
882/2004 - Article 12(4)	CA may cancel an OL designation when the required conditions are no longer fulfilled.	2017/625 Article 39- Audits of official laboratories	CAs will be expected to take a more proactive role in audits of OLs and organise audits of the OLs on a regular basis and as necessary. Audits can be carried out by other bodies, such as in agreement with UKAS.
		2017/625 Article 40 (1)	Introduces new derogations from the mandatory accreditation for certain official laboratories whose sole activity is the detection of <i>Trichinella</i> in meat; or laboratories which carry out analyses in the context of other official activities, with specific listed provisions.
		2017/625 Article 40(2)	Clarifies that results performed by laboratories subject to a derogation from mandatory accreditation must be confirmed by a lab that has full mandatory accreditation.
		2017/625 Article 40(3)	Clarifies that no designation in other MS is possible for laboratories subject to a derogation from mandatory accreditation.
		2017/625 Article 41	Delegated act concerning when derogations from mandatory accreditation will be permitted

			providing labs have met specified conditions.
		2017/625 Article 42	CA has flexibility to temporarily designate existing OLs located in same MS for use of a method they are not accredited for, subject to certain conditions in instances where a new method is required or in an emergency situation. The designation may only last one year and only be renewed once.
Regulation (EC) No 882/2004	Art 30(1)(c) - Without prejudice to requirements concerning official certification adopted for animal health or animal welfare purposes, requirements may be adopted, in accordance with the procedure referred to in Article 62(3), concerning: (c) qualifications of the certifying staff;	Art 88(2)	Schedule 4 of OFFC 2009 Regulations to be updated.
Regulation (EC) No 882/2004	Art 30(2)(a),(b)	Art 89(1)	Need to check position re: dual language
Regulation (EC) No 882/2004	Art 54(1)	Art 138(1)	Update Schedule 4 of OFFC 2009 Regulations.
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Part 1 introductory – Interpretation and scope – 2(4)(c) provides a definition of feed		We are reviewing with the VMD the definition to check the accuracy. A definition is also in the VMD 2013 Regulations, and 2015 Animal Feed (Hygiene, Sampling etc, Enforcement) Regulations and OFFC 2009 Regulations. Discussions with the VMD is on-going.
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Procedure relating to samples for analysis – 15	36	For on-line (Internet) selling and in order to provide national enforcers with the necessary tools, the OCR provides that:

			<ul style="list-style-type: none"> • a sample ordered on-line by the CAs without identifying themselves can be validly used for the purposes of an official control • once the CA gets the sample, they would need to inform the operator that such a sample has been taken and, where appropriate, is being analysed in the context of an official control. <p>Amend Regulation 15 of the Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015 – also update feed code of practice. also need to check Sections 75 and 78 of the Agriculture Act 1970 – in case amendments required there.</p>
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Secondary analysis by the Government Chemist - 16	Art 35	<p>Provisions relating to the second expert opinion are better specified (i.e. operators, at their own expenses, have the right to request a documentary review of the sampling, analysis or diagnosis by another recognised and appropriately qualified expert, and, where relevant and technically possible, another analysis or diagnosis of the sample). Amend after Regulation 16 of the Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015 – also need to check Sections 75 and 78 of the</p>

			Agriculture Act 1970 – in case amendments required there.
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	<p>Powers of entry and inspection - Article 15 of Regulation (EU) No. 2017/625 sets out requirements for the obligations of operators – in that in the performance of official controls operators shall, where required by the competent authorities give staff of the competent authorities' access to:</p> <ul style="list-style-type: none"> • Equipment, means of transport, premises and other places under their control and their surroundings; • Their computerised information management systems; • Animals and goods under their control; • Their documents and other relevant information. 	Art 15	<p>The OCR better specifies that operators, during official controls, are required to assist and cooperate with the staff of the CA. More specifically, to the extent necessary to perform official controls, operators would need to give CAs access to their:</p> <ul style="list-style-type: none"> • equipment, • means of transport, • premises, • computers, • documents and any other relevant information • animals and goods under their controls <p>Amend Regulation 30 of The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015</p>
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Liability for expenditure -33(1) - makes a Reference to Article 54(5) of Regulation 882/2004.	Art 138(4)	
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Liability for expenditure -33(2) - states that 'this Regulation does not apply in relation to Art 54(2)(g), (measures referred to in Art 19 on consignments from third countries), of Regulation 882/2004. The corresponding reference in Regulation (EU) No. 2017/625 appears to be Art 138(2). Additionally, Art 67 says that goods entering the Union from third countries	Art 138 (2) Art 67	Amend Reg 33 of the Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015.

	presenting a risk – the measures referred to in the Article shall be applied at the expense of the operator responsible for the consignment.		
The Animal Feed (Composition, Marketing and Use) (England) Regulation 2015	Part 9 Amendment and Revocation – 20 (2)	-	<p>Need to update the legislation to make reference to the following:</p> <ul style="list-style-type: none"> • Animal Feed (Composition, Marketing and Use) (England)(Amendment) Regulations 2019; and • Animal Feed (Basic Safety Standards) (England) Regulations 2019
Official Feed and Food Controls (England) Regulations 2009	<p>Regulation 3.—(1) provides that Schedule 4 outlines the delegated authority and operational criteria between the FSA and local authorities</p> <p>Art 4 (1) – Regulation 882/2004 <i>1. Member States shall designate the competent authorities responsible for the purposes and official controls set out in this Regulation.</i></p> <p>Art 4 (3) – Regulation 882/2004 <i>3. When a Member State confers the competence to carry out official controls on an authority or authorities other than a central competent authority, in particular those at regional or local level, efficient and effective coordination shall be ensured between all the competent authorities involved, including where appropriate in the</i></p>	Art 4	Schedule 4 of OFFC 2009 Regulations to be updated.

	<i>field of environmental and health protection.</i>		
Official Feed and Food Controls (England) Regulations 2009	Regulation 12 – provides details of right of appeal. This covered by Article 19(4) of Regulation (EC) No 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules 2004	Article 7	References to Regulation 882/2004 need to be amended to state Regulation 2017/625
Official Feed and Food Controls (England) Regulations 2009	Regulation 22 - 22 provides a definition of 'feed'.		Reviewing with the VMD the definition to check the accuracy. A definition is also in the VMD 2013 Regulations, and 2015 Animal Feed (Hygiene, Sampling etc, Enforcement) Regulations and OFFC 2009 Regulations. Discussions with the VMD is on-going.
Official Feed and Food Controls (England) Regulations 2009	Regulation 22 provides explanation of 'product' making reference to Article 15 of Regulation 882/2004.	Article 44	This reference should be amended to read 'Article 44 of Regulation (EU) No. 2017/625 (2) '
Official Feed and Food Controls (England) Regulations 2009	Regulation 25 makes reference to Art 24 of Regulation and Art 10 of Regulation 669/2009 in terms of the functions of the Commissioners.	Art 75(1), Art 57, Art 46 and Art 76	In terms of Art 75(1) and 46 it is proposed that Schedule 4 of the OFFC Regulations 2009 are amended and that guidance on local authority controls and the feed code of practice are updated.
Official Feed and Food Controls (England) Regulations 2009	Regulation 29(1) (2) and (3) outlines the checks on feed and food of non – animal origin that need to be undertaken under Art 16 of Regulation 882/2004.	Art 45(1), 44(2), 45(2) and Art 34(5)	No action is required.
-	No equivalent in Regulation 882/2004	Art 38 – obligations of official laboratories	Need to be designated as competent authority. Updated Schedule 4 and Regulation 3 of OFFC 2009 Regulations. Need to liaise with SERD and Imports.

-	No equivalent in Regulation 882/2004	Art 75	Amend Schedule 4 of OFFC 2009 Regulations.
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Consultation on the Implementation of the Official Controls Regulations Food Law Code of Practice (Northern Ireland)

Closing Date 11th October 2019

Response from Mid Ulster District Council

Mid Ulster District Council welcomes the opportunity to comment on the Consultation on the Implementation of The Official Controls Regulations.

Questions asked in the consultation:

Q.1: Have we appropriately identified the key aspects of the OCR application that apply from 14 December 2019.

Mid Ulster District Council agrees that based on the information available in the consultation the key aspects have been identified.

Q.2: Have we appropriately identified the impacts of the changes that apply from 14 December 2019 in our Impact Assessment?

Mid Ulster District Council agrees that based on the information available the key impacts have been identified.

Q.3: Do you agree with the assumptions made in our Impact Assessment?

Mid Ulster District Council agrees with the assumptions the FSA have made in the Impact Assessment.

Q.4: Are you aware of any other significant impacts of the changes that apply from 14 December 2019?

Mid Ulster District Council is not aware of any additional significant impacts of the changes that will apply from the 14th December 2019.

Questions asked in the Impact Assessment (Annex B)

Q.1: Is the total list of identified affected sectors / groups representative? If you partly agree or do not agree please identify other sectors / affected groups that should also be considered and provide reasons for your suggestion.

Mid Ulster District Council agrees with the sectors of industry that have been identified within the documentation. However, we would like clarification on whether relevant industry bodies have also been consulted, as this was not readily identifiable within the consultation documentation.

Costs:

Q.II: We would welcome evidence from affected businesses on the expected costs on their establishment if the FSA were to verify compliance by either a) collecting industry data or b) by sampling.

Mid Ulster District Council considers this question is outside the scope of Local Authority remit.

Q.III We would welcome supporting evidence on the total throughput levels of low capacity slaughterhouses and Game Handling Establishments, and the distribution of such establishments in relation to the new maximum annual threshold. We would also welcome views on our assumption that the new requirement may result in additional costs on such businesses and the degree to which this change is likely to impact them.

Mid Ulster District Council considers this question is outside the scope of Local Authority remit.

Q.IV: We would welcome any evidence stakeholders are able to provide in relation to the number of food business operators that currently harvest echinoderms from unclassified areas.

Mid Ulster District Council does not have any evidence of FBO's currently harvesting echinoderms from unclassified areas within the Mid Ulster District Council area.

Q.V: We would welcome views, and where possible supporting evidence, from business importing one or more of the products subject to the above changes. What impact do you believe the harmonising of controls will have on your business?

Mid Ulster District Council considers this question is outside the scope of Local Authority remit.

Q.VI: We would welcome evidence from stakeholders, and in particular Port Health Authorities (PHAs), on the number of controls on reptile meat and insects currently performed.

Mid Ulster District Council considers this question is outside the scope of Local Authority remit as this is a DAERA function.

Q.VII We welcome enforcement authority views on our stated assumptions for training requirements to support delivery of the changes introduced by the OCR. Please provide details of any specific training needs you think will be necessary.

Mid Ulster District Council considers that the allocated time for officer familiarisation with the new requirements is significantly under estimated. Mid

Ulster District Council would welcome the development of a bespoke training package for Local Authorities outlining the key changes and implications.

In terms of Port Health Authorities (PHA), Mid Ulster District Council would request clarification that the current Fish Inspector qualification will meet the needs of the additional training requirements outlined in the consultation.

Q.VIII We would welcome information from existing specialised border facilities (DPE/Is and BIPs) on what necessary changes and/or upgrades are required in order to obtain certification as a Border Control Post.

There are no specialised border facilities (DPE/Is and BIPs) designated within Mid Ulster District Council area.

Q.IX: We would welcome views from Official Control Labs representatives, or LAs that currently send/receive sub-contracts samples to/from other non- designated laboratories in other Member States. Specifically, we invite evidence on the impact(s) that may arise from this change.

Mid Ulster District Council considers that this question is for Official Control Labs as all official control samples from Mid Ulster District Council are sent to an appropriately accredited laboratory.

Benefits:

Q.X: Do you agree that a harmonised and coherent regulatory approach to official controls will deliver any benefits and/or cost savings to industry? We would welcome evidence on what benefits (if any) you expect to be delivered.

Mid Ulster District Council agrees that the harmonisation of these Regulations will simplify the legislative framework under which importers and stakeholders operate. We anticipate that this will reduce the administrative burden on industry and result in associated savings.

Q.XI: We would welcome stakeholders' views on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

N/A

Q.XII: We would welcome views from PHAs and LAs on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

Mid Ulster District Council does not anticipate any significant benefits for District Councils other than the simplification and consolidation of the existing framework.

We do, however, note that the consultation refers to increased scope of goods that will be subject to certain forms of harmonised import conditions for the first time. These changes will include (e.g.) composite products, raw materials from the production of gelatine and collagen, sprouts for human consumption and fats and greaves. Mid Ulster District Council would welcome the impact of these proposed changes to be explained and do acknowledge the later date of April 2021.

There are a number of unpublished documents identified in the consultation (e.g.) transshipment of goods entering the EU. Mid Ulster District Council cannot provide comment at this time and would like further opportunity to comment when it becomes available.

Report on	The Roads Miscellaneous Provisions Act (NI) 2010 – Road Closure Applications
Date of Meeting	8 th October 2019
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	To request that Members make a determination on four road closure applications in connection with special events that are being held in October and November 2019.
2.0	Background
2.1	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.
2.2	<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).
2.3	<p>Special Events do not include the following:</p> <ul style="list-style-type: none"> Public processions; Motor road races; Cycle races or trials; or Road works
2.4	<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
2.5	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.

3.0	Main Report
3.1	The Environmental Health Service has received four in house applications for road closure orders to facilitate the holding of the following Mid Ulster District Council special events:
3.2	<ul style="list-style-type: none"> • ‘Dungannon Halloween Event’– Wednesday 30th October 2019 <p>The applicant seeks to temporarily restrict all vehicular traffic using the following roads on Wednesday 30th October 2019 between the hours of 17:00 and 20:30 for the purposes of holding a family event that includes a fireworks display:</p> <ul style="list-style-type: none"> • Market Square, Dungannon; and • Thomas Street, Dungannon from its junction with Greers Road to Market Square. <p>Diversion routes will be signposted via Scotch Street, Georges Street, William Street, Greers Road and Irish Street Dungannon.</p>
3.3	<ul style="list-style-type: none"> • ‘Cookstown Christmas Lights Switch On’– Friday 22nd November 2019 <p>The applicant seeks to temporarily prohibit or restrict all vehicular traffic using the following roads on Friday 22nd November 2019 between the hours of 17:00 and 21.15 for the purposes of holding the ‘Cookstown Christmas Lights Switch On’</p> <ul style="list-style-type: none"> • William Street, Cookstown from its junction with Orritor Street / Old Coagh Road to the Burn Road / James Street junction <p>Diversion routes will be signposted via, Westland Road, Coagh Street, Union Street, Molesworth Street, Molesworth Road, Clare Lane, Sweep Road, A505, Morgan’s Hill Road, Cemetery Road, Fairhill Road, East Circular Road, Orritor Street, Orritor Road, Fountain Road, Chapel Street, Church Street, Milburn Street, Old Coagh Road, Loy Street, Moneymore Road, and Killymoon Street.</p>
3.4	<ul style="list-style-type: none"> • Magherafelt Christmas Event <p>The Magherafelt Christmas event comprises of the following two elements as set out below:</p> <p><u>Magherafelt Christmas Market</u></p> <p>The applicant seeks to temporarily prohibit or restrict all vehicular traffic using the following road between the hours of 18:00 on Friday 22nd November 2019 and 22:00 on Sunday 24th November 2019 for the purposes of holding a speciality food market:</p> <ul style="list-style-type: none"> • Market Street, Magherafelt from its junction with Broad Street to the entrance of the Diamond Centre Car Park <p>Diversion routes will be signposted via Ballyronan Road, Fairhill, Aughrim Road, King Street, Church Street and Broad Street, Magherafelt</p>

	<p>And</p> <p><u>Magherafelt Christmas Lights Switch On</u></p> <p>The applicant seeks to temporarily prohibit or restrict all vehicular traffic using the following roads between the hours of 16:00 and 21:30 on Saturday 23rd November 2019 for the purposes of holding the Christmas lights switch on:</p> <ul style="list-style-type: none"> • Broad Street, Magherafelt <p>Diversion routes will be signposted via Rainey Street, Tobermore Road, Hospital Road, Union Street, Church Street, King Street, Aughrim Road and Fairhill.</p>
3.5	<ul style="list-style-type: none"> • Dungannon Christmas Event <p>The applicant seeks to temporarily prohibit or restrict all vehicular traffic using the following roads between the hours of 17:30 and 20:00 on Friday 22nd November 2019 for the purposes of holding the Christmas lights switch on:</p> <ul style="list-style-type: none"> • Market Square, Dungannon <p>There will be no diversionary routes will be in operation.</p>
3.6	<p>All four applications are in the latter stages of being processed by the Environmental Health Service after receipt of a completed application form, payment of the appropriate fee, and submission of a range of supporting information which must include:</p> <ul style="list-style-type: none"> • Traffic Management Plan / Traffic Signing Schedule prepared by one of the DfI authorised Traffic Management Companies. • Evidence of Public Liability Insurance • Details of consultees and feedback received • Evidence of consultation with emergency services
3.7	<p>All the MUDC events are deemed 'large events' and a fee of £415 has been receipted in respect each application.</p>
3.8	<p>The necessary consultation has been undertaken with the various statutory bodies (PSNI, NIFRS, NIAS) and DfI in relation to each application and a public notice of consultation has been placed in the local press.</p>
3.9	<p>Although feedback has been sought in connection the application, some statutory consultee responses remain outstanding at the time of report. The Environmental Health service will, however, be in a position to update Members of any particular concerns or representations raised by the consultation process at the time of committee.</p>
3.10	<p>It is therefore recommended that Members note the content of this report and subject to no objections being received during the consultation process and DfI</p>

	consent being granted, agree the issue of four Road Closure Orders as specified under the Roads Miscellaneous Provisions Act (NI) 2010.
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	It is recommended that Members note the content of this report and subject to no objections being received during the consultation process and DfI consent being granted, agree the issue of the four Road Closure Orders as specified under the Roads Miscellaneous Provisions Act (NI) 2010 for:
5.2	<p>‘Dungannon Halloween Event’– Wednesday 30th October 2019</p> <p>The Order to temporarily prohibit or restrict all vehicular traffic using the following roads on Wednesday 30th October 2019 between the hours of 17:00 and 20:30:</p> <ul style="list-style-type: none"> • Market Square, Dungannon; and • Thomas Street, Dungannon from its junction with Greers Road to Market Square.
5.3	<p>‘Cookstown Christmas Lights Switch On’– Friday 22nd November 2019</p> <p>The Order to temporarily prohibit or restrict all vehicular traffic using the following roads on Friday 22nd November 2019 between the hours of 17:00 and 21.15:</p> <ul style="list-style-type: none"> • William Street, Cookstown from its junction with Orritor Street / Old Coagh Road to the Burn Road / James Street junction
5.4	<p>Magherafelt Christmas Event</p> <p>The Order to temporarily prohibit or restrict all vehicular traffic using the following roads as set out:</p>

5.5	<ul style="list-style-type: none"> • <u>Magherafelt Christmas Market</u> <ul style="list-style-type: none"> ▪ Market Street, Magherafelt from its junction with Broad Street to the entrance of the Diamond Centre Car Park between the hours of 18:00 on Friday 22nd November 2019 and 22:00 on Sunday 24th November 2019 • <u>Magherafelt Christmas Lights Switch On</u> <ul style="list-style-type: none"> ▪ Broad Street, Magherafelt between the hours of 16:00 and 21:30 on Saturday 23rd November 2019 <p>Dungannon Christmas Event</p> <p>The Order to temporarily prohibit or restrict all vehicular traffic using the following road on Friday 22nd November 2019 between the hours of 17:00 and 20:00:</p> <ul style="list-style-type: none"> • Market Square, Dungannon
6.0	Documents Attached & References
6.1	Appendix 1 – Redacted road closure application – ‘Dungannon Halloween Event’
6.2	Appendix 2 – Traffic Management Plan – ‘Dungannon Halloween Event’
6.3	Appendix 3 – Redacted road closure application - ‘Cookstown Christmas Lights Switch On’
6.4	Appendix 4 – Traffic Management Plan – ‘Cookstown Christmas Lights Switch On’
6.5	Appendix 5 – Redacted road closure application – ‘Magherafelt Christmas Event’
6.6	Appendix 6 – Traffic Management Plan – ‘Magherafelt Christmas Event’
6.7	Appendix 7 – Redacted road closure application – ‘Dungannon Christmas Event’
6.8	Appendix 8 –Traffic Management Plan – ‘Dungannon Christmas Event’

Application to hold a Special Event on a Public Road

Please read the accompanying Mid Ulster District Council 'Guidance Notes on Applying to Hold a Special Event on a Public Road' and the Department for Infrastructure's 'Guidance Notes for Promoters of Events' before completing this form



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

ABOUT YOU	
Name of Promoter	[REDACTED]
Name of contact (if different from above)	[REDACTED]
Position / role of contact	[REDACTED]
Confirm if you have authority to act on behalf of the company / club / society	Yes
Address of promoter and/or contact	Mid Ulster District Council, Northland Row, Dungannon, BT71 6AP
Postcode	[REDACTED]
Telephone Number(s)	[REDACTED]
Emergency Contact No	[REDACTED]
Email address	[REDACTED]
ABOUT THE EVENT	
Name of Event	Dungannon Halloween Event
Date of event	Wednesday 30 October 2019
Purpose and nature of event	<p>This is the Council's Civic event in Dungannon Town Centre, which historically took place on The Hill of The O'Neill, organised and delivered by Mid Ulster District Council.</p> <p>On Wednesday 30 October there will be entertainment and activities in Market Square Dungannon from 6.00pm-8.00pm where there will be face painters, balloon modellers and a fire show.</p> <p>Fireworks will be fired from The Hill of The O'Neill at approximately 7.45pm with the viewing public being located in Market Square.</p>
Can the event be held on other than a public road?	No. The topography of Market Square and the location of the firework show does not allow for the viewing public to be located elsewhere within the town.
POSSIBLE IMPACT	
Name of road(s) on which event is to be held along with a detailed, marked up location plan	<ul style="list-style-type: none"> • <i>Market Square</i> • <i>Thomas St</i>

Date and Start time of proposed road restriction	Thomas Street / Market Square – Wednesday 30 October 2019 @ 5.00pm
Date and End time of proposed road restriction	Thomas Street / Market Square – Wednesday 30 October 2019 @ 8.30pm
Type of restriction? (Full road closure / lane restriction / prohibition of certain types of vehicles / footway closure etc.)	Full road closure- Limited access will be granted for traders Pedestrian access will be maintained
Is this a small event?	No
How many people are you hoping will attend your event?	Entertainment / Fireworks Show – based on previous years attendance on The Hill of The O'Neill anticipated attendance would be 3000
Is a traffic signing schedule enclosed?	Yes Please list all roads that will be signed as diversionary routes: THOMAS STREET DIVERSION Greers Road MARKET SQUARE DIVERSION Church Street Irish Street
Is a traffic management plan enclosed?	Yes
Has this event been held previously?	Yes
If yes, are the arrangements previously applied for amended in any way	Not applicable
Please give details of any structure or equipment to be erected on the public road as part of the event	Generators Marquees Barriers Staging unit
Can you confirm that public liability insurance will be provided in the event of an Order being granted?	Yes
Please give details of any businesses and residents which may be affected by the event and provide confirmation that they have been contacted.	Dungannon Traders been consulted regarding the event and residents will be informed. Further consultation with businesses and residents will take place in September and October via letter drop where they will be advised of dates and event logistics.

Is a bus route affected (public and / or Education Authority)	Yes- Public:- Town Service Route – Notice to be forwarded to Translink by end of September
Please provide any other information that you feel may assist us with processing your request	The Hill O'Neill has been used over the past number of years to hold the event, however with a growing audience year on year, we have had to find an alternative location for the viewing public. Traditionally before the Hill was utilised to view the fireworks, the public had congregated in Market Square.

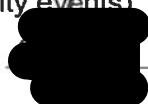
Declaration:

I confirm that I have read the Department for Infrastructure 'Special Events on Roads - Guidance for Promoters of Events' and understand that the District Council may apply all or any of the conditions as it feels necessary. I also understand that the District Council may request any further information that it feels necessary to process this application and that my application may not proceed if I fail to produce this additional information.

I acknowledge the following Data Protection Statement: In order to comply with the requirements of the Data Protection Act 1998, we would advise you that the personal information you provide on this form will be processed and held by the District Council and its agents, for the purpose of managing and operating special events on roads applications. The District Council may use non-personal statistical data collected to analyse current, and plan for future, operational purposes. The District Council will investigate all cases of alleged fraudulent use and the information you have provided may be used in conducting these investigations. The personal information you provide may be checked with other agencies/organisations. If consent to these arrangements is not given your application will NOT be processed.

I understand I may be required to provide a minimum of £10m public liability insurance cover for this event (minimum of £5m public liability insurance cover for small / community events). I can confirm the details provided in the application are true and correct.

Signature of applicant



Date of application

28/8/2015

(On behalf of organising committee)

Should you require any assistance when completing the application then please do not hesitate to contact the licensing team by telephone or email

Application Checklist: Please refer to the accompanying notes for guidance

<i>The appropriate application fee (if paying by cheque, made payable to Mid Ulster District Council) Small / Community Events: £250 - Large / Commercial Events: £415 – Filming on a Public Road: £415</i>	Memo to be raised to transfer funds
<i>Location plan / map showing marshals / stewards and first aid positions</i>	See Attached
<i>Copy of the Traffic Signing Schedule</i>	See Attached
<i>Traffic Management Plan</i>	See Attached
<i>Evidence of Public Liability Insurance</i>	Council's Insurance

<i>Details of Consultees and feedback received (bus providers, residents, businesses etc.)</i>	Consultation will take place in September and October via letter drop and council staff liaising with Traders
<i>Copy of a Sector Scheme 12ab (or Ch8) Certificate of Competence for those undertaking the signing work</i>	See Attached
<i>Evidence of consultation / agreement with Emergency Services</i>	Letter to inform Emergency Services will be issued early September

Completed forms should be returned to the Environmental Health Service at any one of the Council Offices below:

Cookstown Office

Burn Road
Cookstown
BT80 8DT

Dungannon Office

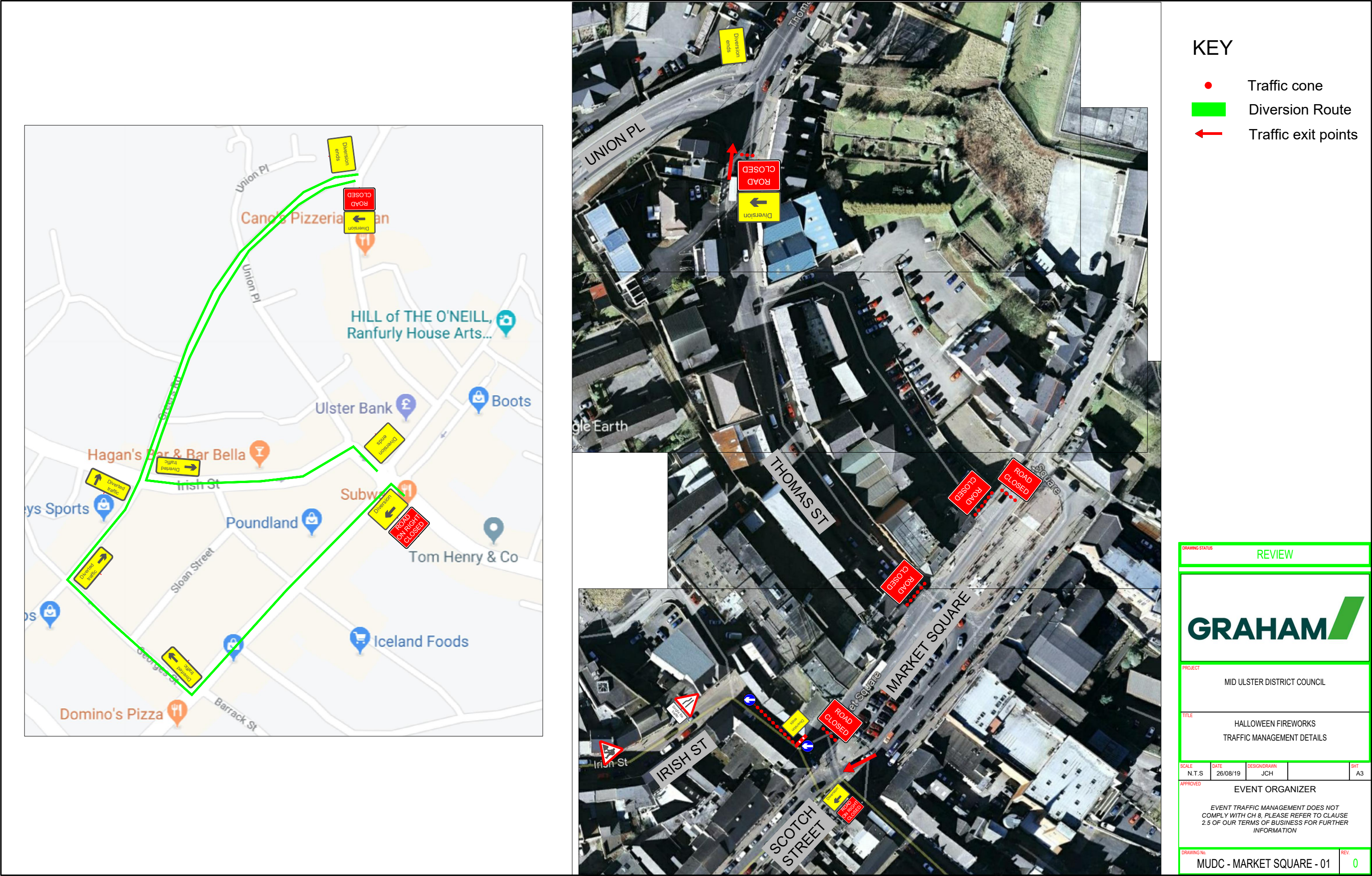
Circular Road
Dungannon
BT71 6DT

Magherafelt Office

Ballyronan Road
Magherafelt
BT45 6EN

Email: environmentalhealth@midulstercouncil.org

Telephone: 03000 132 132



MUDC/LC/FORM/044/01

Application to hold a Special Event on a Public Road

Please read the accompanying Mid Ulster District Council 'Guidance Notes on Applying to Hold a Special Event on a Public Road' and the Department for Infrastructure's 'Guidance Notes for Promoters of Events' before completing this form



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

ABOUT YOU	
Name of Promoter	[REDACTED]
Name of contact (if different from above)	[REDACTED]
Position / role of contact	[REDACTED]
Confirm if you have authority to act on behalf of the company / club / society	Yes
Address of promoter and/or contact	Mid Ulster District Council, Burn Road, Cookstown. BT80 8DT
Postcode	
Telephone Number(s)	[REDACTED]
Emergency Contact No	[REDACTED]
Email address	[REDACTED]
ABOUT THE EVENT	
Name of Event	Cookstown Christmas Lights Switch On
Date of event	Friday 22 November 2019
Purpose and nature of event	The event is one of two civic events held in Cookstown Town Centre annually, organised and delivered by Mid Ulster District Council. The Christmas Lights Switch On is an evening of family entertainment, from 6.30pm-8.00pm, with a range of musical and childrens entertainment provided.
Can the event be held on other than a public road?	No. As Cookstown Christmas Lights Switch On is one of two civic events for Cookstown town Centre, the topography of William Street and layout of the event lend each other to the delivery of the event. The event is held in the location to allow those attending the event to view the switching on of the lights, along the main thoroughfare of the town, A car park in the vicinity of the town centre is not an option as those attending the event need to be in a position to witness the switch on within the Town Centre.
POSSIBLE IMPACT	
Name of road(s) on which event is to be held along with a detailed, marked up location plan.	<i>William Street (Orritor Street/Coagh Street Junction to Burn Road/James Street Junction)</i>
Date and Start time of proposed road restriction	Friday 22 November 2019 @ 5.00pm
Date and End time of proposed road restriction	Friday 22 November 2019 @ 9.15pm

Type of restriction?	Full road closure
(Full road closure / lane restriction / prohibition of certain types of vehicles / footway closure etc.)	Pedestrian access will be maintained
Is this a small event?	No
How many people are you hoping will attend your event?	Based on previous year's, attendance is weather dependent- anticipate 4,000 people
Is a traffic signing schedule enclosed?	<p>Yes Please list all roads that will be signed as diversionary routes:</p> <p>Westland Road Coagh Street Union Street Molesworth Street Molesworth Road Clare Lane Sweep Road A505 Morgans Hill Road Cementary Road Fairhill Road Circular Road Orritor Street Orritor Road Fountain Road Chapel Street Church Street Milburn Street Old Coagh Road Loy Street Moneymore Road Killymoon Street</p>
Is a traffic management plan enclosed?	Yes
Has this event been held previously?	Yes
If yes, are the arrangements previously applied for amended in any way	Not applicable

Please give details of any structure or equipment to be erected on the public road as part of the event	<i>Stalls</i> <i>Mobile Bus</i> <i>Generators</i> <i>Lighting Towers</i> <i>Marquees</i> <i>Barriers</i> <i>Stage</i>
Can you confirm that public liability insurance will be provided in the event of an Order being granted?	Yes
Please give details of any businesses and residents which may be affected by the event and provide confirmation that they have been contacted	<p>Businesses/Residents on William Street Town Centre Businesses</p> <p>Cookstown Town Centre Forum have been consulted regarding the event- the Forum is comprised of representatives from Small Independent & Large Retailers, Statutory Agencies (including Translink and DFI Roads), Elected Members and Residents Associations.</p> <p>Cookstown Chamber of Commerce have been consulted and are supportive of the event.</p> <p>Businesses located on William Street have will be contacted through a drop in and advised of dates and logistics.</p> <p>Mailout will be conducted to all town centre businesses at the start of November 2019 advising of the Christmas Lights Switch On and logistics.</p>
Is a bus route affected (public and / or Education Authority)	Yes- Public:- Town Service Route – Notice has been forwarded to Translink July 2019
Please provide any other information that you feel may assist us with processing your request	As stated previously this is an annual civic event, delivered in the same location. To date there has been a majority support for the event from residents and visitors to the town, Cookstown Chamber of Commerce, Cookstown Town Centre Forum and Town Centre Businesses.

Declaration:

I confirm that I have read the Department for Infrastructure 'Special Events on Roads - Guidance for Promoters of Events' and understand that the District Council may apply all or any of the conditions as it feels necessary. I also understand that the District Council may request any further information that it feels necessary to process this application and that my application may not proceed if I fail to produce this additional information.

I acknowledge the following Data Protection Statement: In order to comply with the requirements of the Data Protection Act 1998, we would advise you that the personal information you provide on this form will be processed and held by the District Council and its agents, for the purpose of managing and operating special events on roads applications. The District Council may use non-personal statistical data collected to analyse current, and plan for future, operational purposes. The District Council will investigate all cases of alleged fraudulent use and the information you have provided may be used in conducting these investigations. The personal information you provide may be checked with other agencies/organisations. If consent to these arrangements is not given your application will NOT be processed.

I understand I may be required to provide a minimum of £10m public liability insurance cover for this event (minimum of £5m public liability insurance cover for small / community events). I can confirm the details provided in the application are true and correct.

Signature of applicant _____**Date of application** 23.08.19

(On behalf of organising committee)

Should you require any assistance when completing the application then please do not hesitate to contact the licensing team by telephone or email

Application Checklist: Please refer to the accompanying notes for guidance

<i>The appropriate application fee (if paying by cheque, made payable to Mid Ulster District Council) Small / Community Events: £250 - Large / Commercial Events: £415 – Filming on a Public Road: £415</i>	In process of issuing transfer
<i>Location plan / map showing marshals / stewards and first aid positions</i>	TBC
<i>Copy of the Traffic Signing Schedule</i>	YES
<i>Traffic Management Plan</i>	YES
<i>Evidence of Public Liability Insurance</i>	YES
<i>Details of Consultees and feedback received (bus providers, residents, businesses etc.)</i>	YES
<i>Copy of a Sector Scheme 12ab (or Ch8) Certificate of Competence for those undertaking the signing work</i>	YES
<i>Evidence of consultation / agreement with Emergency Services</i>	TCF Meeting, Online submission to Ambulance Service will be completed, Event

Completed forms should be returned to the Environmental Health Service at any one of the Council Offices below:

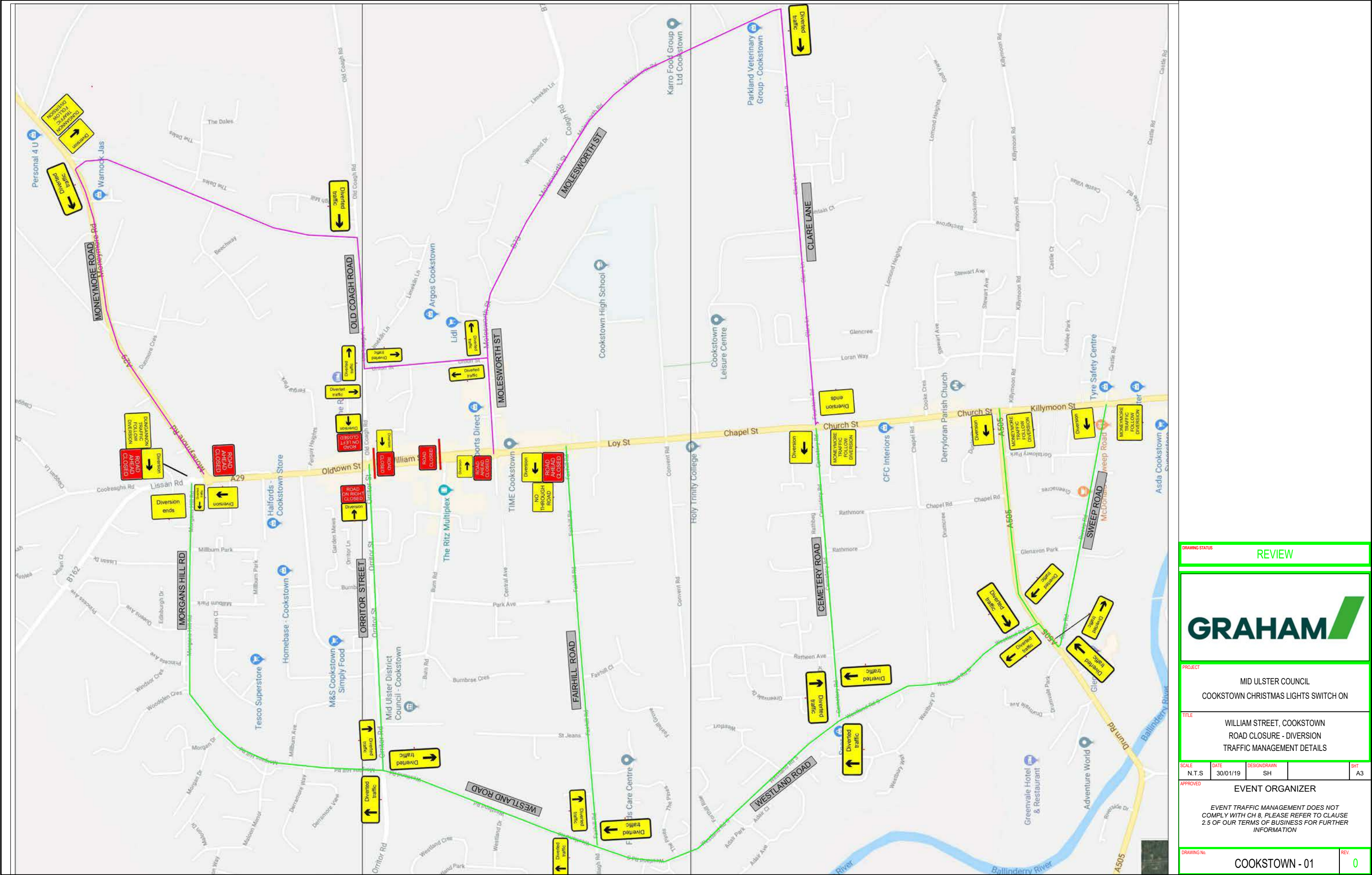
Cookstown Office
Burn Road
Cookstown
BT80 8DT

Dungannon Office
Circular Road
Dungannon
BT71 6DT

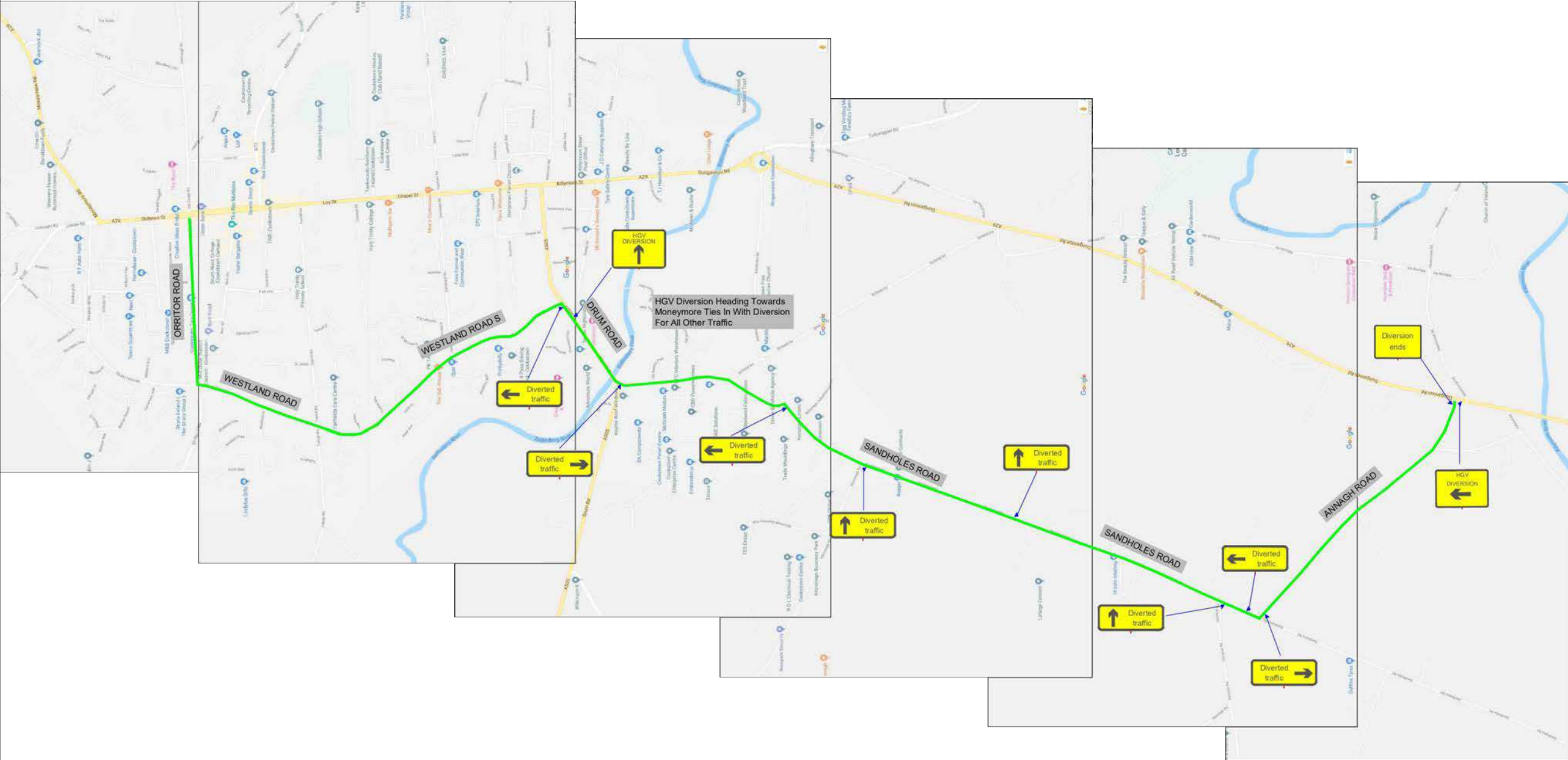
Magherafelt Office
Ballyronan Road
Magherafelt
BT45 6EN

Email: environmentalhealth@midulstercouncil.org

Telephone: 03000 132 132



DRAWING STATUS				
REVIEW				
PROJECT				
MID ULSTER COUNCIL COOKSTOWN CHRISTMAS LIGHTS SWITCH ON				
TITLE				
WILLIAM STREET, COOKSTOWN ROAD CLOSURE - DIVERSION TRAFFIC MANAGEMENT DETAILS				
SCALE	DATE	DESIGN/DRAWN	SHEET	
N.T.S	30/01/19	SH	A3	
APPROVED				
EVENT ORGANIZER				
EVENT TRAFFIC MANAGEMENT DOES NOT COMPLY WITH CH 8. PLEASE REFER TO CLAUSE 2.5 OF OUR TERMS OF BUSINESS FOR FURTHER INFORMATION				
DRAWING No.				REV.
COOKSTOWN - 01				0



DRAWING STATUS

REVIEW

GRAHAM

PROJECT

MID ULSTER COUNCIL
COOKSTOWN CHRISTMAS LIGHTS SWITCH ON

TITLE

WILLIAM STREET, COOKSTOWN
ROAD CLOSURE - DIVERSION
TRAFFIC MANAGEMENT DETAILS

SCALE

N.T.S

DATE

30/01/19

DESIGN/DRAWN

SH

SHT

A3

APPROVED

EVENT ORGANIZER

EVENT TRAFFIC MANAGEMENT DOES NOT
COMPLY WITH CH 8. PLEASE REFER TO CLAUSE
2.5 OF OUR TERMS OF BUSINESS FOR FURTHER
INFORMATION

DRAWING No.

COOKSTOWN - 02

REV.

0

Application to hold a Special Event on a Public Road

Please read the accompanying Mid Ulster District Council 'Guidance Notes on Applying to Hold a Special Event on a Public Road' and the Department for Infrastructure's 'Guidance Notes for Promoters of Events' before completing this form



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

ABOUT YOU	
Name of Promoter	[REDACTED]
Name of contact (if different from above)	[REDACTED]
Position / role of contact	[REDACTED]
Confirm if you have authority to act on behalf of the company / club / society	Yes
Address of promoter and/or contact Postcode	Mid Ulster District Council, Ballyronan Road, Magherafelt BT45 6NE
Telephone Number(s)	[REDACTED]
Emergency Contact No	[REDACTED]
Email address	[REDACTED]
ABOUT THE EVENT	
Name of Event	Magherafelt Christmas Event
Date of event	Friday 22 November 2018 – Sunday 24 November 2019
Purpose and nature of event	<p>This is the Council's Civic event in Magherafelt town centre which takes place annually, organised and delivered by Mid Ulster District Council, in association with Magherafelt Town Centre Forum.</p> <p>On Saturday and Sunday a Speciality Food Market is located on Market Street which consists of up to 30 traders. The Food Speciality Market is complimented by the presence of a large Craft Marquee, a Hospitality Marquee and a Large Stage which will be located on the Civic Space to provide for local music and dance groups to showcase their talents.</p> <p>On Saturday afternoon/evening the Christmas Lights Switch On takes place on Broad Street with a Street Party taking place from 6pm-8.30pm</p>
Can the event be held on other than a public road?	No. The topography of Market Street and layout of the event lend each other to the delivery of the Food Speciality Event. The Christmas Light Switch On is located on Broad Street to allow for the large audience which attends the event. A car park in the vicinity of the town centre is not an option as the car parks are working at maximum capacity over the weekends. In addition all parking spaces are essential with the projected influx of visitors to the town for the Speciality Food Market.
POSSIBLE IMPACT	

Name of road(s) on which event is to be held along with a detailed, marked up location plan	<ul style="list-style-type: none"> • <i>Market Street (Broad Street Junction to the Diamond Espresso Carpark Entrance)</i> • <i>Broad Street</i>
Date and Start time of proposed road restriction	Market Street - Friday 22 November 2019 @ 6.00pm Broad Street – Saturday 23 November 2019 @ 4.00pm
Date and End time of proposed road restriction	Market Street - Sunday 24 November 2019 @ 10.00pm Broad Street – Saturday 23 November 2019 @ 9.30pm
Type of restriction? <i>(Full road closure / lane restriction / prohibition of certain types of vehicles / footway closure etc.)</i>	<i>Full road closure- Limited access will be granted for traders to stock up on a daily basis; cleansing of portaloos;</i> <i>Pedestrian access will be maintained</i>
Is this a small event?	No
How many people are you hoping will attend your event?	<i>Food Speciality Market - Based on previous year's attendance is weather dependent- anticipate on average 9,000 people per day.</i> <i>Christmas Lights Switch On - Based on previous year's attendance is weather dependent- anticipate on average 5,000 people during the evening</i>
Is a traffic signing schedule enclosed?	Yes Please list all roads that will be signed as diversionary routes: MARKET STREET DIVERSION <i>Fairhill</i> <i>Aughrim Road</i> <i>King Street</i> <i>Church Street</i> <i>Broad Street</i> BROAD STREET DIVERSION <i>Rainey Street</i> <i>Tobermore Road</i> <i>Hospital Road</i> <i>Union Street</i> <i>Church Street</i> <i>King Street</i> <i>Aughrim Road</i> <i>Fairhill</i>
Is a traffic management plan enclosed?	Yes
Has this event been held previously?	Yes

If yes, are the arrangements previously applied for amended in any way	Not applicable
Please give details of any structure or equipment to be erected on the public road as part of the event	<i>Market Stalls</i> <i>Generators</i> <i>Marquees</i> <i>Barriers</i> <i>Lighting Towers</i>
Can you confirm that public liability insurance will be provided in the event of an Order being granted?	Yes
Please give details of any businesses and residents which may be affected by the event and provide confirmation that they have been contacted.	<p>Magherafelt Town Centre Forum have been consulted regarding the event- the Forum is comprised of representatives from Small Independent & Large Retailers, Statutory Agencies (including Translink and DFI Roads), Elected Members and Residents Associations.</p> <p>Magherafelt Chamber of Commerce have been consulted and are supportive of the event.</p> <p>Further consultation with businesses will take place in October and November via letter drop and a public meeting where they will be advised of dates and event logistics.</p>
Is a bus route affected (public and / or Education Authority)	Yes- Public:- Town Service Route – Notice to be forwarded to Translink by end of October
Please provide any other information that you feel may assist us with processing your request	As stated previously this is an annual event, delivered in the same location and over a two day period. To date there has been a majority support for the event from Magherafelt Chamber of Commerce, Magherafelt Town Centre Forum and Town Centre Businesses.

Declaration:

I confirm that I have read the Department for Infrastructure '*Special Events on Roads - Guidance for Promoters of Events*' and understand that the District Council may apply all or any of the conditions as it feels necessary. I also understand that the District Council may request any further information that it feels necessary to process this application and that my application may not proceed if I fail to produce this additional information.

I acknowledge the following Data Protection Statement: In order to comply with the requirements of the Data Protection Act 1998, we would advise you that the personal information you provide on this form will be processed and held by the District Council and its agents, for the purpose of managing and operating special events on roads applications. The District Council may use non-personal statistical data collected to analyse current, and plan for future, operational purposes. The District Council will investigate all cases of alleged fraudulent use and the information you have

provided may be used in conducting these investigations. The personal information you provide may be checked with other agencies/organisations. If consent to these arrangements is not given your application will NOT be processed.

I understand I may be required to provide a minimum of £10m public liability insurance cover for this event (minimum of £5m public liability insurance cover for small / community events). I can confirm the details provided in the application are true and correct.

Signature of applicant  Date of application 02-09-19

(On behalf of organising committee)

Should you require any assistance when completing the application then please do not hesitate to contact the licensing team by telephone or email

Application Checklist: Please refer to the accompanying notes for guidance

<i>The appropriate application fee (if paying by cheque, made payable to Mid Ulster District Council) Small / Community Events: £250 - Large / Commercial Events: £415 – Filming on a Public Road: £415</i>	Memo to be raised to transfer funds
<i>Location plan / map showing marshals / stewards and first aid positions</i>	Map TBC – see attached map from previous year
<i>Copy of the Traffic Signing Schedule</i>	See Attached
<i>Traffic Management Plan</i>	See Attached
<i>Evidence of Public Liability Insurance</i>	Council's Insurance
<i>Details of Consultees and feedback received (bus providers, residents, businesses etc.)</i>	Initial Consultation was held on 10 April 2019. Further consultation will take place in October and November via letter drop and a public meeting
<i>Copy of a Sector Scheme 12ab (or Ch8) Certificate of Competence for those undertaking the signing work</i>	See Attached
<i>Evidence of consultation / agreement with Emergency Services</i>	A Statutory meeting has been arranged for 17 September with PSNI, Roads, NIAS and NIFRS

Completed forms should be returned to the Environmental Health Service at any one of the Council Offices below:

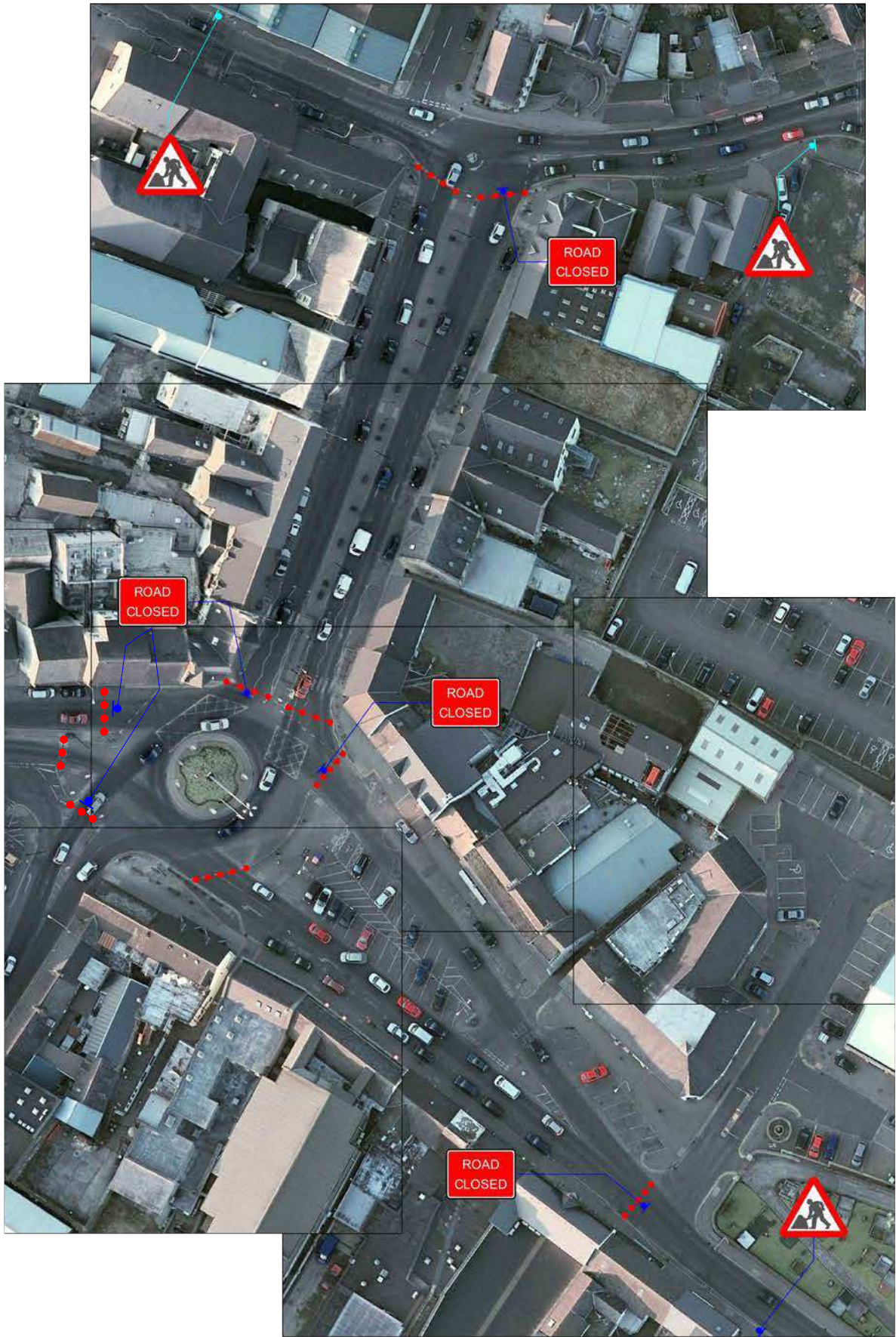
Cookstown Office
Burn Road
Cookstown
BT80 8DT

Dungannon Office
Circular Road
Dungannon
BT71 6DT

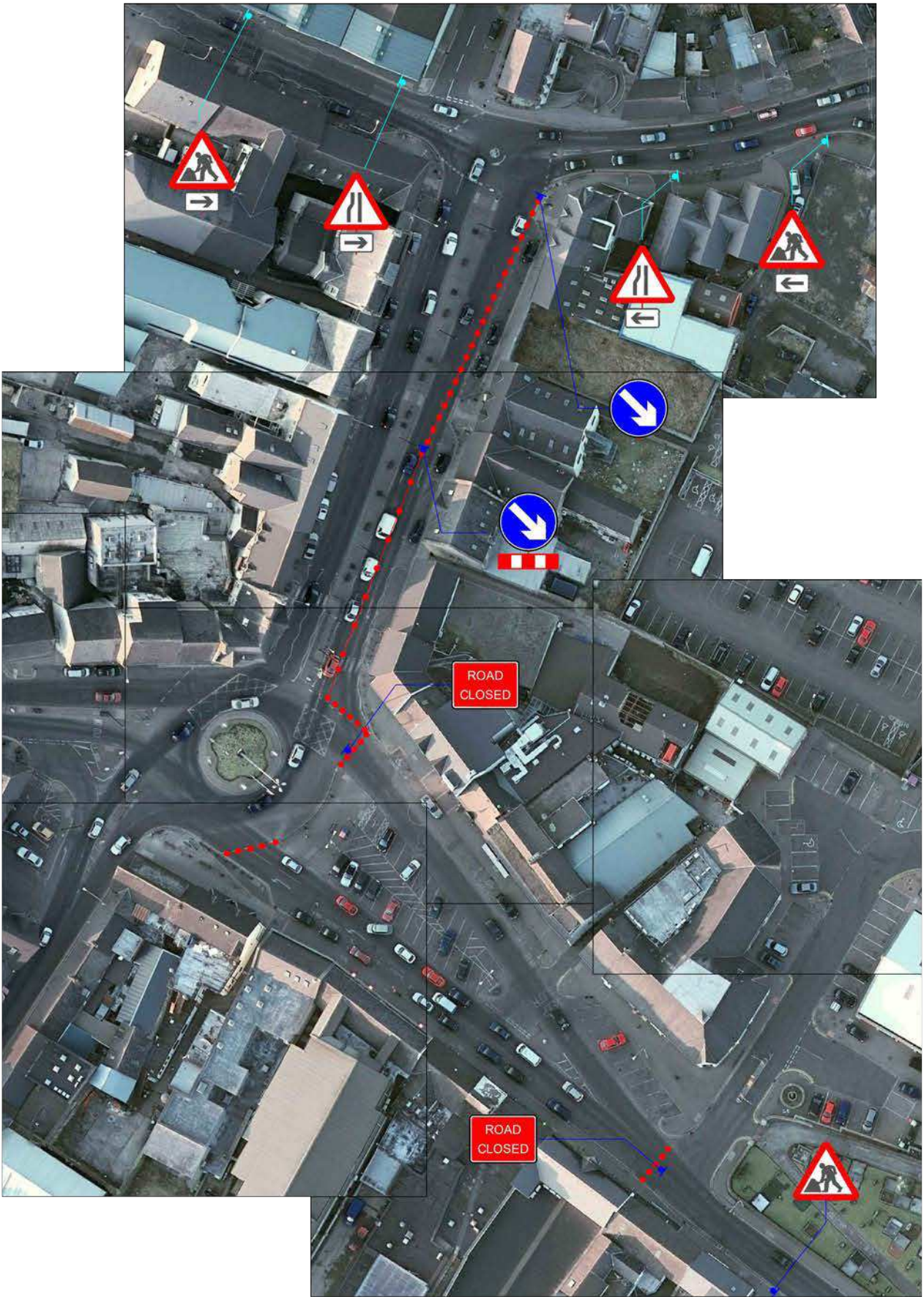
Magherafelt Office
Ballyronan Road
Magherafelt
BT45 6EN

Email: environmentalhealth@midulstercouncil.org

Telephone: 03000 132 132



Market Street & Broad Street Closed
from Saturday 23/11/19 @ 4PM to
9:30 PM

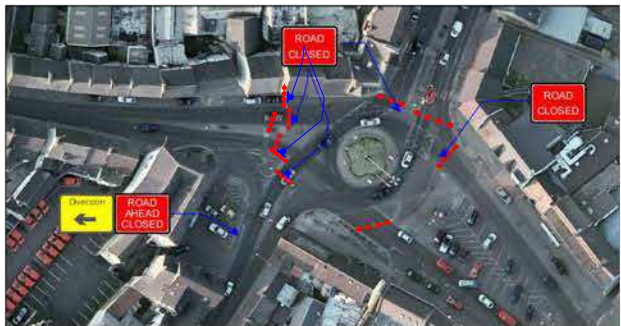


Market Street Closed from Friday
22/11/19 @ 6PM to 24/11/19 @ 10PM

- KEY
- Diversion Route
 - Traffic Cone
 - Traffic Sign

DRAWING STATUS		REVIEW			
GRAHAM					
PROJECT					
MID ULSTER DISTRICT COUNCIL					
TITLE					
MAGHERAFELT CHRISTMAS MARKET & LIGHTS SWITCH ON TTM					
SCALE	DATE	DESIGN/DRAWN	CHECKED	APPROVED	SHT
N.T.S	24/7/18	PB	DC	DC	A3
JOB No.					
DRAWING No.					
REV.					

DETAIL A



DETAIL B



DETAIL C



DETAIL D



DETAIL E



DETAIL F



- KEY
- Diversion Route
 - Traffic Cone
 - Traffic Sign



Diversion
Moneymore Rd, Rainey St, Tobermore Rd,
Hospital Rd, Castledawson Rd, King St, Fair Hill

REVIEW

PROJECT

MID ULSTER DISTRICT COUNCIL

TITLE

MAGHERAFELT CHRISTMAS MARKET & LIGHTS SWITCH ON TTM

SCALE

N.T.S.

DATE

2/8/18

DESIGN/DRAWN

PB

CHECKED

DC

APPROVED

DC

SHT

A3

JOB No.

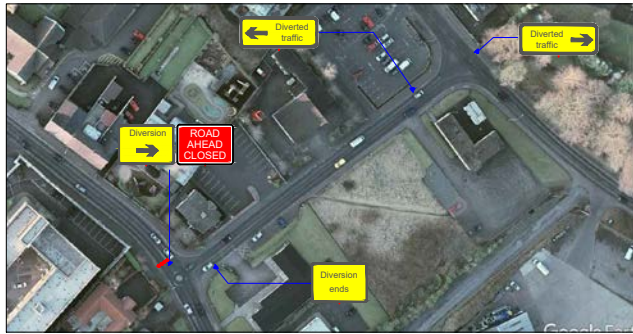
DRAWING No.

02

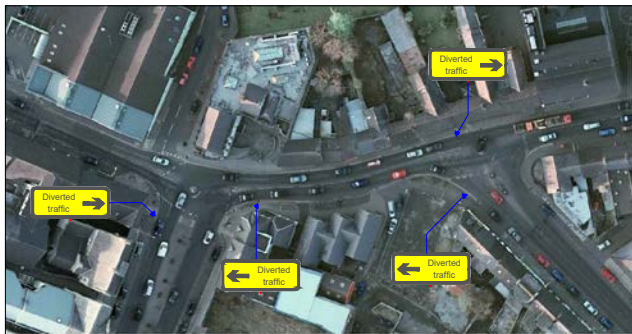
REV.

0

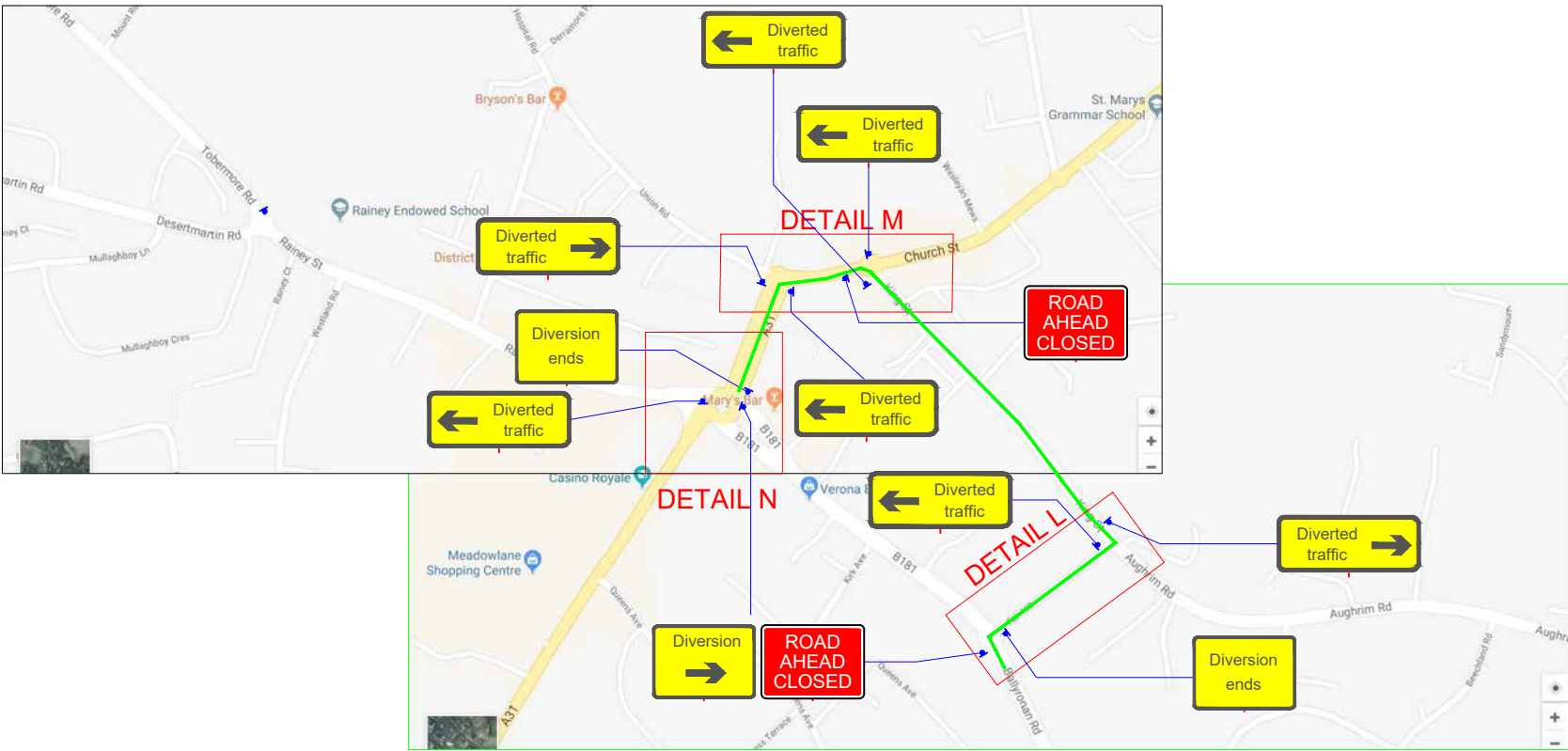
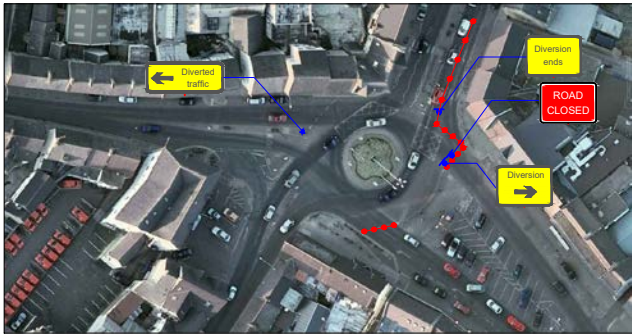
DETAIL L



DETAIL M




DETAIL N



Diversion
Ballyronan Rd, Fair Hill, King St, Castledawson Rd, Broad Rd

- KEY
- Diversion Route
 - Traffic Cone
 - Traffic Sign

DRAWING STATUS		REVIEW			
<div></div>					
PROJECT					
MID ULSTER DISTRICT COUNCIL					
TITLE					
MAGHERAFELT CHRISTMAS MARKETS & LIGHTS SWITCH ON TTM					
SCALE	DATE	DESIGNED/DRAWN	CHECKED	APPROVED	SHT
N.T.S	2/8/18	PB	DC	DC	A3
JOB No.					
DRAWING No.					REV.
04					0

Application to hold a Special Event on a Public Road

Please read the accompanying Mid Ulster District Council 'Guidance Notes on Applying to Hold a Special Event on a Public Road' and the Department for Infrastructure's 'Guidance Notes for Promoters of Events' before completing this form



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

ABOUT YOU	
Name of Promoter	[REDACTED]
Name of contact (if different from above)	[REDACTED]
Position / role of contact	[REDACTED]
Confirm if you have authority to act on behalf of the company / club / society	Yes
Address of promoter and/or contact	Mid Ulster District Council, Northland Row, Dungannon, BT71 6AP
Postcode	
Telephone Number(s)	03000 132 132
Emergency Contact No	[REDACTED]
Email address	[REDACTED]
ABOUT THE EVENT	
Name of Event	Dungannon Christmas Event
Date of event	Friday 22 November 2019
Purpose and nature of event	<p>This is the Council's Civic event in Dungannon Town Centre which will take place on Friday 22 November 2019 in Market Square.</p> <p>On Friday 22 November there will be entertainment and activities in Market Square Dungannon from 5.30pm-8.00pm where there will be a stage located on car park on Upper Market Square with public viewing on Upper and Lower Market Square car park.</p> <p>Santa will arrive via Scotch Street up Market Square to the Staging area to turn on the Christmas tree.</p>
Can the event be held on other than a public road?	No. The topography of Market Square and the location of the proposed event does not allow for the viewing public to be located elsewhere within the town.
POSSIBLE IMPACT	
Name of road(s) on which event is to be held along with a detailed, marked up location plan	<ul style="list-style-type: none"> Market Square

Date and Start time of proposed road restriction	Market Square Car Park – Friday 22 November @ 5.30pm
Date and End time of proposed road restriction	Market Square Car Park – Friday 22 November @ 8.00pm
Type of restriction? (Full road closure / lane restriction / prohibition of certain types of vehicles / footway closure etc.)	<i>Full road closure- Limited access will be granted for traders Pedestrian access will be maintained</i>
Is this a small event?	No
How many people are you hoping will attend your event?	<i>Based on previous year's attendance at the event it is anticipated that there will be c1500 at the event.</i>
Is a traffic signing schedule enclosed?	Yes Please list all roads that will be signed as diversionary routes: <i>Thomas Street – Diversion down Market Square (car park inaccessible)</i>
Is a traffic management plan enclosed?	Yes
Has this event been held previously?	Yes
If yes, are the arrangements previously applied for amended in any way	Not applicable
Please give details of any structure or equipment to be erected on the public road as part of the event	<i>Generators Marquees Barriers Staging unit</i>
Can you confirm that public liability insurance will be provided in the event of an Order being granted?	Yes
Please give details of any businesses and residents which may be affected by the event and provide confirmation that they have been contacted.	Dungannon Traders been consulted regarding the event and residents will be informed. Further consultation with businesses and residents will take place in September and October via letter drop where they will be advised of dates and event logistics.
Is a bus route affected (public and / or Education Authority)	Yes- Public:- Town Service Route – Notice to be forwarded to Translink by end of September

Please provide any other information that you feel may assist us with processing your request

This is an annual Corporate Event within the Town Centre Regeneration Action Plan.

Declaration:

I confirm that I have read the Department for Infrastructure 'Special Events on Roads - Guidance for Promoters of Events' and understand that the District Council may apply all or any of the conditions as it feels necessary. I also understand that the District Council may request any further information that it feels necessary to process this application and that my application may not proceed if I fail to produce this additional information.

I acknowledge the following Data Protection Statement: In order to comply with the requirements of the Data Protection Act 1998, we would advise you that the personal information you provide on this form will be processed and held by the District Council and its agents, for the purpose of managing and operating special events on roads applications. The District Council may use non-personal statistical data collected to analyse current, and plan for future, operational purposes. The District Council will investigate all cases of alleged fraudulent use and the information you have provided may be used in conducting these investigations. The personal information you provide may be checked with other agencies/organisations. If consent to these arrangements is not given your application will NOT be processed.

I understand I may be required to provide a minimum of £10m public liability insurance cover for this event (minimum of £5m public liability insurance cover for small / community events). I can confirm the details provided in the application are true and correct.

Signature of applicant

Date of application

(On behalf of organising committee)

Should you require any assistance when completing the application then please do not hesitate to contact the licensing team by telephone or email

Application Checklist: Please refer to the accompanying notes for guidance

<i>The appropriate application fee (if paying by cheque, made payable to Mid Ulster District Council)</i>	Memo to be raised to transfer funds
<i>Small / Community Events: £250 - Large / Commercial Events: £415 – Filming on a Public Road: £415</i>	
<i>Location plan / map showing marshals / stewards and first aid positions</i>	See Attached
<i>Copy of the Traffic Signing Schedule</i>	See Attached
<i>Traffic Management Plan</i>	See Attached
<i>Evidence of Public Liability Insurance</i>	Council's Insurance

<i>Details of Consultees and feedback received (bus providers, residents, businesses etc.)</i>	Consultation will take place in September and October via letter drop and council staff liaising with Traders
<i>Copy of a Sector Scheme 12ab (or Ch8) Certificate of Competence for those undertaking the signing work</i>	See Attached
<i>Evidence of consultation / agreement with Emergency Services</i>	Letter to inform Emergency Services will be issued early September

Completed forms should be returned to the Environmental Health Service at any one of the Council Offices below:

Cookstown Office

Burn Road
Cookstown
BT80 8DT

Dungannon Office

Circular Road
Dungannon
BT71 6DT

Magherafelt Office

Ballyronan Road
Magherafelt
BT45 6EN

Email: environmentalhealth@midulstercouncil.org

Telephone: 03000 132 132



NOTE

Road closure from approx. 5.30-7.30 on car park area at market square Dungannon

DRAWING STATUS		REVIEW		
<div>GRAHAM</div>				
PROJECT				
MID ULSTER COUNCIL				
TITLE				
MARKET STREET DUNGANNON TRAFFIC MANAGEMENT DETAILS				
SCALE	DATE	DESIGN/DRAWN	SHT	
N.T.S	05/09/19	SH	A3	
APPROVED				
EVENT ORGANIZER				
EVENT TRAFFIC MANAGEMENT DOES NOT COMPLY WITH CH 8. PLEASE REFER TO CLAUSE 2.5 OF OUR TERMS OF BUSINESS FOR FURTHER INFORMATION				
DRAWING No.				REV.
MUDC - MARKET SQ - 01				1

Report on	The Roads Miscellaneous Provisions Act (NI) 2010 – Streamlining Road Closure Process
Date of Meeting	8 th October 2019
Reporting Officer	Mark Kelso

Is this report restricted for confidential business?		Yes	X
If 'Yes', confirm below the exempt information category relied upon		No	
X	Information relates to financial or business affairs of a person (including the council)		

1.0	Purpose of Report
1.1	To update Members in regards the options for streamlining the road closure process for special events within the Mid Ulster District Council area.
2.0	Background
2.1	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.
2.2	<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).
2.3	<p>Special Events do not include the following:</p> <ul style="list-style-type: none"> Public processions; Motor road races; Cycle races or trials; or Road works
2.4	<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
2.5	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.
3.0	Main Report
3.1	Following some concerns raised by members at a recent Environment Committee in relation to in the administration of <i>The Roads Miscellaneous Provisions Act (NI) 2010</i> (the Act), it was agreed that a workshop for members should be held and the processes subsequently reviewed.
3.2	A workshop on the 'road closures for special events' was held on 8 th August 2019 attended by members, representatives from the PSNI and Council officers. Apologies were submitted by the Department for Infrastructure.
3.3	Members were refreshed on the administrative procedures surrounding 'the Act' and Officers gave a summary of the situation in relation to number of applications received to date; some of the associated challenges and a brief snapshot of the regional situation in terms of applications, fees and delegated powers (see Appendices 2 & 3).
	Administrative Process
3.4	Members will be aware from previous reports that Council is obliged to follow the relevant administrative procedures when issuing a 'road closure order' for a special event . The process is as laid out in the legislative framework and associated guidance – Appendix 1.
3.5	As of the end of August 2019, MUDC Officers have responded to over 80 road closure queries and have processed / issued 20 road closure applications. The average time to fully process a road closure order has been 16 weeks, with the quickest ones being processed in 12 weeks. The DfI's guidance for event promoters (Appendix 8) recommends that applications are submitted to district councils at least 12 weeks before the proposed event in order to allow adequate time for the required public and statutory consultations to take place.
3.6	When the legislative process for consideration and approval was first considered by Committee in July 2017, members decided that all applications for road closures would be brought before Committee for consideration and approval. As members will be aware this has resulted in additional time being required to process and issue Temporary Road Closure Orders.
	Fee Element
3.7	The average cost to Council from placing a public notice in the press in connection with a road closure for a special event is £222. The most expensive public notice advertised to date has cost £442, however, each application is unique so the costs to both council and the event promoter (who bears the traffic management and other event costs) is largely dependent on the complexity of the closure and the diversionary routes.

3.8	<p>From the regional overview (Appendix 3) it is noted that half of the Councils in Northern Ireland have a fee structure for 'road closures for special events' that is consistent with the current MUDC fee structure set out below:</p> <ul style="list-style-type: none"> • £415 fee levied for large / commercial / filming events • £250 fee levied for small community events <p>Council is not fully recovering the cost of administering the 'road closure for special events' function under the current fee structure.</p> <p>Options for Streamlining</p> <p><u>Delegated Authority:</u></p> <p>The current procedural arrangements are quite time consuming and make it difficult for Council to facilitate any road closure request that requires an accelerated response . The ability to issue a road closure order as soon as is practicable after the minimum period of 21 days for public representations could be aided by delegating authority to senior officers.</p> <p>With this in mind it is proposed that Committee agree the delegation of the administration and issue of Temporary Road Closure Permits to the Director of Public Health and Infrastructure and in his absence the Head of Service, unless and in the event of specific objections being received from statutory consultees and/or complaints which may render the holding of the 'Special Event' to be unsafe .</p> <p>In such occasions where objections have been received and mitigating measures cannot be agreed, the applicant and any objectors will be invited to attend a meeting of the Committee to have the issues heard and determined.</p> <p><u>Reconsideration of the fee structure:</u></p> <p>Options include-</p> <ol style="list-style-type: none"> 1. Leave the current fee structure in place; or 2. Reduce the administrative fee for large / commercial / film industry applicants, to £250 being levied towards the cost of public advertisement for all applicants (<i>in the event of a complex event the above £250 fee would not meet expected advertisement costs</i>); or 3. Retain the £415 fee levied for large / commercial / filming events and introduce a £250 charge for 'Not for Profit' organisations irrespective of the size of the event, or 4. <i>Specify the details of the advertisement and require the applicant to place the advert in local press and provide proof of same to Council.</i>
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3.14	<p><u>Refund policy:</u></p> <p>In the event that the application does not proceed to public advertisement and the applicant decides to withdraw their application, Council will provide a full refund of all fees incurred.</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	Members to note the content of this report and give consideration to the following
5.2	<p><u>Delegated Authority on Roads Closure for Special Events legislation</u></p> <ol style="list-style-type: none"> 1. Agree the delegation of the administration and issue of Temporary Road Closure Permits to the Director of Public Health and Infrastructure and in his absence the Head of Service, unless and in the event of specific objections being received from statutory consultees and/or complaints which may render the holding of the 'Special Event' to be unsafe. 2. In such instances the application to be heard at the next available meeting of Committee
5.3	<p><u>Review Fee Structure</u></p> <p>Members to reflect on the Fee Structure and indicate their preference from Section 3.13 above.</p>
6.0	Documents Attached & References
6.1	Appendix 1 – Legislative Framework – Roads (Miscellaneous Provisions) Act (NI) 2010
6.2	Appendix 2 – Summary of MUDC Road Closure Process – August 2019
6.3	Appendix 3 – Road Closures for Special Events – NI Overview
6.4	Appendix 4 – PSNI Correspondence with Event Promoters
6.5	Appendix 5 – Guidance for Promoters of Events



Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010

2010 CHAPTER 14

An Act to provide for permit schemes to control the carrying out of works in roads; for prohibiting or restricting the use of roads in connection with special events; for inquiries in connection with the exercise of certain functions relating to roads; and for connected purposes. [13th August 2010]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

PART 1

PERMIT SCHEMES

Meaning of permit scheme

1.—(1) Any reference in this Part to a permit scheme is a reference to a scheme which is designed to control the carrying out of specified works in specified roads.

(2) A permit scheme may (in particular) include provision—

- (a) for, or in connection with, requiring a permit to be obtained before specified works are carried out (including provision as to the persons who are required to obtain permits),
- (b) for, or in connection with, the issue of permits (including provision with respect to applications for permits, provision for cases in which there is

“in”, in the context of referring to works in a road, includes a reference to works under, over, across, along or upon a road;

“permit” is to be construed in accordance with section 1(2);

“permit scheme” is to be construed in accordance with section 1;

“permit regulations” is to be construed in accordance with section 3;

“prescribed” means prescribed, or of a description prescribed, by permit regulations;

“road” means—

- (a) a road within the meaning of the Roads (Northern Ireland) Order 1993 (NI 15); and
- (b) anything which (not being such a road) is a street within the meaning of the Street Works Order;

“the Street Works Order” means the Street Works (Northern Ireland) Order 1995 (NI 19);

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33);

“works” includes—

- (a) street works within the meaning of the Street Works Order; and
- (b) works for road purposes and major road works within the meaning of that Order.

PART 2

MISCELLANEOUS

Prohibition or restriction of use of public roads in connection with special events

6.—(1) The Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2) is amended as follows.

(2) After Article 8 insert the following Article—

“Prohibition or restriction of use of public roads: special events

8A. Schedule 3A (which makes provision for prohibiting or restricting the use of public roads in connection with the holding of special events) shall have effect.”.

(3) After Schedule 3 insert the Schedule set out in Schedule 1 to this Act.

SCHEDULES

SCHEDULE 1

Section 6.

SCHEDULE TO BE INSERTED AS SCHEDULE 3A TO THE ROAD TRAFFIC REGULATION (NORTHERN IRELAND) ORDER 1997

Annotations:

Commencement Information

I5 Sch. 1 in operation at 4.9.2017 by S.R. 2017/34, art. 2, Sch.

“SCHEDULE 3A

PROHIBITION OR RESTRICTION OF USE OF PUBLIC ROADS: SPECIAL EVENTS

Interpretation

- 1.—(1) This paragraph applies for the purposes of this Schedule.
- (2) Subject to sub-paragraph (3), a “special event” is—
 - (a) any sporting event, social event or entertainment which is held on a public road; or
 - (b) the making of a film on a public road.

And for the purpose of this paragraph “film” includes a recording on any medium from which a moving image may by any means be produced.
- (3) The following are not special events —
 - (a) a public procession (within the meaning of the Public Processions (Northern Ireland) Act 1998);
 - (b) a motor race falling within the Road Races (Northern Ireland) Order 1986 (motor races on roads);
 - (c) a race or trial falling within Article 45 of the Road Traffic (Northern Ireland) Order 1995 (cycle racing on roads).
- (4) The “relevant authority”—
 - (a) for a special road, is the Department;

(b) for any other public road, is the district council for the district in which the road is situated.

(5) Where the special event is the making of a film, references to the holding of the event are to be read as references to the making of the film.

(6) References to the promoter, in relation to a special event, are references to the person organising the event.

(7) References to an order are to an order under paragraph 2.

(8) A public road is “affected” by an order or proposed order if the order contains or would contain provisions restricting or prohibiting the use of the road.

Prohibition or restriction on public roads in connection with special events

2.—(1) Sub-paragraph (2) applies if the relevant authority for a public road is satisfied that—

(a) traffic on the road should be restricted or prohibited for the purpose of—

(i) facilitating the holding of a special event,

(ii) enabling members of the public to watch a special event, or

(iii) reducing the disruption to traffic likely to be caused by a special event; and

(b) it is not reasonably practicable for the event to be held otherwise than on a public road.

(2) The relevant authority may by order restrict or prohibit temporarily the use of that road, or any part of it, by vehicles or vehicles of any class or by pedestrians, to such extent and subject to such conditions or exceptions as it may consider necessary or expedient.

(3) An order may relate to the public road on which the special event is to be held or to any other public road.

(4) No order shall be made with respect to any public road which would have the effect of preventing at any time access for pedestrians—

(a) to any premises situated on or adjacent to the road, or

(b) to any other premises accessible for pedestrians from, and only from, the road.

(5) An order may suspend or modify any statutory provision relating to the affected road or its use by traffic or pedestrians.

(6) An order may contain provision —

- (a) requiring the promoter to insure against such risks in connection with the holding of the event on a public road as the relevant authority may specify;
 - (b) requiring the promoter to produce to the relevant authority such certificates as it may require as to the safety of any structures, equipment or other apparatus to be used in association with the special event;
 - (c) requiring the promoter to erect such barriers and place such signs in such places on or in the vicinity of any affected road as the relevant authority may specify;
 - (d) requiring any such barriers and signs to be erected no earlier than, and removed no later than, such times as the relevant authority may specify;
 - (e) requiring the promoter to comply with such other conditions as may be specified in the order.
- (7) A district council may not make an order except with the consent of the Department.

Procedure for making orders

3.—(1) An order shall not be made except on an application made to the relevant authority by the promoter of the special event.

(2) An application shall be in writing and give such details of the event as the relevant authority may require.

(3) Where—

- (a) an application for an order is made to a relevant authority, and
- (b) the relevant authority is minded to make an order,

the relevant authority shall publish in at least one local newspaper circulating in the district in which any affected road is situated a notice complying with sub-paragraph (4).

(4) The notice must—

- (a) identify the promoter of the special event;
- (b) identify any affected road;
- (c) specify any restrictions or prohibitions which the relevant authority proposes to include in the order;
- (d) specify the dates on which and times between which the restrictions or prohibitions would apply;
- (e) specify any alternative routes for traffic or pedestrians;

- (f) state the address where copies of the application may be inspected by any person free of charge at all reasonable times;
 - (g) state that representations in writing may be sent to the relevant authority within such period as is specified in the notice (not being less than 21 days from the date of the last publication of the notice) at such address as is so specified.
- (5) Before making an order the relevant authority must consult—
- (a) the district commander of the police district in which any affected road is situated;
 - (b) the Northern Ireland Fire and Rescue Service;
 - (c) the Northern Ireland Ambulance Service.
- (6) When considering whether to make an order, the relevant authority must
- (a) consider any representations made in accordance with a notice published under sub-paragraph (3) and the outcome of consultations under sub-paragraph (5);
 - (b) have regard to the safety and convenience of alternative routes suitable for traffic and pedestrians affected by the order; and
 - (c) if the relevant authority is a district council, also have regard to any guidance issued by the Department under paragraph 5.

Recovery of certain costs

4. The relevant authority may recover from the promoter the whole of the costs incurred by the relevant authority in connection with or in consequence of the making of an order, including in particular the cost to the relevant authority of complying with the requirement in paragraph 3(3) to publish notices.

Guidance

5. The Department may issue guidance—
- (a) to district councils as to the exercise of their functions under this Schedule; and
 - (b) to promoters of events as to the procedure for making an order and as to the conduct of events in relation to which an order has been made.

Offences in relation to orders

6.—(1) A person who contravenes, or who uses or permits the use of a vehicle in contravention of, a restriction or prohibition imposed by an order is guilty of an offence.

(2) A promoter who fails to comply with any requirement imposed under paragraph 2(6) is guilty of an offence.”

SCHEDULE 2

Section 8.

MINOR AND CONSEQUENTIAL AMENDMENTS

The Towns Improvement (Ireland) Act 1854 (c. 103)

1. Section 70 (obstruction of streets) shall cease to have effect.

The Belfast Corporation Act (Northern Ireland) 1930 (c. ii)

2. Section 59 (closure of certain streets) shall cease to have effect.

The Statutory Rules (Northern Ireland) Order 1979 (NI 12)

3. In Schedule 3 (statutory rules exempt from requirements as to printing and sale) in paragraph 7A after “66 of” insert “, or Schedule 3A to, ”.

Annotations:

Commencement Information

16 [Sch. 2 para. 3](#) in operation at 4.9.2017 by [S.R. 2017/34](#), [art. 2](#), [Sch.](#)

The Roads (Northern Ireland) Order 1993 (NI 15)

4. In Article 71(2) (erection of structures on roads) after sub-paragraph (c) insert “or

(d) in connection with the holding of an event in connection with which an order has been made under Schedule 3A to the Road Traffic Regulation (Northern Ireland) Order 1997,”.

Annotations:

Commencement Information

17 [Sch. 2 para. 4](#) in operation at 4.9.2017 by [S.R. 2017/34](#), [art. 2](#), [Sch.](#)

The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10)

5. In Part 1 of Schedule 1 (offences) at the end of the entries relating to the Road Traffic Regulation (Northern Ireland) Order 1997 insert—

Road Closures for Special Events

Summary of MUDC Road Closure Process – August 2019

1. Application for road closure is received –
 - Fee is receipted
(£415 – *large / commercial / filming* & £250 for *small / community events*)
 - acknowledgement is sent
 - If submission is incomplete then further information is requested.
2. Application is reviewed to determine:
 - Is the proposed closure for a special event – *if not, refusal is issued*
 - Is the road to be closed a 'special road' – *if yes, referral made to DfI Roads*
 - Is there an alternative off-road location – *if yes, refused if there is a more suitable location.*
3. Public notice for advertisement in the local press is drafted and procured – *21 days for representations to be made to Council.*
4. Consultation exercise with statutory and other agencies is undertaken with –
 - PSNI, NIFRS, NIAS, DfI
 - Translink
 - MUDC Town Centre Managers (where appropriate)

If any issues are raised during the consultation phase, then Environmental Health liaises with applicants to resolve them.
5. Papers prepared for the application to be reported to the Environment Committee for decision
6. After approval by Environment Committee, final consent is sought from the DfI
7. Environment Committee's decision is ratified at a meeting of full Council
8. Once DfI consent for the closure is received, the road closure order is drafted.
9. Road Closure Order is signed by the Director of Public Health and Infrastructure
10. Road Closure Order and cover letter is issued to the applicant.

For Information:

Year	No. of Road Closures Processed	No. of Queries Processed
2018 (Jan – Dec)	13	47
2019 (Jan – Aug)	7	36
Total	20 <i>10 Runs + 5 Council Events + 5 Misc.</i>	83

Average Cost of MUDC Public Notice: £222 } *Cost is dependent on the complexity of*
Cost of Most Expensive public advert: £442 } *the closure and diversionary routes.*

Average processing time: 16 weeks **Quickest processing time:** 12 weeks

Operational Challenges:

- As the current process is closely aligned with the time frames for preparing reports for the Environment Committee and the procurement process for publications in the press, the administration process is left very challenging to undertake as there is a limited window of time in which information must be reviewed and processed. This is exacerbated when multiple applications are made at the same time or if further pursuit of additional information or clarification is required at the initial phase.
- Whilst most applicants have spoken to officers multiple times (or have consulted the PSNI) in advance of submitting their application, many still provide incomplete paperwork or make late applications. This creates operational difficulties in confirming the necessary traffic management information required for the public notice, leaving a very short timescale for the department to place the advertisement.
- Although the public and statutory consultation exercises are carried out concurrently environmental health have no control over the response time of other partner agencies during the consultation exercise, potentially delaying Council being in a position to seek the final consent.
- Final consent is generally sought from the DfI after the application has been approved by Environment Committee. Once final consent is received there is often a very short time for the road closure order to be finalised and a signature obtained from the Director of Public Health and Infrastructure in advance of the event. This has resulted in some road closure orders being issued on the day of the event.
- While only 20 road closure applications have been processed to date, they have been administratively burdensome and in addition to a large number of other road closure queries.
- Conflicting advice being given by outside bodies has also caused a degree of confusion, e.g. advice that applicants seek a road closure order when traffic management arrangements are not required for the event.
- Under the current fee structure the department is not fully recovering the cost of administering the road closure for special events function.

Road Closures for Special Events – Northern Ireland Overview

Name of Council	Fee Structure	Delegated Authority	Level of Delegated officer	Closures to date
Antrim & Newtownabbey BC	£265	Yes – if no written representations	Head of Environmental Health	21
Ards and North Down BC	£275 (<i>£125 non-refundable admin fee</i>) £150 – small community event	Yes – if no written representations	Licensing & Regulatory Manager	Unknown
Armagh City, Banbridge & Craigavon BC	£269 or <i>No Fee - constituted community groups</i>	Yes - if no written representations	Licensing Officers (SO2 / PO1)	19
Belfast City Council	<i>Unable to confirm</i>	<i>Unable to confirm</i>	<i>Unable to confirm</i>	<i>Unknown</i>
Causeway Coast & Glens BC	£415 – Commercial & filming £200 – ‘Not for Profit’ <i>Plus £200 refundable deposit for waste control</i>	<i>Unable to confirm</i>	<i>Unable to confirm</i>	<i>Unknown</i>
Derry City & Strabane DC	£415 or <i>No Fee – Community Groups & ‘Not for Profit’</i>	Yes – if no written representations	Principal EHO Lead EHO	21
Fermanagh & Omagh DC	£415 or £250 - small community events	Yes	Licensing Manager	21
Lisburn & Castlereagh BC	Small community event - advertising costs only Large Events – £165 + actual cost of advert <i>Plus £200 refundable deposit for waste control</i>	<i>Unable to confirm</i>	<i>Unable to confirm</i>	Unknown
Mid & East Antrim BC	£415 or No Fee – ‘Not for Profit’ or community events <i>Plus £200 refundable deposit for waste control</i>	Yes	Administration officers	31
Mid Ulster District Council	£415 – large, commercial & filming £250 – small / community events	NO	N/A	20
Newry, Mourne & Down BC	£600 – large events £400 – small events Voluntary, ‘Not for profit’ & Charity – Advert only	Yes	Head of Service	46

Date

Addressee

Dear Sir / Madam,

I am writing to you as you have previously been the notified organiser of an event within our current Policing Boundaries.

As the event organiser, we wish to advise you regarding the entry into force of legislation that may have an effect on any future events you may organise. The Roads (Miscellaneous Provision) Act (Northern Ireland) 2010 was commenced on the 4th September 2017, **District Councils** are responsible for the administration of this legislation.

Guidance on this legislation can be found at the following website:

<http://www.infrastructure-ni.gov.uk/publications/special-events-roads-guidance-promoters-events>

If your event is by definition sporting, social or entertainment in nature **and** requires any form of highway disruption e.g. stopping, diverting or holding traffic etc., an application must be made to the local council for a road closure order under the aforementioned Act. However, from the outset, event promoters will be asked to consider whether the event could be held elsewhere than on a Public Road.

You should note that this legislation makes provision for events that heretofore may have been notified on the Form 11/1 to the Parades Commission. If police receive a Form 11/1 for an event that falls under these new Miscellaneous Provisions, we will advise the organiser that a separate application to the District Council will be required before police will engage in planning for the event.

It is important to highlight, that your District Council will require **not less than 12 weeks** to process your application, so please factor this in when starting to plan your event.

Mid Ulster District Council local officer over-seeing applications is:

Melanie Patterson

Council Office, Burn Road, Cookstown, BT80 8DT

Tel: 03000 132 132

With effect from 1st September 2019, the PSNI will no longer consider the utilisation of Common Law powers to stop or direct traffic for events that should otherwise have been notified under the new legislation to the District Council.

I wish to take this opportunity to remind you that as the event organiser you are solely responsible for all elements of safety surrounding your event.

PSNI are happy to work with you to transition to a position whereby you can hold your event independently of police assistance or amend your event plans thereby minimising the requirement for police attendance.

Please do not hesitate to contact us at the Events Office, Omagh PSNI should you require any further information or assistance.

Yours faithfully

Inspector

Operational Planning

PSNI

Special Events on Roads

Guidance for Promoters of Events

**Issued by the Department for Infrastructure
under paragraph 5(a) of Schedule 3A to the Road
Traffic Regulation (Northern Ireland) Order 1997**

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SPECIAL EVENTS ON PUBLIC ROADS

GUIDANCE FOR PROMOTERS OF EVENTS

Before reading these guidance notes it is recommended that you read through the following definitions.

The Department means the Department for Infrastructure.

Notice means a notice placed in at least one local newspaper by the relevant authority when it is minded to grant the application. It gives details of the proposed event and its location and invites written representation on it.

Order means an order issued by the relevant authority to prohibit or restrict traffic from using the road to facilitate the event.

Public road means any road which is maintained by the Department. It includes the carriageway, footway and verge.

Relevant authority is either the local District Council or the Department, depending on the type of road the application is for. Paragraph 4 provides further details.

DfI Roads : is an agency of the Department and exercises the Department's function, as road authority.

Special road means road designated as such under the Roads (NI) Order 1993 (Appendix 1 contains a list of the Special Roads in Northern Ireland).

Special Events are defined as:

- (a) Any sporting event, social event or entertainment which is held on a public road; or
- (b) The making of a film on a public road.

Examples of possible 'special events' could include:

- Fun runs/marathons etc;
- Street parties; (Community based small events such as street parties are considered a traditional part of community life and specific guidance is attached as Appendix 5.)
- Concerts.

The making of a film includes the making of TV programmes, films or advertisements.

There are a number of activities which are not “special events” for the purposes of this Act, these are:

- Public processions;
- Motor road races; or,
- Cycle races or trials.

Paragraph 1(3) of Schedule 3A refers.

An exhaustive list of the types of sporting, social or entertainment event is not provided, and the relevant authority will decide which events are eligible events. **The restriction or prohibition of traffic using a public road for a special event will only be permitted for:**

- facilitating the holding of a special event; or,
- enabling members of the public to watch a special event; or,
- reducing the disruption to traffic in adjacent streets as a result of holding a special event.

Promoters should note that although the legislation provides the power to prohibit or restrict the use of a public road, pedestrian access to any premises situated on or adjacent to the road or any other premises accessible for pedestrians from, and only from, the road must be maintained at all times. This means that any form of access control, including charging for admission, could be viewed as being contrary to the intention behind the legislation and the District Council will decide whether, from a health and safety and crowd control perspective, there is need for access control. Where it is deemed necessary to control access to events for public safety purposes, arrangements must be put in place to ensure that the intention of the legislation is complied with.

Requests for events that are not considered to be a ‘special event’ will be refused and the promoter informed accordingly. Promoters should be aware that the legislation does not make provision for an appeals process.

This guidance has not been written as a guide to event management. Event management should be undertaken by the promoter and should be carried out in accordance with the relevant standard e.g. “*The Event Safety Guide - A Guide to Health, Safety & Welfare at Music and Similar Events*” or ‘Purple Guide’ as it is known, published by the Health and Safety Executive.
<http://www.hse.gov.uk/pubns/books/hsg195.htm>

Where an event extends into more than one relevant authority’s area e.g. the Belfast Marathon, an application should be made to each relevant authority.

This guidance will be reviewed and amended as necessary.

Applying to hold a special event on a public road:

1. The underlying principle in relation to special events on roads is that it would not be reasonably practicable to hold the event elsewhere. Consequently, promoters should be aware that holding an event on a public road should only be considered when all other options/locations for holding the event have been ruled out. Restricting the use of a road impacts on other road users, who may have to find other routes, and, if not done properly, may create a road safety hazard. The relevant authority must be satisfied that it is not reasonably practicable for the event to be held elsewhere, if it considers that there is a suitable alternative then an order will not be made. An order to restrict or prohibit traffic using a special road for holding a special event is likely to be given only in exceptional circumstances, given the nature of those roads, the volumes of traffic using them and the impact on traffic of diversionary routes.
2. Each application will be considered on its own merits.
3. To allow sufficient time to process an application and to make an Order which restricts or prohibits traffic from using a public road for the holding of a special event, the relevant authority requires at least 12 weeks' notice. However, it is suggested that promoters should give as much notice as possible to enable appropriate consideration to be given to all aspects of the application.
4. In most cases, the relevant authority will be the District Council for the district in which the road is situated. The exceptions being those roads designated as 'special roads' for which the Department for Infrastructure Roads (DfI) is responsible. A listing of these special roads is provided in Appendix 1. An application to hold a special event on a special road should be referred to the Statutory Functions Officer in the relevant DfI Roads office. A list of DfI Roads Offices can be found at Appendix 2.
5. Traffic on a road will only be restricted or prohibited to:
 - facilitate the holding of a special event; or,

- enable members of the public to watch a special event; or,
 - reduce the disruption to traffic in adjacent streets as a result of holding a special event.
6. Prior to making an application, event promoters should make preliminary contact with the relevant authority to discuss the overall concept of the event.

The relevant authority will discuss the proposed application with the promoter. The potential for the relevant authority to recover any or all costs incurred by it in connection with or in consequence of making an order to restrict or prohibit traffic using the road for the special event will be discussed at this stage. Promoters should be aware that the relevant authority may recover all its costs in relation to the making of the order.

Promoters of events should also be aware that they will generally be expected to provide any barriers or traffic signs needed to facilitate the restriction or prohibition of traffic. Promoters may be asked to provide stewards for events that will have a significant impact on traffic.

If other statutory agencies incur costs assisting with the management of an event, they may also seek to recover any costs incurred directly from the promoter.

Promoters should also be aware that the relevant authority may require that appropriate insurance cover is in place for the event.

7. Promoters of events should be aware that any requirement placed on the promoter by the relevant authority will be detailed in the order when made and that any promoter to who fails to comply with any of the requirements will be guilty of a criminal offence.
8. Promoters are also advised to read the Home Office document 'The Good Practice Safety Guide – for small and sporting events taking place on the highway, roads and public places'. The document can be viewed via the

following link <http://www.homeoffice.gov.uk/publications/police/operational-policing/event-safety-guide?view=Binary>

9. Relevant authorities can only process a request to hold a special event on a public road on receipt of an application form submitted by on behalf of a promoter, an application form must therefore be submitted - Appendix 3 contains a draft application form. It is important that this is completed in full as any omissions may cause delays in the consideration of the application. If in any doubt about any part of the form a promoter should contact the relevant authority. Relevant authorities can recover from the promoter the whole of the costs incurred by it in connection with or in consequence of making an order. Some relevant authorities may decide to use standard set costs for different sizes of events and may ask that any payment be made in advance and that it should accompany the application.
10. Depending on the nature of the event promoters may also be asked to provide the following information as part of your overall application:
 - (i) a detailed location plan/street map. Promoters may also be asked for a plan showing the length of road to be prohibited or restricted in use (indicated in red), and the proposed diversion route (indicated in green). This plan must be clear and indicate road numbers. Promoters should identify, on the plan, any restrictions or obstacles on the diversion route that may affect traffic, e.g. *low bridges, narrow sections of road, tunnels, fords, one way streets and movement restrictions, roads with weight, height or width restrictions or restrictions on vehicle class*. A similar or higher class of road to the one being closed should be used as the diversion route, taking into consideration that heavy goods vehicles and buses may have to use them. On narrow rural roads consideration may need to be given to providing a separate diversion route for each direction. It may also be necessary to have a separate diversion for HGVs and cars, because of the nature of the roads in the area;
 - (ii) details of all safety measures including all signs, equipment etc. required to protect the public and property in the vicinity of the event and on any

diversionary route needed for the duration of the closure. This may also include a detailed Traffic Management Plan depending on the nature of the proposed closure and event. Traffic Management plans require a full risk assessment which clearly identifies all risks to the travelling public, participants and employees attending the event. The nature, location and environment of the event may also need to be considered, with all risks recorded, giving recommendations on how the risks will be managed. The amount of detail and information to be provided in a Traffic Management Plan can vary depending on the nature and complexity of the traffic management arrangements;

- (iii) details of any structure or equipment to be erected on the public road as part of the event and the methods to be employed to protect road surfaces;
- (iv) evidence of insurance cover for the event (please see next section);
- (v) evidence that the promoter has consulted with and received comment from residents, businesses, bus/taxi companies etc., which may be affected by the proposed special event. Promoters should be mindful of the needs of others when planning events and the District Council is required to comply with its obligations under Section 75 of the Northern Ireland Act 1998;
- (vi) an Event Management Plan/Safety Plan, where necessary.

11. Promoters may be required to:

- (i) Indemnify the relevant authority, its officers, servants and agents from all liabilities, costs and expenses in respect of any claim or demand from any person or persons in respect of any damage, loss, accident, injury, mishap or occurrence of any description fatal or otherwise arising out of or in any way connected with the holding of the special event or by reason of anything done by the promoter in holding the special event. For this purpose, the promoter shall maintain adequate insurance (namely public liability cover of £10,000,000 for any incident, number of incidents unlimited) to the satisfaction of the relevant authority and shall produce for inspection, the relevant policy or policies of insurance

together with the receipt for the current premiums if so required by the relevant authority. When insurance is required promoters will generally be expected to provide original insurance documentation confirming this before an order will be made;

- (ii) pay costs for processing the application and publishing the Notice;
- (iii) obtain any consent from DfL Roads to enable the placing of any form of structure or equipment on the public road. Please note that promoters may also need to place a deposit with DfL Roads which would be used to pay for the repair of any damage to the road. Depending on the structure or equipment being placed, technical approvals/safety certificates for any structure erected may also be needed;
- (iv) provide, erect, maintain and promptly remove all safety measures, including all lighting, signs and barriers etc required to protect the public and property at the site of the event and on the diversionary route for the duration of the special event and to bear all the costs incurred;
- (v) provide stewards to marshal the event;
- (vi) pay all costs associated with making good any damage to the road/street furniture for reasons of making the Order including damage to any alternative route for diverted traffic;
- (vii) remove all objects on the road and/or material deposited during the event. The promoters are also expected to remove any litter from the site after the event. If the promoter fails to comply, the District Council will arrange cleaning and charge the cost to the promoter;
- (viii) maintain pedestrian access to all premises on or accessible from the road(s) on which the special event is taking place;
- (ix) keep access clear at all times for emergency vehicles during the special event and acknowledge that the prohibition/restriction will apply to all other traffic;
- (x) consult all residents, business, bus and taxi companies which may be affected by the prohibition/restriction of traffic and confirm in writing to the relevant authority that they have done so;
- (xi) be available before, during and after the event so that they can be contacted by the relevant authority; and,

- (xii) Accept that failure to comply with any of the conditions may impact the success of any future applications.
12. The order when made will contain all the conditions that the promoter must comply with when holding the event on the public road. Promoters should be aware that any promoter who fails to comply with any requirement imposed by the order will be guilty of a criminal offence.
13. When considering the holding of a 'special event', consideration should be given to the types of vehicles that may require access to the event's location, including:
- Construction vehicles during set up and removal;
 - Supplies and maintenance vehicles during the event;
 - Emergency services vehicles;
 - Disabled vehicle access and/or drop off and pick up points;
 - Invited guests and production vehicles;
 - Media broadcast units and equipment carriers;
 - Catering/merchandising vehicles.
14. If certain vehicles are to be allowed access to the site, then arrangements should be made to segregate them from pedestrians either by providing separate routes or by allowing vehicles onto and off the site at pre-arranged time slots. The operation of one-way systems within some sites can also reduce risks. A Traffic Management Plan may be required and this will have to be agreed with the police and DfL Roads.
15. Promoters of events will generally be expected to provide enough stewards to cater for the size and nature of the event. Private stewarding has become a recognised way in which events are supported. This, however, does not preclude any local arrangements between police and the event promoter. The police may charge for their officers' attendance at events and promoters will be advised by the police where this appears appropriate. Early discussion with police by event promoters is consequently strongly advised.

16. Only legally prescribed signs, barriers and cones may used on public roads, these must:
- (i) conform to Chapter 8 (Ch8) of the Traffic Signs Manual (TSM) <https://www.gov.uk/government/publications/traffic-signs-manual> A copy of the most commonly used signs is attached in Appendix 4;
 - (ii) only be placed by suitably qualified persons – the promoter(s) will be required to provide evidence of this. Promoters should be aware that there are specialist temporary traffic management contractors who offer this type of service;
 - (iii) be paid for by the promoter(s); and,
 - (iv) be removed prior to the expiration of the Order.
17. Promoters should be aware that for some roads, mostly motorways, DfL Roads will only permit its staff or other people working for it to place signs and cones. The relevant authority will advise. If it is the case then DfL Roads will organise the work but only after it has received the necessary payment for doing so.
18. When assessing an application, the relevant authority will consider any or all of the following:
- the type of event proposed (refer to the list of events not covered by legislation on page 1);
 - the event location and whether it could disrupt local businesses or impact on neighbouring properties/residents. During its assessment the relevant authority will also look at alternative off road locations for the event. If it is reasonably practicable to hold the special event other than on the public road, the request will be refused.
 - the timing and duration of the event, and how this would impact neighbouring properties/residents/businesses;
 - whether there are any other events planned for the area at the same time; and,

- the competence of the event promoters to provide temporary traffic management to facilitate the event.
19. If not using set costs (see section 9), the relevant authority will calculate the indicative cost of making the order and the promoter will be informed accordingly.
20. If the relevant authority is the District Council, it will also seek the consent of DfL Roads before it can make an order. DfL Roads will consider the proposal and will amongst other issues assess:
- the impact on local traffic management and road safety;
 - the suitability of proposed diversion routes;
 - the proposed signing arrangements; and,
 - whether there are any other closures planned in the general vicinity at the time.
21. Please note that if DfL Roads does not consent to the proposal, approval will not be given.
22. The police, fire and rescue, and ambulance services must also be consulted about the proposals. Any issues that these bodies raise will have to be considered before a special event is approved.
23. If the relevant authority is not satisfied with any aspect of the request to hold a special event on the public road, permission will not be given. The relevant authority's decision is final and the promoter will be informed of the reason(s) for refusal. There is no appeals process within the legislation.

24. If the relevant authority is content with an application, it will inform the promoter and if necessary ask for the payment of any previously indicated costs. Once the relevant authority has received payment of costs in full, the notice advertising the prohibition or restriction of traffic will be made in at least one local newspaper circulating in the District Council area and may be advertised on the District Council website. The notice must:
- a) identify the promoter(s) of the special event;
 - b) identify any affected road;
 - c) specify any restrictions or prohibitions which the relevant authority proposes to include in the order;
 - d) specify the dates on which and times between which the restrictions would apply;
 - e) specify any alternative routes for traffic or pedestrians;
 - f) state the address where copies of the application may be inspected by any person free of charge at all reasonable times; and,
 - g) state that representations in writing may be sent to the relevant authority within such period as is specified in the notice (usually 21 days from the date of the last publication of the notice) at such address as is so specified.
25. Promoters should be aware that other persons may make written representations about the proposed event. Some representation is likely to object to the proposals and it would be preferable if the promoter could resolve these directly. If however a compromise is not possible the relevant authority will consider all the information available and decide whether or not the restriction/prohibition of the road in question should go ahead. The relevant authority must: consider the representations made; have regard to the safety, convenience and suitability of the proposed alternative routes for traffic and pedestrians; and have regard to this guidance and the guidance for District Councils.

26. If the Order is made, the promoter will be required to arrange for copies of the Order to be posted on the affected routes.

NB. Promoters should return the completed application form duly signed to the relevant authority office for their district along with any sign schedule, location maps, proposed insurance arrangements (or details of your insurance broker). Promoters may also be asked to provide proof of insurance before the District Council makes an Order.

List of Special Roads

All Motorways

Westlink (A12)

(A8M) Sandyknowes to Corr's Corner

DfI TransportNI Section Office Contact Details

ANTRIM AND NEWTOWNABBEY

Tel: (028) 9025 4057

E-mail: TNI.Antrim&Newtownabbey@infrastructure-ni.gov.uk

Antrim Section Office

Crown Buildings
20 Castle Street
Antrim
Co. Antrim
BT41 4JE

Newtownabbey and Carrickfergus Section Office

148-158 Corporation Street
Belfast
BT1 3DH

ARDS AND NORTH DOWN

Tel: (028) 9181 9328

E-mail: TNI.Ards&NorthDown@infrastructure-ni.gov.uk

Ards Section Office

Jubilee Road
Newtownards
Co. Down
BT23 4YH

North Down Section Office

72 Balloo Road
Bangor
Co. Down
BT19 7PG

ARMAGH CITY, BANBRIDGE AND CRAIGAVON

West - Armagh Section Office

17 Ballynahonemore Road
Armagh
Co. Armagh
BT60 1JD

Tel: (028) 3752 9500

E-mail: TNI.ArmaghBanbridge&CraigavonWest@infrastructure-ni.gov.uk

East - Banbridge & Craigavon Section Office

18 Carn Industrial Estate

Craigavon

Co. Armagh

BT63 5RH

Tel: (028) 3833 8521

E-mail: TNI.ArmaghBanbridge&CraigavonEast@infrastructure-ni.gov.uk

BELFAST**Belfast North Section Office**

148-158 Corporation Street

Belfast

BT1 3DH

Tel: (028) 9025 4421

E-mail: TNI.BelfastNorth@infrastructure-ni.gov.uk

Belfast South Section Office

1a Airport Road

Belfast

BT3 9DY

Tel: (028) 9025 4600

E-mail: TNI.BelfastSouth@infrastructure-ni.gov.uk

CAUSEWAY COAST AND GLENS**East - Ballymoney and Moyle Section Office**

49 Queen Street

Ballymoney

Co. Antrim

BT53 6JD

Tel: (028) 2766 1061

E-mail: TNI.CausewayCoast&GlensEast@infrastructure-ni.gov.uk

West - Coleraine and Limavady Section Offices

County Hall

Castlerock Road

Coleraine

Co. Londonderry

BT51 3HS

Tel: (028) 7034 1300

E-mail: TNI.CausewayCoast&GlensWest@infrastructure-ni.gov.uk

86 Main Street

Limavady

Co. Londonderry

BT49 0ET

Tel: (028) 7776 2198

DERRY CITY AND STRABANE

Tel: (028) 7132 1600

E-mail: TNI.Londonderry&Strabane@infrastructure-ni.gov.uk

Londonderry Section Office

1 Crescent Road
Londonderry
BT47 2NQ

Strabane Section Office

20 Derry Road
Strabane
Co. Tyrone
BT82 8DX

FERMANAGH AND OMAGH

West - Fermanagh Section Office

Castle Barracks
Enniskillen
Co. Fermanagh
BT74 7HN
Tel: (028) 6634 3700
E-mail: TNI.Fermanagh&OmaghWest@infrastructure-ni.gov.uk

East - Omagh Section Office

32 Deverney Road
Arvalee
Omagh
Co. Tyrone
BT79 0JJ
Tel: (028) 8225 4600
E-mail: TNI.Fermanagh&OmaghEast@infrastructure-ni.gov.uk

LISBURN AND CASTLEREAGH

Tel: (028) 9262 6666

E-mail: TNI.Lisburn&Castlereagh@infrastructure-ni.gov.uk

Lisburn and Castlereagh Section Office

40a Benson Street
Lisburn
Co. Antrim
BT28 2BG

MID ULSTER

North - Cookstown and Magherafelt Section Offices

33 Molesworth Street
Cookstown
Co. Tyrone
BT80 8NX

Tel: (028) 8675 7600

E-mail: TNI.MidUlsterNorth@infrastructure-ni.gov.uk

30 Station Road
Magherafelt
Co. Londonderry
BT45 5DN

South - Dungannon Section Office

Main Street
Moygashel
Dungannon
Co. Tyrone
BT71 1QR

Tel: (028) 8775 1251

E-mail: TNI.MidUlsterSouth@infrastructure-ni.gov.uk

NEWRY, MOURNE AND DOWN

East - Down Section Office

129 Newcastle Road
Seaforde
Co. Down
BT30 8PR

Tel: (028) 4481 2612

E-mail: TNI.NewryMourne&DownEast@infrastructure-ni.gov.uk

West - Newry and Mourne Section Office

1 Cecil Street
Newry
Co. Down
BT34 6AU

Tel: (028) 3025 3335

E-mail: TNI.NewryMourne&DownWest@infrastructure-ni.gov.uk

MID AND EAST ANTRIM

Ballymena and Larne Section Office

Ballykeel Depot
190 Larne Road Link
Ballymena
Co. Antrim
BT42 3HA

Tel: (028) 2566 2953

E-mail: TNI.Mid&EastAntrim@infrastructure-ni.gov.uk

Application to Hold a Special Event on a Public Road

(Please read the guidance notes before completing this form in block capitals)

ABOUT YOU

Name of promoter _____

Name of contact (if different from above) _____

Position/role of contact _____

Confirm you have authority to act on behalf of the company/club/society YES/NO

Address of promoter and/or contact _____

Post code _____

Telephone No _____

Emergency/Contact telephone No _____

E-mail address _____

ABOUT THE EVENT

Name of event _____

Purpose and nature of event _____

Name of road(s) on which event is to be held _____

Date(s) of the event _____

Time of event - from _____ am/pm until _____ am/pm

Type of restriction (full road closure/lane restriction(s)/ prohibition of certain types of vehicles/footway closure etc) _____

Date(s) of the restriction _____

Time of restriction - from _____ am/pm until _____ am/pm

Is a traffic signing schedule enclosed? YES/NO

Has this event been held previously? YES/NO

If yes, are the arrangements previously applied for amended in any way? YES/NO

If yes, please give details _____

Please provide details of any structures or other equipment that you plan to erect or place on the public road _____

Please give details of any businesses, including bus services and residents which may be affected by the event and provide any confirmation that these have been contacted _____

Please give any more detail which you feel you need to add _____

I confirm that I have read the guidance for promoters of events, and understand that the District Council may apply any or all of the conditions as it feels necessary. I also understand that the District Council may request any further information that it feels necessary to process this application and that my application may not proceed if I fail to produce this additional information.

I acknowledge the following Data Protection Statement - In order to comply with the requirements of the Data Protection Act 1998, we would advise you that the personal information you provide on this form will be processed and held by the District Council and its agents, for the purpose of managing and operating special events on roads applications. The District Council may use non-personal statistical data collected to analyse current and plan for future operational purposes. The District Council will investigate all cases of alleged fraudulent use and the information you have provided may be used in conducting these investigations. The personal

information you provide may be checked with other agencies/organisations. If consent to these arrangements is not given your application will NOT be processed.

Signature of application _____

Date of application _____

Typical signs for road closures and diversions



Small Events (i.e. Street Parties)

Small events such as street parties are a traditional part of community life; they are a simple way for us to get to know our neighbours and meet members of our community.

In order to be considered a 'small event', the event must: (please note this list is not exhaustive)

1. Be held on minor residential roads eg cul-de-sacs or side streets.
2. The proposed road to be closed must not have a bus route along it.
3. Not have a car park located on it or a car park which is accessed via the road to be closed (other than a car park for residents' of the road)
4. Not be publicised for the general public and therefore will not draw in people from the wider area.
5. Be an event which would apply to the residents of one or two streets only and not to larger areas of the district/borough/city. It is up to the relevant authority to consider factors such as the proposed attendance figures etc when making its decision on whether to grant an Order.
6. Finish by 11pm.
7. Not have a stage built from which entertainment would be provided.
8. Not have amplified entertainment which may cause nuisance to the wider area.
9. Not have fireworks, pyrotechnics or bonfires on the street.

10. Not have alcohol or food **sold** at the event.

The person submitting the application may be held responsible for any costs arising from the event, e.g. clearing up, damage to street furniture or road surfaces etc.

The District Council may decide that it will not require promoters to take out public liability insurance for your event. However, it is strongly recommended that promoters do so.

The promoter should be aware of the following requirements:

1. The promoter of the event must submit an application to the District Council.
2. The event must be organised in such a way that access for pedestrians and essential vehicles can be maintained.
3. That it is strongly recommended that promoters consult with local residents and businesses that may be affected by the holding of the event, prior to submitting the application. A copy of any letter or flyer sent, along with a list of those notified and copies of their responses should be submitted with the application form. If local residents and businesses object, the relevant authority will require that the promoter contact them to deal with any issues raised. In the event that issues remain unresolved, the District Council may decide not to make the order to hold the event.
4. That throughout the duration of the event the promoter is responsible for ensuring that the areas affected by the holding of the event are, so far as is reasonably practicable, kept free from rubbish and litter at all times. When the event finishes the promoter is responsible for ensuring that the roads are left clear of litter and in a clean and tidy condition to the satisfaction of the District Council.

5. Where a public road is to be closed to traffic it shall be clearly defined by means of a “**ROAD CLOSED**” sign, as shown in Appendix 4, supported by means of a trestle or suitable half barrier on the road. Diversion signs may also be required.
6. Any barrier to be placed on the road shall have alternate red and white bands approximately 600mm in width. Where these are to remain in place during lighting-up times the offside extremity of each barrier/trestle shall be lit by an approved road works lamp.
7. All signs and barriers shall be adequately weighted to prevent them from being blown over or dislodged.
8. All signing and other physical obstructions on the road shall be erected and removed, along with any debris on the street/road, at the times specified in the notice and subsequently detailed in the order. Failure to do so will render the promoter liable to charge for cleaning the road or even to prosecution for failing to do so or for obstructing the road.

Promoters should note that all proposals to hold special events on roads closures must be advertised by way of notice, in at least one local newspaper (or community paper) circulating in the district in which the road is situated. A relevant authority may, at its discretion, impose a charge/recoup fees incurred in the processing of any application. If there are a number of celebrations eg. national celebrations, which are occurring at the same time, where possible, a District Council will incorporate it into one notice and publish the notice accordingly.

The promoter must be available at all times during the event.

Report on	Enabling Legislation - Delegated Powers
Date of Meeting	8 October 2019
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 Enabling Legislation and make appropriate arrangements for legislative provision going forward in the event of this jurisdiction leaving the European Union.
2.0	Background
2.1	The European Union (Withdrawal) Act 2018 as amended is the enabling legislation which has been introduced into law to facilitate the UK to leave the European Union . The Regulatory Framework is wide ranging and incorporates among others Food , Environment and Consumer Goods . Central Government are currently preparing transitional arrangements to operate alongside the relevant regulatory frameworks in order to facilitate this process.
3.0	Main Report
3.1	<p>EU Exit Enabling Legislation</p> <p>As members are aware the position regarding the potential exit from the European Union trade bloc and the timing of such is still uncertain. A number of Government Departments have increased their efforts in recent weeks to engage with local businesses in this regard. In the agriculture and food manufacturer sector, DAERA and the Food Standards Agency have been working closely with local businesses to ensure that appropriate arrangements have been made. Council Environmental Health staff have been fully engaged in this process.</p> <p>In the event of exit from the European Union the current EU Food and Feed legislation in their consolidated version will be incorporated into local legislation on exit day .</p> <p>Central Government have established the Office for Product Safety and Standards (OPSS) which has been put in place to assist those businesses who trade with European Union to make the necessary preparations to enable trade to continue in a post Brexit arena.</p>

3.2	<p>Statutory Instruments</p> <p>We are advised that there a number of Statutory Instruments (SIs) which are currently being prepared to address these matters . In the field of food control these will relate to food and food control , labelling , hygiene and export certification . Similar Statutory Instruments (Sis) will be prepared for all other areas of commerce which will be affected .</p>
3.3	<p>European Union (Withdrawal) Act 2018 as amended</p> <p>At the point of exit from the European Union, the European Communities Act 1972 will be revoked. The European Union (Withdrawal) Act 2018 as amended will take effect alongside any relevant Statutory Instruments that have been put in place .</p> <p>Environmental Health and Building Control officers are currently authorised for the enforcement of all Regulations made under the European Communities Act 1972. Going forward officers will require revised authorisations to enable them to continue to undertake their duties and support local businesses in their day to day commercial activity.</p> <p>It is clear that there will be more revisions to the legislative framework as this process goes forward. In the interim I would seek members approval for delegated authority to authorise Environmental Health and Building Control staff under the European Union (Withdrawal) Act 2018 as amended and any associated Statutory Instrument for this purpose .</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: Provide necessary authorisation of regulatory services
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	That members note the content of this report and authorise the Director of Public Health & Infrastructure to exercise Delegated Authority for the authorisation and administration of staff and relevant functions under the European Union (Withdrawal) Act 2018 as amended and any associated Statutory Instrument for this purpose .
6.0	Documents Attached & References
	None

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 10 September 2019 in Council Offices, Burn Road,
Cookstown**

Members Present

Councillor Buchanan, Chair

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

**Officers in
Attendance**

Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr McAdoo, Head of Environmental Services
Mrs McClements, Head of Environmental Health
Mr McNeill, Technical Services Manager
Mr Scullion, Head of Property Services
Mr Wilkinson, Head of Building Control
Miss Thompson, Democratic Services Officer

**Others in
Attendance**

**Agenda Item 4 – Royal College of Occupational
Therapists**

Ms Lesslar, Northern Ireland Policy Officer, Royal College
of Occupational Therapists
Ms O’Loan, Royal College of Occupational Therapists
Board: Northern Ireland Chair
Ms Sharkey, Secretary to Northern Ireland Policy Officer
and Board

The meeting commenced at 7.00 pm

E177/19 Apologies

Councillor O’Neill.

E178/19 Declarations of Interest

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

Councillor S McGuigan declared an interest in agenda item 19 – Entertainment Licensing Applications – Killeeshil Community Centre.

E179/19 Chair’s Business

Councillor Cuthbertson referred to request he made in June for a paper to come to Committee in relation to training more officers who can issue fines for dog fouling. The Councillor stated that he realised there was a paper tonight which was for information but that he had requested in June that a paper be brought for decision.

The Director of Public Health and Infrastructure stated that the Committee can go through the paper brought tonight in greater detail later in the meeting.

Councillor Cuthbertson stated that it was his belief that all buildings should have a defibrillator and requested that the President Grant Homestead at Dergenagh should have a defibrillator sited on the outside wall of the building.

The Director of Public Health and Infrastructure stated that the request could be noted and considered.

The Head of Environmental Health stated that the NI Ambulance Service mapped where defibrillators are sited and that they would assess the area for need upon receiving a request.

Councillor Graham stated that a defibrillator is to be sited in a phone box on Dergenagh Road, which is close to the President Grant Homestead, and there would be no need for two defibrillators in such close proximity.

Councillor Cuthbertson again stated it was his belief that all buildings should have a defibrillator and that Council should be taking a lead.

Councillor McGinley stated he was unclear in the request being made in that Councillor Cuthbertson was stating that all buildings should have a defibrillator and then he seemed to be picking one location.

The Director of Public Health and Infrastructure stated that there was a working group in relation to defibrillators and it may be useful for a paper to come back to Committee advising where defibrillators are located in the District.

Councillor Cuthbertson stated he was happy to change his proposal to state that all Council facilities should have a defibrillator and that this should be Council policy.

The Director of Public Health and Infrastructure stated Councillor Cuthbertson's proposal may require a Council Motion.

Councillor Cuthbertson stated he was happy to bring a Council Motion however at the Council meeting it would likely be said that the matter should be referred to the Environment Committee.

Councillor McGinley asked if a report could be brought back to the Committee which explored the potential of siting a defibrillator at all Council facilities.

Councillor Cuthbertson stated that if there was agreement that the matter could proceed without the need for a Council Motion then he would propose that a report be brought back to Committee in relation to siting a defibrillator at all Council facilities. The Councillor requested that the report coming back to Committee should be for decision.

Councillor McGinley seconded Councillor Cuthbertson's proposal.

Resolved That it be recommended to Council that a report be brought back to Committee which explored the potential of siting a defibrillator at all Council facilities. This report should be for decision.

Councillor Burton referred to the work of the Cormac McAnallen Trust which offer free defibrillators and training and that it was an option for Council to investigate.

Councillor McAleer stated that a lot of community groups already have defibrillators and there was a need to check for duplication. Councillor McAleer stated she sat on the COSTA board which meets at the President Grant Homestead and she would raise the matter of siting a defibrillator at the Homestead at the next COSTA meeting.

Councillor McGinley referred to the Fire College at Desertcreat which had opened today and asked if Council had been represented at the opening and if so, who went. The Councillor expressed disappointment that a number of key people had not received an invitation to the event.

Councillor Wilson stated he became aware of the opening of the Fire College last week and had contacted Council officers in relation to same. Councillor Wilson stated that the Chair may have received an invite but that there was nothing further down the line. Councillor Wilson referred to previous meeting with the Fire Service in relation to the College in which the Fire Service spoke of working in partnership with Council but had then gone ahead with their event today and ignored Council.

The Director of Public Health and Infrastructure stated that officers were not aware of the event and had not been invited but would look into the concerns raised by Members.

Councillor McGinley requested that if it is found that invites to the event were limited that a letter be sent to the Fire Service expressing Council's disappointment.

Councillor Wilson stated that he intended to raise the matter again on Thursday at the Development Committee and would ask at that meeting that a letter be sent from Council.

Councillor McGinley stated he would withdraw his request as long as a letter was sent from Council to the Fire Service.

E180/19 Deputation – Royal College of Occupational Therapists

The Chair, Councillor Buchanan advised that the representatives from Royal College of Occupational Therapists had not yet arrived and that the Committee should proceed through the order of agenda and return to this item later.

Matters for Decision

E181/19 Proposed No Waiting at Any Time at Greenvale Park, Magherafelt

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed No Waiting at Any Time at Greenvale Park, Magherafelt.

Proposed by Councillor Cuthbertson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed No Waiting at Any Time at Greenvale Park, Magherafelt.

E182/19 Proposed No Waiting at Any Time – Moy Road, Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed No Waiting at Any Time at Moy Road, Dungannon.

Proposed by Councillor Cuthbertson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed No Waiting at Any Time at Moy Road, Dungannon.

E183/19 Proposed Removal of a Double Set of Speed Cushions, Killyman Road, Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed removal of a double set of speed cushions, Killyman Road, Dungannon.

Proposed by Councillor Cuthbertson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed removal of a double set of speed cushions at Killyman Road, Dungannon.

E184/19 NI Water Refillution Campaign

The Director of Environment and Property presented previously circulated report which sought approval for Council to participate in the NI Water Refillution campaign.

Councillor McGinley proposed the recommendation as per the officer report and stated that Council should be getting behind this type of campaign. Councillor McGinley asked if there had ever been a similar type of campaign undertaken with Council staff to encourage them to switch to reusable plastic bottles.

The Director of Environment and Property stated that reusable bottles have been issued through the Schools Programme however he took on board the Member's comments in relation to Council staff.

Councillor McGinley further proposed that an in house campaign in relation to promoting reusable bottles be undertaken for Council staff.

Councillor McAleer seconded Councillor McGinley's proposal.

Resolved That it be recommended to Council to support NI Water's Refillution campaign as outlined in report and that a similar campaign be carried out in house for Council staff.

Return to item

E180/19 Deputation – Royal College of Occupational Therapists

The Chair welcomed representatives from the Royal College of Occupational Therapists to the meeting and invited them to make their presentation.

Ms Lesslar outlined what Occupational Therapy was and that the Royal College of Occupational Therapists is the professional body for Occupational Therapy and represents over 33,000 Occupational Therapists across the UK. Ms Lesslar outlined how Occupational Therapy can assist with the delivery of Council's Community Plan and also how Council can support Occupational Therapy.

Councillor McAleer stated that Occupational Therapy can play a big part and that their input from the beginning can make a difference. The Councillor stated that Occupational Therapists based at GP surgeries would be good and referred to the current small number of carers who are not trained in the use of a hoist and therefore it cannot be used. Councillor McAleer felt that Council are forward thinking and referred to the recent changing places scheme at Knockmany. Councillor McAleer also referred to the high suicide rate in the Mid Ulster area and that Occupational Therapy have a role in helping to reduce this number.

Ms Lesslar stated that there are Occupational Therapists within schools and that they are becoming more aware of the issues. Ms Lesslar stated that Occupational Therapy has a role in work frailty and that more support could be given in the home. Ms Lesslar also referred to Bilbao, Spain which is a good example of how accessibility can be improved in towns and cities.

Councillor Cuthbertson asked what the timeframe is for referral to Occupational Therapy.

Ms O'Loan stated that the timeframe depends on the Trust and the service required but that it can be up to 18 months.

Ms Lesslar stated that the new Councils are now established and Community Plans are in place and there was now an opportunity to look at how Councils and Occupational Therapy can work together.

The Chair, Councillor Buchanan asked where training is given for Occupational Therapy.

Ms Lesslar advised that Ulster University is the only place in Northern Ireland where training is provided, that there were other providers in the Republic of Ireland and across the UK.

Ms O'Loan stated the majority of those trained in Northern Ireland will stay in Northern Ireland once qualified.

The Chair thanked the representatives from the Royal College of Occupational Therapists for their presentation.

Ms O'Loan thanked the Committee for the opportunity to present to them and stated that this was the first Council who had accepted their request to make a presentation. The representatives then withdrew from the meeting.

Councillor Burton stated that the former Council used to have a scheme in which someone who, for example, had had a stroke or heart attack for can get access to council facilities such as the gym or swimming pool. The Councillor asked if this scheme was still in place.

The Director of Public Health and Infrastructure advised that the GP referral scheme was still in operation.

Councillor Cuthbertson referred to the forthcoming meeting between Council and medical services and that tonight's discussion could be shared in that forum.

E185/19 The Roads Miscellaneous Provisions Act (NI) 2010

The Head of Environmental Health presented previously circulated report which sought determination on two road closure applications in connection with special events that are being held in September and October 2019.

Councillor McNamee referred to workshop held in relation to this legislation and comment from PSNI at that meeting in which they stated they would take organisers to court if an event was held without a road closure order being in place.

The Head of Environmental Health stated that if an event is being held that requires a road closure then the event organiser needs to apply for a road closure order. The officer stated that Council only has an admin function in relation to this legislation and that the Police are the enforcement body.

The Director of Public Health and Infrastructure advised that a paper would be brought to Committee in the near future outlining proposals for a possible revision and streamlining of the application process.

Councillor S McGuigan stated he still had concerns on the process and that PSNI are giving conflicting views as he was aware they had informed an event organiser to go ahead without making an application for a road closure and that they would not take any action. Councillor S McGuigan stated there was no clarity on whether an application was needed.

The Head of Environmental Health stated that there is a standard approach to applications from all 11 Councils, the only difference being how long it takes to be processed as some have delegated powers to issue the road closure order without the need for it to be brought to Committee.

Councillor S McGuigan stated his issue was not related to how long the process takes but if it needed to be gone through at all.

The Head of Environmental Health stated again that Council's role is administrative and if an application is submitted then it will be processed. If an event is held on a road without the necessary application being made then it is up to the Police to enforce.

The Director of Public Health and Infrastructure advised that it is ultimately a matter for the event organiser to satisfy themselves and their insurers as to whether they need to make an application for their event.

Councillor McFlynn stated that whilst there were grey areas she agreed that it was up to event organisers to ensure that an application is made if required.

Councillor McAleer asked how those who are organising event would be aware of what is required.

The Director of Public Health and Infrastructure advised that information and guidance is available and that the Police had indicated they would be willing to come to a meeting to provide advice on the legislation and when an application needed to be made for an event.

Councillors McNamee and S McGuigan stated there was still uncertainty amongst event organisers and that the wording of guidance was unclear.

The Head of Environmental Health stated it was up to event organisers to submit an application if it is felt required.

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan and

- Resolved** That it be recommended to Council to agree to the issue of a Road Closure Order as specified under the Roads Miscellaneous Provisions Act (NI) 2010 for –
- (I) 'The School Run 19' on Saturday 28 September 2019 – The Order is to temporarily restrict all vehicular traffic using the following roads on Saturday 28 September 2019 between the hours of 10.15 and 13.00:
- Mountjoy Road, Brocagh from St Brigid's Primary School to its junction with Ballygittle Road
 - Ballygittle Road, Brocagh from its junction with Mountjoy Road to its junction with Lisclare Road
 - Lisclare Road, Brocagh from its junction with Ballygittle Road to its junction with Mountjoy Road
 - Coole Road, Brocagh, Coalisland

- Washingbay Road, Brocagh, from its junction with Coole Road to its junction with Doon Avenue
 - Doon Avenue, Brocagh from its junction with Washingbay Road to its junction with Ballybeg Road
 - Ballybeg Road, Brocagh from its junction with Doon Avenue to its junction with Mountjoy Road
- (II) 'The Fergal 10 Miler' on Saturday 19 October 2019 – The Order is to temporarily prohibit or restrict all vehicular traffic using the following roads on Saturday 19 October 2019 between the hours of 12.00 and 14.30:
- Broughderg Road from its junction with Keerin Road to its junction with Blackrock Road and Sixtowns Road.
 - Blackrock Road from its junction with Broughderg Road to its junction with Davagh Road.
 - Davagh Road from its junction with the Davagh Forest to its junction with the Broughderg Road

E186/19 Consultation Paper – Draft NI Animal Health and Welfare Strategic Framework

The Head of Environmental Health presented previously circulated report which sought views on the NI Animal Health and Welfare Strategic Framework. The report also contained proposed Council response to the consultation.

Councillor Glasgow stated he welcomed the consultation and the response outlined in report but would have some additional comments –

- To welcome that current standards should not be increased.
- That gaps in policy should be identified (use of previously discussed example in relation to goats).
- To welcome that the consultation has looked at the reliance of the livestock industry in Northern Ireland.
- To welcome investigations into the source of bovine TB.

The Head of Environmental Health stated she would incorporate the Councillor's comments into the response and recirculate to Members.

Proposed by Councillor Brown
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to respond to the consultation on Draft NI Animal Health and Welfare Strategic Framework as set out at appendix 2 of report with additional commentary to be included in relation to identifying gaps in policies, looking at the source of bovine TB, the reliance of the livestock industry in Northern Ireland and that current standards should not be increased. Revised response to consultation to be forwarded to Members.

E187/19 Street Naming and Property Numbering

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

Site off Gallion Heights, Moneymore

Proposed by Councillor Wilson
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to name development off Gallion Heights, Moneymore as Gallion Close.

Site off Coleraine Road, Maghera

Proposed by Councillor B McGuigan
Seconded by Councillor Brown and

Resolved That it be recommended to Council to name development off Coleraine Road, Maghera as Blackberry Hill.

Site off Castledawson Road, Magherafelt

Proposed by Councillor Totten
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to name development off Castledawson Road, Magherafelt as Ardpatrik Business Park.

E188/19 Entertainment Licensing – DfC Correspondence

The Head of Building Control presented previously circulated report which set out correspondence received from Department for Communities regarding issues relating to Entertainment Licensing.

Proposed by Councillor Wilson
Seconded by Councillor Brown and

Resolved That it be recommended to Council that the current arrangements are suitable and to approve the response as detailed at appendix 2 of report.

Matters for Information

E189/19 Minutes of Environment Committee held on 1 July 2019

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

Councillor McNamee referred to meeting which was to be organised with PSNI in relation to damage to dual language signage and asked if there was a date arranged for this meeting.

The Director of Environment and Property advised that there had been difficulty in securing a date for this meeting but that he would follow up on the matter.

Councillor McNamee stated that the PSNI needed to be made aware of ongoing incidents.

The Director of Environment and Property that incidents have been reported to the Police and areas are being monitored.

E190/19 Environmental Health Department Food Service Plan for 2019/20

Members noted previously circulated report which set out the Environmental Health Food Service Plan for 2019/20.

The Director of Public Health and Infrastructure advised of correspondence from Food Standards Agency in relation to funding to Councils for EU Exit preparations. The Director advised that the Food Standards Agency have offered £97,460 for this financial year (2019/20) and that this funding is to be ring fenced for food safety delivery functions. The Director advised that this was a good news story and that officers will confirm they wish to draw down this funding.

Councillor Buchanan asked if extra staff would be required for preparations of UK leaving the EU.

The Director of Public Health and Infrastructure advised that officers were looking at how to best manage resources and whether this would require staff to be moved or getting additional staff.

In response to Councillor S McGuigan the Director of Public Health and Infrastructure advised that if measures were brought in quickly and at short notice then there would be a significant impact on local businesses and whilst Council would fulfil its requirements there may be gaps.

In response to Councillor McGinley the Director of Public Health and Infrastructure advised that the information brought tonight in relation to funding would be fed into the Council's Brexit working group.

E191/19 Award Winning Tooth Whitening Awareness Project

Members noted previously circulated report which advised about a recent project undertaken by the Environmental Health Service at Mid Ulster District Council in collaboration with the other 10 District Councils, the Department for Economy, and the Trading Standards Service for Northern Ireland, supported by the General Dental Council. The project highlighted the dangers of illegal tooth whitening.

E192/19 Litter and Dog Fouling Update

Members noted previously circulated report which provided update on the steps taken to deal with dog fouling and litter issues across the District.

In respect of earlier discussion in relation to the number of staff authorised to issue fixed penalty notices, the Head of Environmental Health advised that Environmental Health staff are currently authorised whilst other officers, such as park wardens, can record and provide the information needed to these officers to enable a fixed penalty to be issued. The officer advised that officers who observe littering or a person

allowing a dog to foul will collate information in order to pass to DVLA with a view to getting details related to vehicle registrations, Members were advised that if there is any information missing then DVLA will not give out the information, additionally, there are only two people in DVLA allowed to release the information. The Head of Environmental Health referred to two recent successful prosecutions and that these were achieved through information provided by officers outside of Environmental Health.

The Director of Public Health and Infrastructure stated that there was stringent data protection measures in place in relation to the information provided by DVLA and that this is strictly audited.

Councillor Cuthbertson stated that at the June meeting he had requested that a report be brought back to Committee which explored the possibility of increasing the number of officers authorised to issue fixed penalty notices and that tonight's report did not address this. The Councillor stated that he felt the current system was not working and asked if it was possible to increase the number of officers who can authorise fixed penalty notices. Councillor Cuthbertson also asked how many fixed penalty notices had been issued since the inception of Mid Ulster District Council.

The Head of Environmental Health advised that park wardens have books for recording details of littering which can be brought to the attention of Environmental Health Officers to progress therefore the outcome is the same even though the park wardens are not authorised. The Head of Environmental Health also highlighted that Environmental Health officers cannot issue on the spot fines which is not necessarily a disadvantage as the relevant information can be obtained through car registrations.

Councillor Cuthbertson asked if it was the case that unless littering is thrown from a car or a dog is put into a car following a walk then the offenders details cannot be traced.

The Head of Environmental Health stated that the DVLA require an offence to be witnessed by an officer or through information supplied through a public witness statement and that there needed to be enough evidence to take a matter to Court if required.

Councillor Cuthbertson asked if Council staff were at liberty to watch an offender going into a house. The Councillor also asked if there was no possibility of increasing the number of authorised staff as he felt it would be a good news story.

The Head of Environmental Health advised that all Environmental Health staff were authorised and that recording of details was possible in parks therefore the outcome is the same whether officers are authorised or not. The officer advised that staff could watch an offender entering a house in order to gain evidence.

Councillor Glasgow stated that although it was a good sign that the monitoring trials did not catch any offenders although evidence of historical dog foul was found he did not agree with the times the monitoring was carried out. The Councillor stated that there is a dog fouling issue and suggested that another two areas be trialled for monitoring in April and that this would send a message to the public that Council is taking the matter seriously.

E193/19 Drinking Water Quality Report for Northern Ireland 2018 – Mid Ulster District Council

Members noted previously circulated report which set out the Drinking water Quality Report for Northern Ireland 2018 – Mid Ulster District Council.

E194/19 Building Control Workload

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

E195/19 Entertainment Licensing Applications

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

E196/19 Dual Language Signage Requests

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

E197/19 Dual Language Signage Surveys

Members noted previously circulated report which advised on the results of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage nameplate requests. Where more than 51% of occupiers that respond indicate that they are in favour of the erection of Dual Language Signage, nameplates will be erected. Where less than 51% of occupiers that responded indicate that they were not in favour of the erection of a Dual Language street nameplate, then the Dual Language nameplate will not be approved or erected.

E198/19 Eco Speak Competition 2019

Members noted previously circulated report which provided update on the annual Eco Speak Competition for Mid Ulster Primary Schools.

E199/19 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for January to March 2019

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for Quarter four of 2019/20, January to March 2019.

E200/19 Maghera Walled Garden Green Flag Award 2019

Members noted previously circulated report which highlighted the recent success at the Green Flag Awards for Maghera Walled Garden.

Councillor B McGuigan commended staff on applying for and achieving the Green Flag Award for Maghera Walled Garden. The Councillor stated it was a great facility which is getting good feedback.

E201/19 Energy Management Update

Members noted previously circulated report which provided update on Energy Management Certification for eligible properties owned by Council.

E202/19 RHS Britain in Bloom Awards

Members noted previously circulated report which advised of the RHS Britain in Bloom Awards being held in London on 25 October 2019.

E203/19 Cemetery Memorial Safety Programme Update

Members noted previously circulated report which advised on Council's Memorial Safety programme in Council's Cemeteries.

Councillor McGinley referred to the Old Cross Graveyard at Ardboe and that there was growing concern in relation to the gates into this graveyard which are currently being tied together with rope and also a number of headstones which are resting against a boundary wall as they are unstable.

The Head of Property Services took on board the Councillors comments and stated that the concern in relation to the gates and headstones would be investigated and that, in relation to the headstones the typical approach is to dig the headstone into the ground or to lay it flat which then removes the stability issue.

Councillor Burton referred to grass cutting in graveyards and in particular at Carnteel, the Councillor stated she had been advised that there seemed to be a long period of time between grass cuttings at this graveyard. The Councillor also asked if contractors were supposed to lift the grass that is cut.

The Head of Property Services stated that contractors do not lift the grass cut in graveyards but that he would look at the concern raised in relation to cutting and frequency of cutting at Carnteel.

Councillor Burton stated that when the grass cutting was done in house it was of a better standard.

Councillor Glasgow stated that when the grass is left to grow it then takes longer for it to rot away if it is not collected.

Councillor B McGuigan stated he had also received complaints regarding grass cutting in graveyards in his area.

The Head of Property Services stated that the issues raised tonight would be investigated. The officer advised that a tender is currently being prepared for grass cutting for next year.

E204/19 Update Report on Monolingual Road Nameplates

Members noted previously circulated report which provided update on the condition status of monolingual road nameplates across the district and associated repair costs following the annual summer survey.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan 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 E205/19 to E215/19.

Matters for Decision

E205/19	Entertainment Licensing – Tomney’s Bar
E206/19	Application for the Variation of a Stationary Street Trading Licence
E207/19	Tender for collection, processing and recycling of rubble/hardcore
E208/19	Contracts for Garden Waste and Paints
E209/19	Recycling Centres – Environmental Compliance
E210/19	Update Report on Crematorium Project
E211/19	Tender Report – Appointment of a Vehicle Supplier
E212/19	Extension of Third Party Contractors

Matters for Information

E213/19	Confidential Minutes of Environment Committee held on 1 July 2019
E214/19	Capital Projects Update
E215/19	Off Street Car Parking: Quarter 1 2018/2020

E216/19 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.48 pm.

CHAIR _____

DATE _____

Report on	KNIB Cleaner Neighbourhoods Survey/Report 2018/19
Date of Meeting	8 th October 2019
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 KNIB Cleaner Neighbourhoods Survey/Report.
2.0	Background
2.1	<p>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.</p> <p>The Cleaner Neighbourhoods Report for 2018/19 was published by KNIB on 26th June. This report is based on a number of sources: the litter and cleanliness data comes from a survey of 1,100 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</p>
3.0	Main Report
3.1	<p>A full copy of the report is included as an appendix however a summary of the key findings/issues for Mid Ulster District Council are as follows:</p> <p><u>Cleansing spend vs Cleanliness</u> – the Council's cleanliness index (LEAMS) score has remained static (at 72) compared with the previous year, however this remains above the N Ireland score (of 71) with only two other Councils scoring higher. Expenditure per head of population (at £10.39/head) was the second lowest in N Ireland and considerably lower than the N Ireland average figure of (£18.09/head).</p> <p><u>Fixed penalties</u> – the report highlights that Mid Ulster District Council issued the lowest number of fixed penalty notices (FPNs) for littering and dog fouling of all eleven Councils (10 No. compared to an average of 288 No. for all of N Ireland)</p>

	<p><u>Sweeping obstructions</u> – the report identifies an increase in the average percentage of each transect that a mechanical sweeper would not be able to access in the area (26% compared to N Ireland average of 25%). This analysis is based on the ability of standard sized sweepers to access the kerb and channel and for the smaller single person operated versions to travel along the pavement.</p> <p><u>Eco Schools Green Flags</u> – the report highlights that Mid Ulster District has both the highest number of schools that hold a Green Flag (41 No.) and the highest percentage of schools (32.8%) that are Green Flag in all of Northern Ireland.</p> <p>The findings and recommendations from this report will be used to inform and support the work of the Councils cross-departmental working group on litter.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: None
	Risk Management: The report identifies that rural areas are disproportionately affected by littering.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members are asked to note the contents of this report and results of the survey.
6.0	Documents Attached & References
6.1	KNIB Cleaner Neighbourhoods Report 2018-19

Cleaner Neighbourhoods Report 2018/19



**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 2018-2019

20% The number of transects failing to meet the accepted standard for litter has increased to **20%** from 15% in 2017/18

10% Transects with dog fouling has increased by **4%** to 10%, compared with last year



295  schools that have earned the right to fly a Green Flag, **26%** of all schools in the country

7% of transects surveyed were completely **free of litter**, (Grade A) down from **12%** last year

25% The spend on street cleaning services has gone down **25%** to **£33,576,111**

625

In 2018, there were an average of **625** litter items washed up by the tide per **100m** of Northern Irish beach, of which **78%** were plastic

2,902

Fixed Penalties were issued for **littering** during 2017-18



(the last complete year for which records are available, down from 3,158 in 16/17)

25% of the operational time accrued by a mechanical sweeping machine is wasted because **obstructions prevent them from reaching the curb or pavement backline**



167
Adopt A Spot

Groups have **adopted a spot** in their local area, committing to undertake four clean ups per year



347 

Fixed Penalties were issued for failing to clean up dog fouling during 2017-18

(the last complete year for which records are available, and increase of 25% from 2016/17)

Foreword

Welcome to the Keep Northern Ireland Beautiful Cleaner Neighbourhoods Report, which has been written by our new Local Environmental Quality team.

They have arrived at a time when the littering and dog fouling problem seems to be worsening, despite unavoidable awareness of its serious impacts on the quality of life we enjoy and the health of our beautiful environment. Let's not forget that 80% of litter in the sea has been dropped on the land. So it messes up our lives when it is in front of us and it continues doing just that after it has passed from sight.

This is a sad indictment of our attitude towards struggling wildlife and towards communities that have to live with the effects of littering, dog fouling and other environmental incivilities. One in every four people still publicly admits to littering. No wonder our streets are strewn with single use cups, bottles, fast food packaging and sweet wrappers. This state of affairs presents a serious challenge to the way we try and engage with people to change their behaviour.

There is some good news: among the councils a few look like they have met with some success to buck the overall trend; Eco-Schools has more Green Flag schools than ever before; and, the Live Here Love Here initiative continues to grow, creating a movement of people who actively care about their community and are beginning to challenge the apathetic status quo.

All of us say we want better for ourselves, our children and our children's children. If we are serious about securing such a future, then we must deliver a scale of change never achieved before. That will require more than any one of us can achieve alone. It will require us being willing to invest more in prevention (and less in clean-up), to work differently, to choose new messengers, to bring about committed practical action and to empower communities so they can bring about the changes they want to see.

I hope you use this report to reflect on your own organisation's approaches to this appalling and complex issue and look forward to discussing with you how we can work together to instil new societal norms that really do protect nature and raise the quality of life for all our citizens.

Dr Ian Humphreys

CHIEF EXECUTIVE,
KEEP NORTHERN IRELAND BEAUTIFUL



Executive summary

Keep Northern Ireland Beautiful is an independent charity which works with the Department for Agriculture, Environment and Rural Affairs (DAERA), local Councils, businesses and people to assist in improving our local environmental quality and increasing the quality of the environment in 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 100,000 supporters in 2018. We also manage the Eco-Schools environmental education programme which is in every school in Northern Ireland and the marine litter survey, which can be viewed and downloaded at: www.KeepNorthernIrelandBeautiful.org/marinelitter

We have also recently begun working on Single Use Plastics (funded by DAERA). A key strand of this work has been the commission of a Waste Composition Analysis across Northern Ireland in order to understand which products and brands are disposed of on our streets and public places and also to understand current levels of action and potential problems and solutions from the perspective of the General public, Councils, Businesses and NGO's. This report will be out shortly.

The Cleaner Neighbourhoods report is based on a number of sources: the litter and cleanliness data comes from a survey of 1,100 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 & insights

- 20% of transects surveyed in 2018 failed to make the acceptable standard for cleanliness (Grade B- or less). This is 5% more transects failing than 2017. However in our recent surveys carried out in Spring 2019, for additional council availing of surveys, the equivalent figure is 9%, indicating a 6% improvement.
- The occurrence of dog fouling has increased to 10% of transects from 6% in 2017. However in our recent surveys carried out in Spring 2019, for additional council availing of surveys, the equivalent figure is 7%, which is not a statistically significant change. Although recreational areas had the highest percentage of transects affected at 32%, main roads had the highest fouling rate, at 1.7 per transect which is a decrease on the highest incidences last year. This is perhaps due to the cluster effect, i.e. one dog foul attracting more dog fous – one site had 6 dog poos within the

50m stretch and persistent offenders in local areas.

- Rural roads and industrial shed and retail areas are disproportionately affected by litter when compared to residential, recreational and other retail areas. Over half of rural and industrial shed transects failed with a fail rate of 56% and 58% respectively compared to primary retail transects having a fail rate of only 2%. Rural roads have to be cleaned manually and this has health and safety issues as well as being resource intensive while cleansing resources may also be focused on areas with higher footfall and greater visibility.
- Only 1% of Low Obstruction housing stock (where more than 50% of cars can pull off the road into driveways or similar) transects failed in 2018 – the best result ever. The High Obstruction housing stock (where most cars park on street) had a 14% failure rate – 1% better than last year but still high – this could be due to vehicles parked on the streets preventing sweepers from reaching the kerb in these areas.
- Obstruction to road and pavement sweeping has continued to drop by an average of 5% across all council areas on last year, increasing the amount of litter being collected by mechanical means.

- The annual spend on cleansing has decreased from £45 million in 2016/17 to £33.5 million in 2017/18. This drop in spend, if real, is highly likely to lead to increased litter and dog fouling on our streets. This may be due to a shift in what Councils included in cleansing spend previously or budgets could be significantly tighter this year. In addition the fixed penalty notices issued for litter and dog fouling have stayed similar to last year although there have been big changes within some of the council areas.

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.



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 and the places they love.

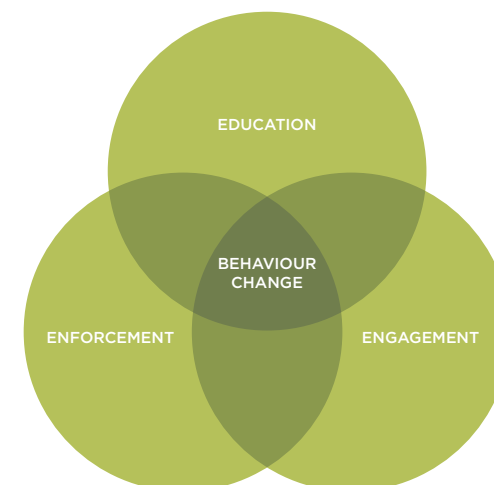
Keep Northern Ireland Beautiful provides a range of programmes, services and initiatives that include:

Education: Eco-Schools is the world's largest education programme. Focused on behaviour change, it encourages pupil-led action. Northern Ireland was the first country in the world to gain a Green Flag for one of its schools and have all its schools participating. 26% of schools currently fly the Green Flag, having reached the international standard. We also have had the first Ecocampus registered in Northern Ireland this year – Stranmillis University College – and there are likely to be more third level institutions coming on line working towards their Green Flags this year.

Volunteering: The BIG Spring Clean, a part of the Live Here Love Here Campaign, 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.

Local Environmental Quality

Standards: We audit a range of National and International Standards including Blue Flag for Beaches and Marinas; Seaside and Green Coast Awards; Green Flag for Parks, the Green Business Award and Green Key for the Hospitality Industry. We carry out surveys such as the Cleaner Neighbourhoods survey for this report, additional surveys to support local authority cleansing decision making, and the Marine Litter Surveys for OSPAR reporting. We also bring enforcement officers together at the Northern Ireland Environmental Quality Forum to support the councils working together to raise and maintain the quality of Northern Ireland public places.



For more information on our work contact:

Dr Ian Humphreys

CHIEF EXECUTIVE OFFICER

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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.

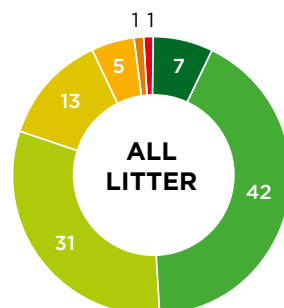
Recognising in 2012 that litter was not the only 'indicator' of the quality or cleanliness of a space, we began to monitor graffiti, flyposting and pavement staining, as well as specific information about dog fouling.

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 representative of the site at the time the surveyors visited it, so the results can be sensitive to how thoroughly or recently the site has been cleansed. This is why 1,100 surveys are completed to negate any effect this would have on the results.

The 2018/19 data was collected between July and October 2018 across Northern Ireland.

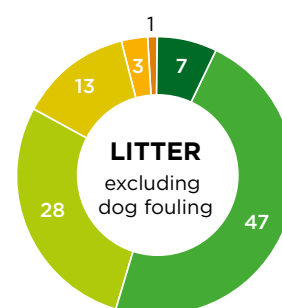
Some Councils also participate in additional seasonal surveys throughout the year in order to receive additional support and evidence to help them plan their cleansing regimes so they can target resources where they are needed and save money in cleaner areas. 20% of transects surveyed in 2018 failed to make the acceptable standard for cleanliness, 5% more than 2017. However in our recent surveys carried out in Spring 2019, for additional council availing of surveys, the equivalent figure is 9%, indicating a 6% improvement. Similarly, the occurrence of dog fouling in the Spring 2019 surveys increased by only 1% from 6% to 7% which is not a statistically significant change.

We also provide focused surveys such as our Dog Fouling Hotspot surveys with Ards and North Down Borough Council so they can trial interventions to investigate what really makes an impact.



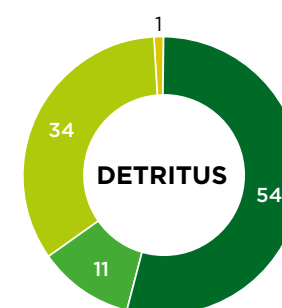
AVERAGE PASS RATE: 80%

All 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.



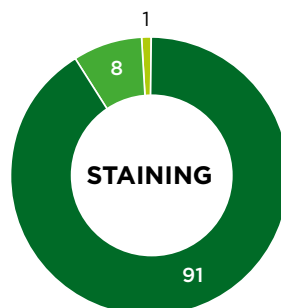
AVERAGE PASS RATE: 82%

Litter excluding 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.



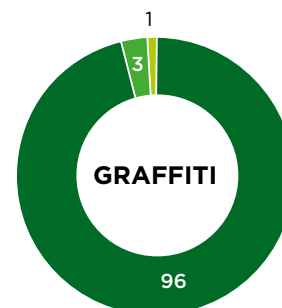
AVERAGE PASS RATE: 99%

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.



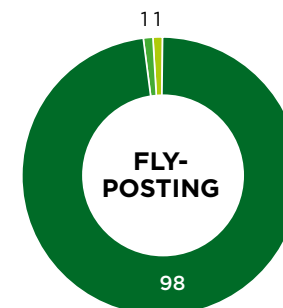
AVERAGE PASS RATE: 100%

Staining is all the substances that mark a pavement, and commonly includes chewing gum, oil, drinks stains and heavy discolouration.



AVERAGE PASS RATE: 100%

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.



AVERAGE PASS RATE: 100%

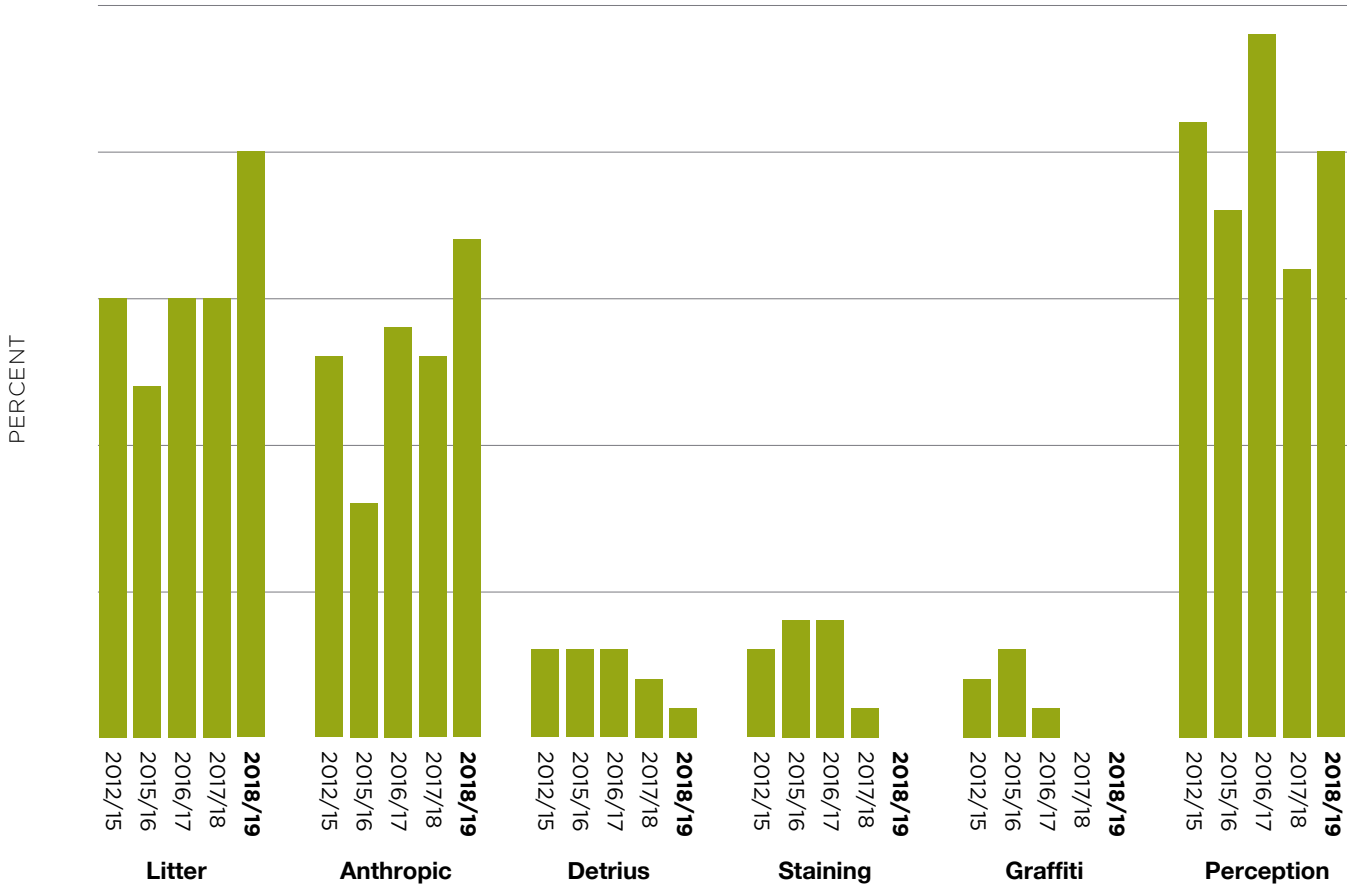
Flyposting is the placing of unauthorised advertising or posters in a public place, and includes stickers, bills and large posters.

	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 been at zero over all survey periods so it has been removed from the graph.



No sites failed for Staining, Graffiti or Flyposting in 2018.

Surveyor’s comments

“Local residents cleaning up footpath”

High obstruction street **Gracehill**

“Pristine!” Main road **Irvinestown**

“Tidiest wee town”

Secondary retail **Portglenone**

“Residents complained about lack of Council cleaning”

High obstruction street **Gracehill**

“Fly tipping of lorry wheels and tyres behind broken glass” Industrial area **Mallusk**

“Pristine area with beautiful views” Low obstructions street **Derry**

“Hedge line full of litter”

Main road **Ballysillan**

“Absolutely disgusting”

Industrial area **Mallusk**

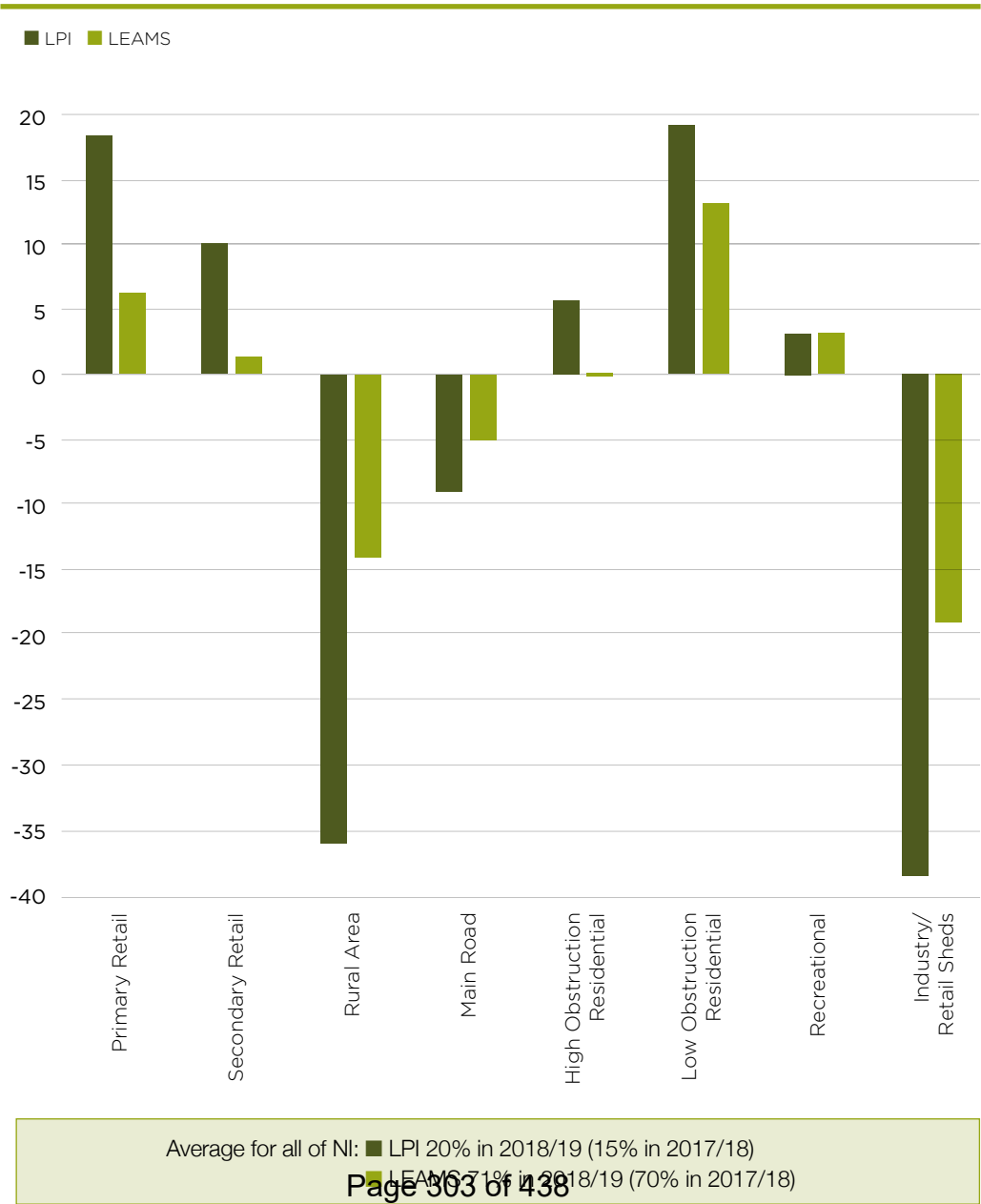
“There was dog poo right beside the bin!”

Public Park **Holywood**

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 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-use types are in terms of both the Litter Pollution Index and the LEAMS score, relative to the mean for each system.

If we look at primary retail, for example, we can see that the LPI suggests that the transects here are much cleaner than the average (+18%), whereas the LEAMS score gives a more conservative figure (+6). This indicates that although they had a much better pass rate they were not completely clear of litter. This can also be seen with Industrial and Retail shed transects as they look far dirtier than the average LPI (-38%), but with a LEAMS score 19 points below the average we can see that not all transects are failing badly. Going by the LPI scores alone, a Council looking at this information above may be tempted to equally divide their resources between Rural and Industrial and Retail shed areas as they appear to be equally dirty. The LEAMS scores however show that the Industrial and Retail Shed transects were in fact dirtier than their rural counterparts and more likely have a greater need for resources. Also they may be easier to clean with a mechanical sweeper which is not possible on a rural road.

Survey results for each Council

Litter and dog fouling in Northern Ireland

Comparing the NI Litter Survey and the Borough Cleanliness Survey results, showing the percentage of transects which fall below the required standard for litter (Litter Pollution Index), the local Environmental Audit and Management System (LEAMS) score and the percentage of transects on which dog fouling was observed across Northern Ireland.

Survey Period	LPI	LEAMS	Dog Fouling
Summer 2017 (1,100 transects)	15%	71	6%
Summer 2018 (1,100 transects)	20%	71	10%
Spring 2018 (500 transects)	21%	69	13%
Spring 2019 (500 transects)	9%	71	7%

At first glance the figures for both litter (LPI 20%) and dog fouling (10% presence) are disappointing, particularly given the very positive move towards joined up efforts to tackle this problem we all share. There are some positive points to note however. First, the more sensitive LEAMS measure of cleanliness shows no change between Summer 2017 and Summer 2018, meaning on average, Northern Ireland's streets are no more littered than last year (it is just that there is more litter/dog fouling on some transects meaning they are now failing, and equally, less litter/dog fouling on other transects). Second, a number of councils have invested in carrying out additional Surveys (through the Borough Cleanliness Survey). The LPI for these councils was also 20 in Summer 2018. However, in the Spring 2019 survey period the LPI showed a significant improvement with just 9% of transects failing to meet the required standards.

This large fluctuation may in part be down to random chance. For the 1,100 surveys that

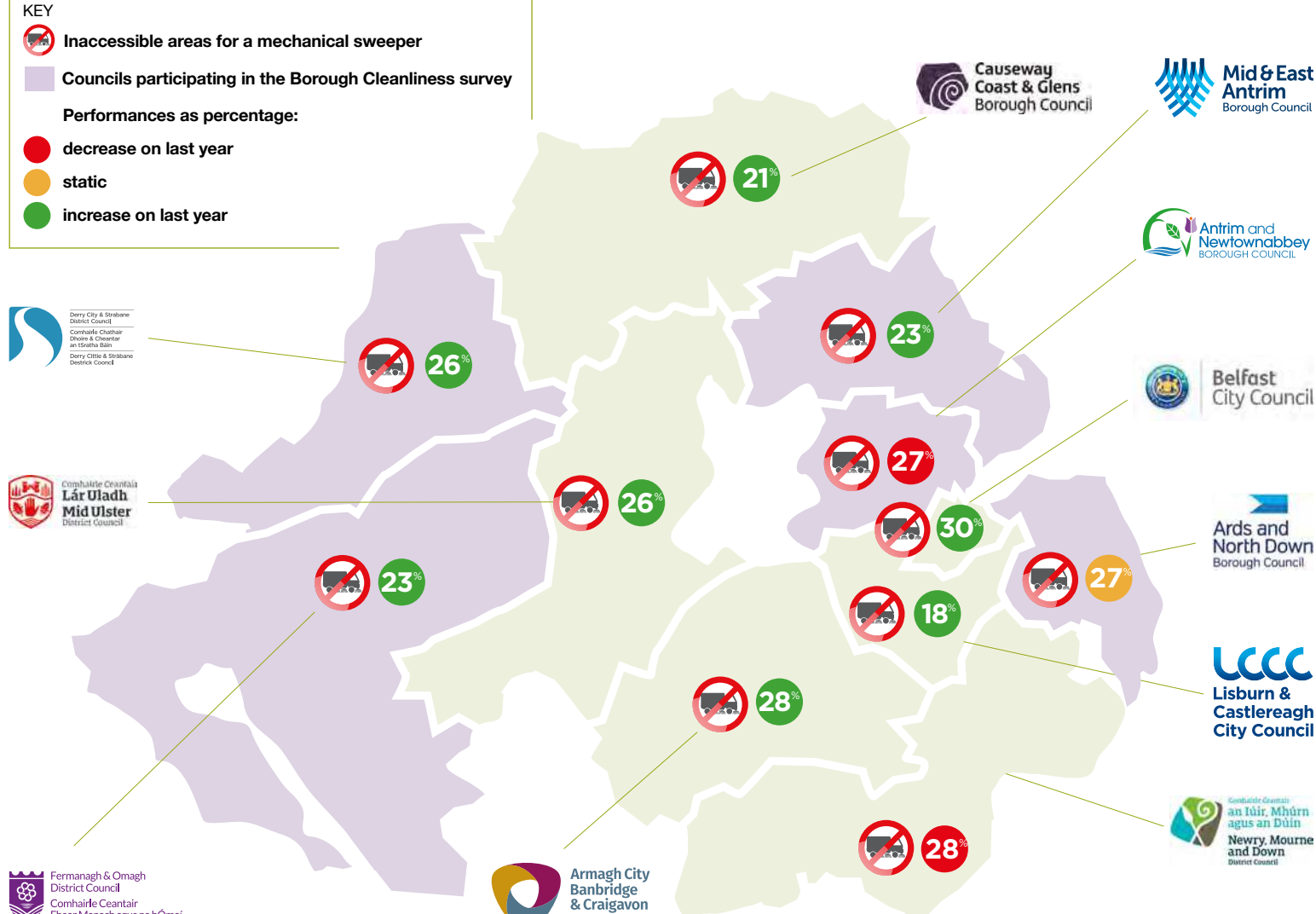
make up the NI Litter Survey any year on year change must be greater than +/-3% to be regarded as a real change. The 100 surveys that are carried out for each council as part of this survey can vary to an even greater extent before changes in reported figures are actually significant and indicative of real change. With this in mind we have not reported individual council figures in this report.

All councils participating in the Borough Cleanliness Survey can view their LPI, dog fouling and other figures through our on-line datahub. For more information on how to participate please contact us.

Across the eight different land uses there has been an increase in the rates of dog fouling with some of the land types having drastic changes from last year. 2018 figures have increased in all areas apart from primary retail which has stayed the same as last year. For the likes of recreational areas this has been the worst amount of dog fouling that has been seen in the past four years.

The two biggest areas affected by dog fouling are High Obstruction residential areas and Recreational areas, with some transects being afflicted with as high as six dog fouls. This could be due to the same dog walker returning to the same area allowing their dog to reuse the same spot or the presence of dog fouling may signal other dog walkers that they don't need to pick up after their dog. High levels of dog fouling could also point to an issue with stray dogs in an area. Focusing the activities of dog wardens in lifting stray dogs could, therefore, have a positive impact on dog fouling levels and the litter pollution index.

There have been successful behavioural change, or nudging campaigns run by various Councils to directly address the issue of dog fouling in past years. Keep Northern Ireland Beautiful has produced a number of posters to help with these initiatives which are currently available upon request. See our website for details.



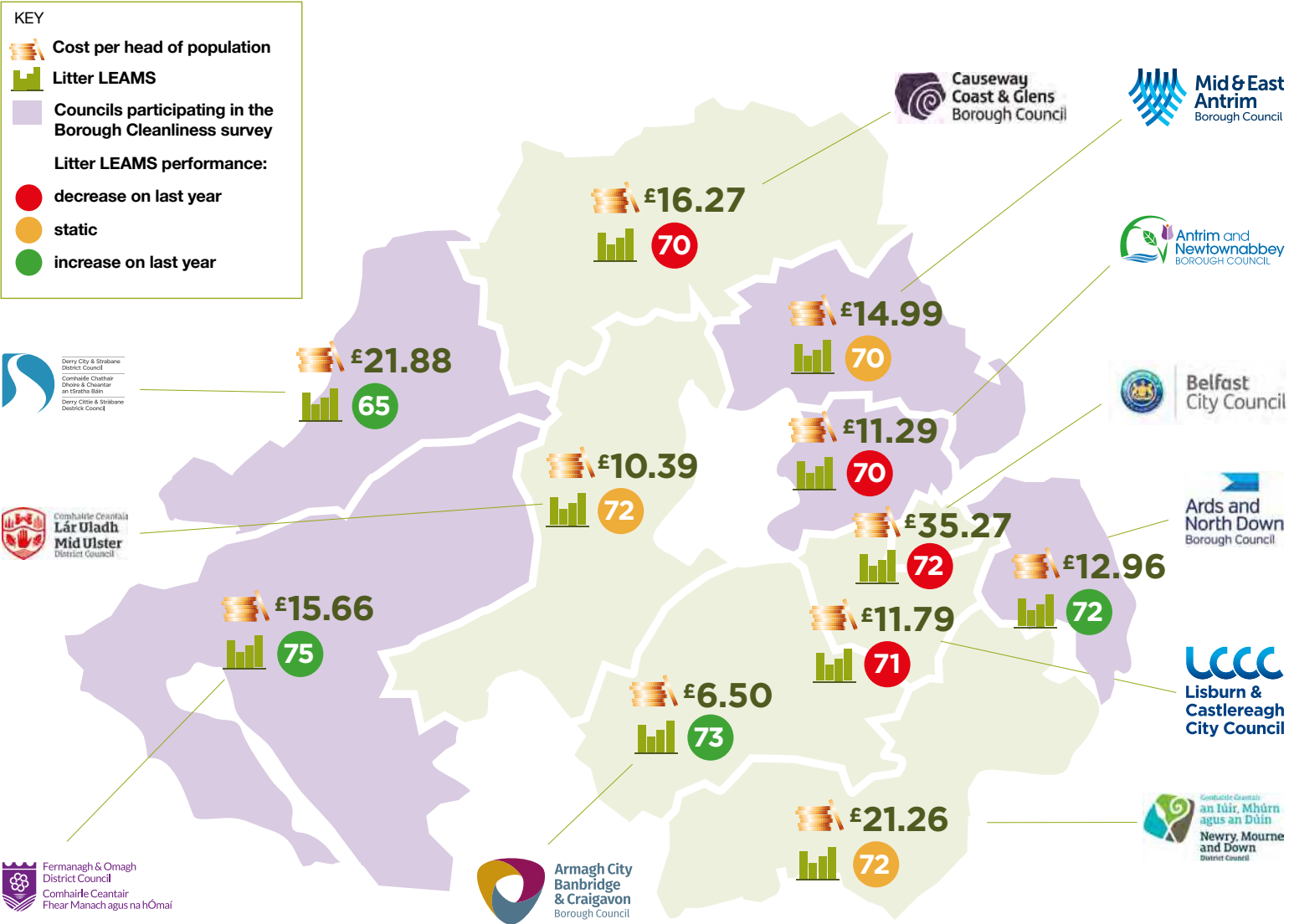
A significant issue in any cleansing routine is the ability to fully exploit the cleansing resources available. If a mechanical sweeper is unable to access an area then the choice becomes: a) leave any litter and detritus; b) task a sweeper on foot to an area, or c) schedule a return to an area in the 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:



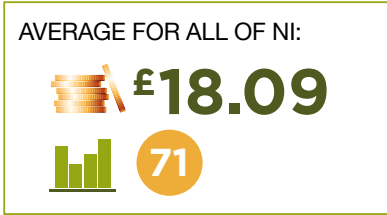
Cleansing spend vs LEAMS

Litter LEAMS was calculated from Survey data collected by trained surveyors between August and October 2018. Spending figures per head of population were calculated using the projected population of each area from the NI Statistics and Research Agency and cleansing spend obtained from individual Councils upon request from Keep Northern Ireland Beautiful.



The total average spend on street cleaning across all of Northern Ireland in 2017/18 was £33,576,111. With a total estimated population of 1,856,187 people in 732,597 Households in Northern Ireland* this means that on average every rate payer was charged £45.83 for cleaning the streets, even if they are not personally a litterer.

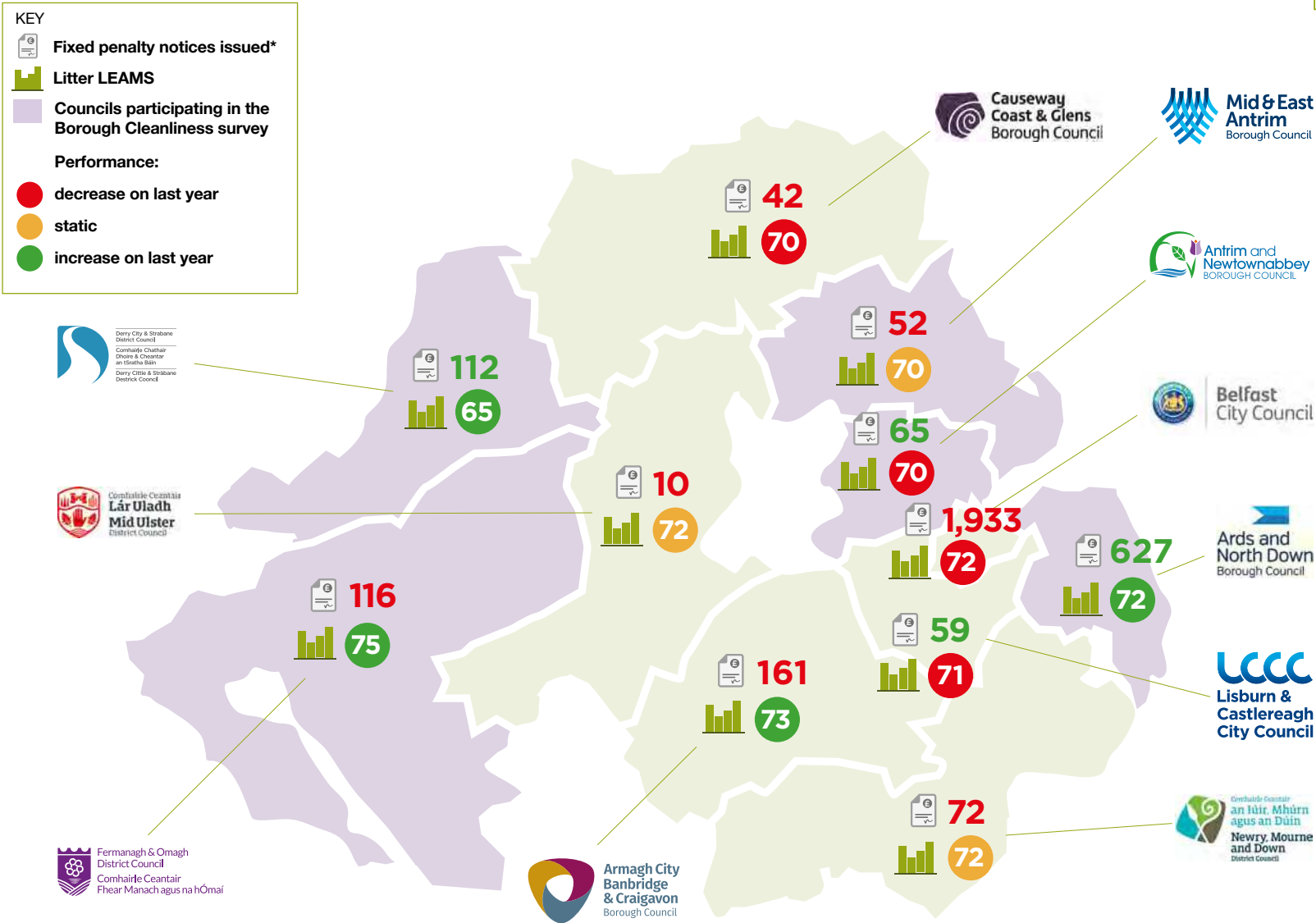
Please note that these figures relate to 2017/18, and are therefore one year behind the figures in the rest of this report. Because of careful auditing and the public presentation process public finances go through, the approved figures are only made available in autumn of the following year.



* NISRA Population and Household Projections for Northern Ireland (for 2018), 2016-2041 (HHP16_NI).

Fixed penalties vs LEAMS

FPN figures were provided by each council in response to request for information. Litter LEAMS was calculated from survey data collected by trained surveyors between August and October 2018. Higher Leams values means cleaner streets in comparison to last year.



* Fixed Penalty Notices include fines for littering and Dog fouling combined.

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.

One of the key indicators of abundance, composition and trends of litter in the marine environment is the amount on beaches. Our surveys support the OSPAR Convention through monitoring litter on 100m stretches at over 70 beaches in the North-East Atlantic following common monitoring guidelines. The monitoring records litter in 112 predefined litter items in 11 types: Plastic / polystyrene, Metal, Paper and cardboard, Wood, Sanitary waste, Cloth, Rubber, Glass, Pottery/ceramics, Medical waste and Faeces. Our results also provide a baseline figure against which to measure progress toward what is termed Good Environmental Status (GES) under the European Marine Strategy Framework Directive.

The 2018 Marine Litter Report will be available from May 2019 highlighting the many effects of marine litter and plastic pollution, including the harm it poses to wildlife, along with the particular issue of microplastics.



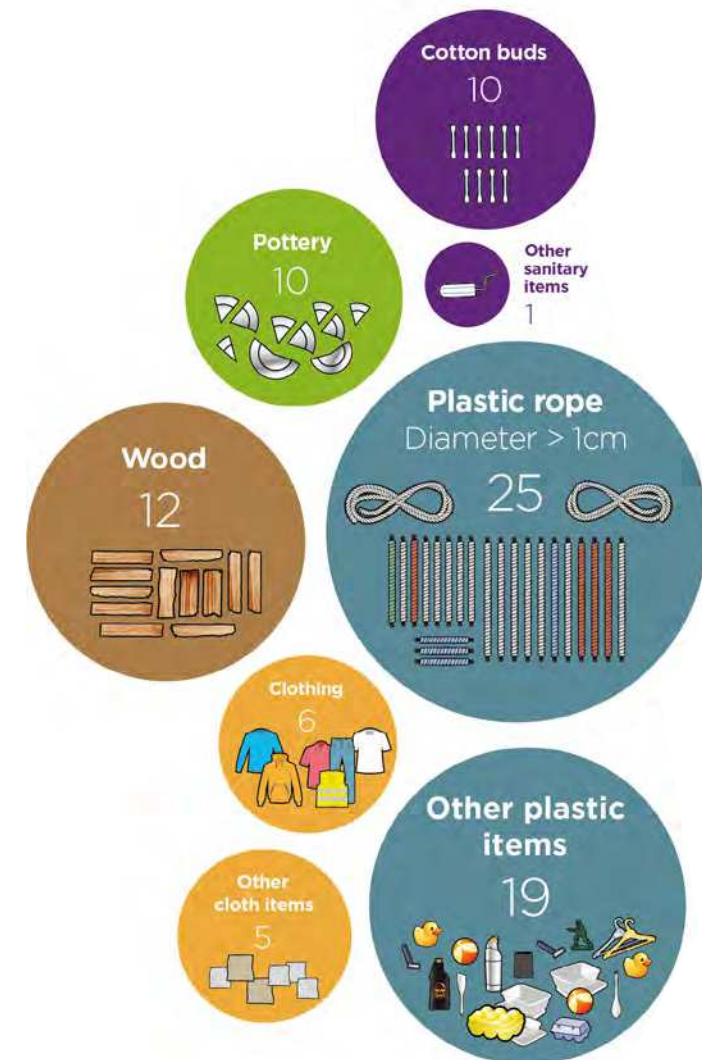
Volunteers from MCL Consulting are joined by members of their families and Michael McAliskey from DAERA to collect the millionth piece of litter from Rostrevor Beach.

In 2018 There was on average 625 items of litter per 100m beach per survey of which 78% were plastic. The figures in the bubble diagram just show an average breakdown combining all beaches and seasons. For more information The latest full report can be found here: www.keeptnorthernirelandbeautiful.org/marinelitter

Volunteers have removed over 1,000,000 pieces of litter from the survey beaches since the surveys began in 2012.



Key





Live Here Love Here

In 2018 the Live Here Love Here Campaign was supported by ten of the eleven local councils, DAERA, the Housing Executive, Choice Housing, Coca Cola, McDonalds and Keep Northern Ireland Beautiful. The campaign has now been running for five years, and in that time:

Awareness of Live Here Love Here by the Public due to our media campaign through TV, billboards and radio as well as social media channels has increased every year and is at 31% in 2018. In this time admitted littering has also dropped from 34% 2015/16 to 26% 2017/18.



Tuesday 12th February 2019 saw volunteers gather at the 3rd annual Live Here Love Here Awards in Belfast City Hall with host, TV presenter Joe Mahon and guest speaker Jo Ruxton, filmmaker and campaigner who opened the eyes of the world to the problems of plastic in A Plastic Ocean.



Nominations for our Community Awards have increased significantly over the last three years

2018 **163**

2017 **90**

2016 **42**

Adopt A Spot



314

Adopt A Spot groups supported



3,268

clean ups across Northern Ireland



553,571

volunteers



800+

metric tonnes of rubbish collected equivalent to approx.



114

large African elephants



CLEAN COASTS PROGRAMME

sponsored by Coca-Cola HBC



20,640

volunteers engaged

For more information on our work contact:

Jodie McAneaney

LIVE HERE LOVE HERE MANAGER

jodie.mcaneaney@keepnorthernirelandbeautiful.org

T 028 9073 6920

www.keepnorthernirelandbeautiful.org

Live Here Love Here Partners (2018)



Belfast City Council



Winner of Ards and North Down Litter Heroes Award

The Gibson Family



Bangor Grammar School Students, Ethan and Matthew Gibson have grown up in a family that is passionate about the environment and wanted to set up a family group to tackle local litter problems. They have an Adopt A Spot in the beautiful coastal area of Ballywhiskin, Millisle an area of profuse littering, anti-social behaviour and fly-tipping. The boys correctly segregate all waste collected and leave at the local recycling centre. Over time the boys have removed scooters, bikes, hoovers and mattresses with the help of the local council and have involved the extended family including grandparents and cousins.

Winner of Community Together Award presented by Housing Executive

Victoria Street and Surrounding Area Residents Group

Based in an urban area of Lurgan that has become a hotspot area for Armagh City Banbridge and Craigavon Council and the PSNI, there is a very active and engaged residents group that are trying their utmost to bring about change in their local area. The group holds regular monthly meetings to address environmental issues including recently transforming an area in a local park into allotments and community garden. The group have reached out to minority groups to address language barriers by publishing an infographic pack that displays the dos and don'ts of domestic waste disposal and littering. This has been in partnership with the council and has now been translated into 9 different languages. This has been instrumental in improving resident's morale and pride in their area and has improved community relations.



Eco-Schools

Eco-Schools is the largest global sustainable schools programme – it starts in the classroom and expands to the community by engaging the next generation in action-based learning.

Eco-Schools in Northern Ireland works closely with 32 (and counting) education and environmental organisations to help deliver the programme including all of our local councils.

As well as undertaking detailed learning on three environmental topics, schools must maintain a litter free environment to achieve their 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 award a Green Flag for schools and to have every school registered with the programme.

Mill Strand Integrated School & Nursery first school in NI to set up a #2minutebeachclean board

Mill Strand Integrated School & Nursery, Ambassador Eco-School, strive to educate others to love their local environment and endeavour to spread this message to the wider community. As part of the Adopt a Spot Campaign, they have adopted the Mill (West) Strand and perform regular beach cleans. They wish to encourage other beach users to care for their adopted spot and for our marine wildlife by lifting litter and debris from the beach.

With the support of Sea Changers they have been able to sponsor a #2minutebeachclean A-frame board which will encourage and enable tourists and local beach users to take just two minutes to make a difference. They are extremely grateful to have support from the

Babushka Kitchen Café as a guardian of the board so that it is safe and well cared for on a daily basis.

#2minutebeachclean boards are placed on the beach and have a space for litter-pickers and bags; local beach users can pick up a litter-picker and a bag and carry out a quick clean up. A two minute beach clean might seem insignificant but removing even the smallest bit of rubbish makes a difference. #2minutebeachclean boards have been shown to reduce litter on beaches by 61%.

For more information on how to acquire a board contact enquires@keepnorthernirelandbeautiful.org



Eco-Schools Green Flags in Northern Ireland

Number and percentage of schools in each Council which held a Green Flag on 20/03/2019
(All Councils have supported the Eco-Schools programme this year.)

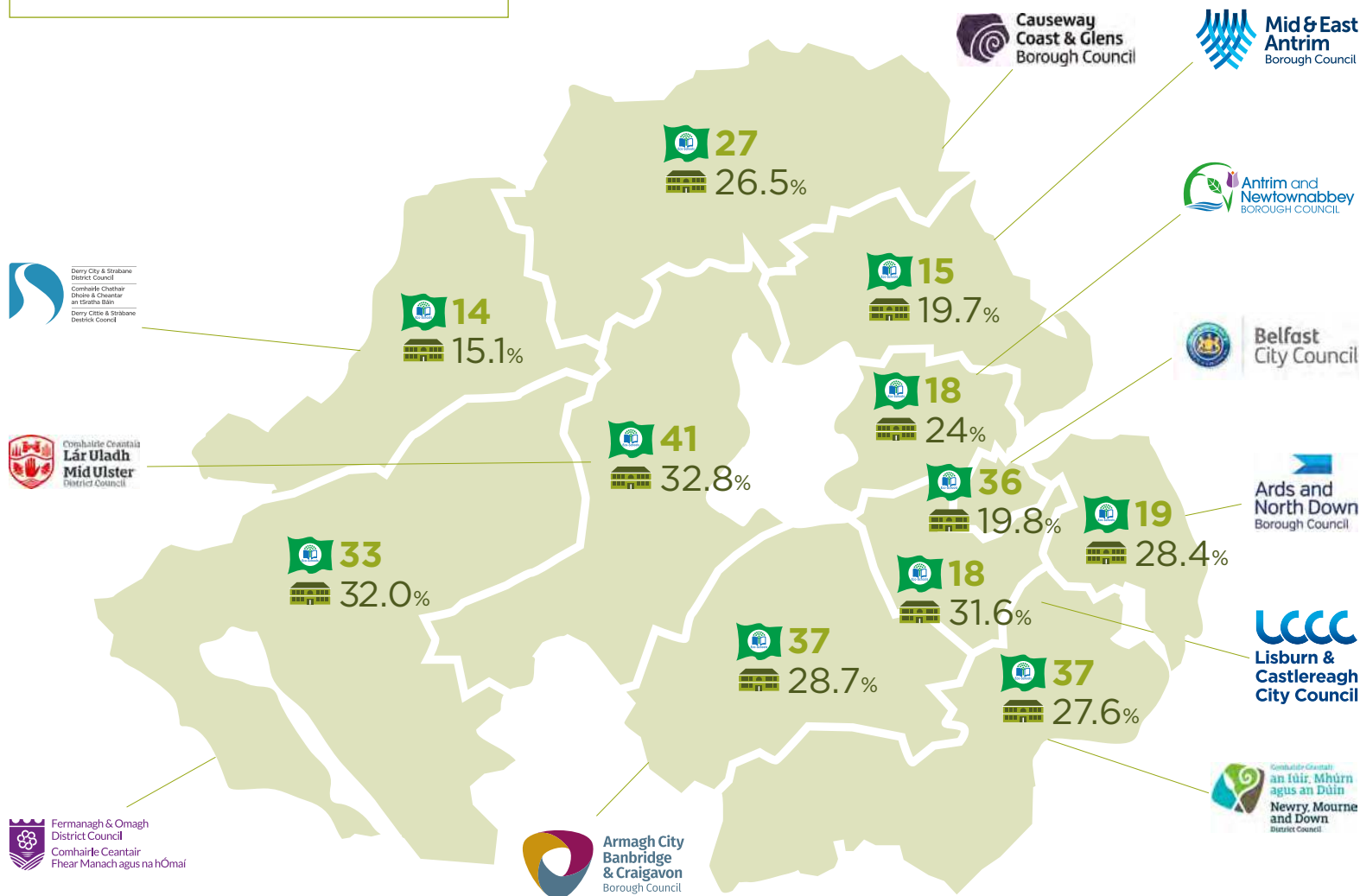
AVERAGE FOR ALL OF NI:

 25.7%

KEY

 **Number of Schools that fly a Green Flag**

Percentage of schools that are Green Flag



The Eco-Schools programme was developed by the Foundation for Environmental Education, which is actively run in 67 countries around the world and is in 51,000 schools. It also provides an excellent foundation for delivering the 17 United Nations Sustainable Development Goals. There are now 295 schools across Northern Ireland that have been awarded the coveted Green Flag, the pinnacle of the programme and all schools in Northern Ireland have registered to work towards this goal.

Tackling the production, consumption and littering of Single-Use Plastics in Northern Ireland

With the support of the Department of Agriculture, Environment and Rural Affairs we are attempting to reduce plastic pollution in Northern Ireland- in particular focusing on eliminating unnecessary single use plastic (SUP).



The Eco-Schools Teachers Conference, March 2019.

Single Use Plastics are any plastic item designed to be used once – from plastic bags, coffee cups and straws to food packaging, disposable nappies and wet wipes.

There are many strands to this work including:

- A waste composition analysis on bin waste and litter throughout Northern Ireland which includes type, quantity and any branding on the waste. Keep an eye on our website for the results.....
- Understanding the current level of awareness, actions and challenges faced across a range of stakeholders in reducing plastic usage including:
 - The business community – especially on the go retailers, producers and suppliers
 - Councils
 - Schools
 - General Public
- Developing an awareness campaign which will also shift behaviour in relation to plastics usage and waste reduction.

Some of our preliminary findings and actions include:

- People across all demographics don't really understand the term "Single Use Plastic" – however they recognise there is a problem with too much plastic but feel a little lost. *"It's all very well saying that I have to do it but look around you, plastic is everywhere –*

how am I going to do it," SUP Focus Group Representative.

- All councils engaged with are keen to do more on single use plastics with their focus initially being to 'put their own houses in order' before engaging with the public.
- Ards & North Down Borough Council (ANDBC) have introduced a ban on single-use plastics following a Council Notice of Motion (NOM) to 'support the end to single-use plastics'.
- Some businesses are already 'trying to do the right thing' such as using alternatives to plastic but there is currently confusing messaging regarding the disposable biodegradable/ compostable alternatives and what of this can be handled correctly in the councils differing waste processing systems.
- Creating a new Eco-Schools module on 'Plastics and the Marine Environment'. This was launched at our Eco-Schools Teachers Conference.



It's amazing the things people leave on our streets like this toy guitar found during the waste composition analysis surveys.

We've also created an interactive webpage to give businesses, councils, schools, NGOs and the general public a platform to tell us what you've done or planning to do to tackle our plastic pollution problem. To see what others are currently doing or pledging in the near future. Please visit www.livehereandlovehere.org/plasticpromise

A focus on rural roads

Rural Roads continue to be sites with littering issues as 56% of rural transects surveyed in 2018/19 were unacceptably polluted by litter. This litter is most likely to have been chucked by careless people out of their vehicles – such as take away packaging from food, drinks and cigarettes.

Compare this to both primary (2%) and secondary retail (10%) and it is clear that there is a difference in the volume of rubbish accumulating in these areas.

Issues

- Careless people chucking waste out of their vehicles
- It is resource intensive cleaning country roads safely - as cleaning is carried out by hand and health and safety of cleansing staff is vital.

Recommendations

- Bring in fines similar to England allowing councils to fine the owners of vehicles which litter is thrown from, rather than expecting councils to prove who exactly in the vehicle had thrown litter.
- All councils should Increase resources to support behaviour initiatives such as the Live Here Love Here campaign making littering and fly tipping socially unacceptable.

- Funding litter surveys helps to target limited resources where and when they are needed.
- Assess innovative solutions such as Funnel Bins at the exits of Service Stations.
- Local action is important and prevention is better (and cheaper) than cure.

This is most likely explained by the way cleansing resources are allocated within council areas. 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 rural roads in their jurisdictions very often, due to fears over the health and safety of staff. It is also not often possible for mechanical sweepers to clean rural roads as there is no hard backline for sweepers to clean to.



Dog fouling

10% of transects had dog fouling present and there were hotspots in recreational and high obstruction housing areas. One transect had six dog poos within 50m!

Issues

- There are dog fouling hotspots in all councils where there may be persistent offenders or issues.
- Unclear signage sometimes with differing fine levels on the same lamppost does not seem to be deterring fouling.

Recommendations for Councils

- Understand your local issues and your local hotspots – use dog fouling data to target resources effectively and develop a dog fouling strategy. (We can help!)
- Extend campaigns such as “Scoop that Poop” encouraging owners to pick up after their dog and report those who don’t.
- Include hard hitting information in all puppy and dog licensing materials.
- Use behaviour change signage that works such as “There is no such thing as the Dog Poo Fairy” and “We are watching you” and remove confusing signage.
- Harmonisation of enforcement practices across the council areas will send a clear message to offenders and stop confusion amongst the general public.

Keep Northern Ireland Beautiful offers opportunities for further surveys within the councils to identify and assess dog poo hotspots so behaviour change initiatives can be trialled while not changing the existing cleansing regime to test what is effective in your local area.



Council Education and Awareness Campaigns

Green Dog Walkers scheme numbers on the rise

Around 500 dog owners in Mid and East Antrim are now members of the Green Dog Walkers scheme with the number continuing to grow.

The Green Dog Walkers scheme is a UK wide community-based campaign to change attitudes about dog fouling. Mid and East Antrim officially launched the scheme in February 2018. The number of complaints for dog fouling in 2018 in Mid and East Antrim has decreased in comparison to 2016 and 2017 which shows the scheme is having a positive impact on the attitudes of dog walkers.

When a dog owner signs up and takes the pledge they receive a Green Dog Walkers collar and lead. The pledge means that the owner will always clean up after their dog, and will give other dog walkers free poop bags.

In 2019 active participants will be offered a green collar light and a keyring torch to make evening walks safer and make it easier to clean up after their dog.

In introducing the Green Dog Walkers scheme the council is committed to encouraging responsible dog ownership and to gaining wider public support for a cleaner borough.



Bin it your way..

Armagh City, Banbridge and Craigavon Borough Council was chosen for the fifth year running to deliver a high profile campaign in an effort to reduce chewing gum litter across the borough. The campaign has seen significant year on year reductions in the amount of gum dropped in areas monitored. The dynamic, brightly coloured advertisements appeared in a range of locations across the borough, including billboards, ad shells, phone kiosks and bus stops. Posters, banners, window stickers, beer mats and Gum-Raps have also been produced. This campaign ran for one month at the start of the school year and complemented the 'Bin It' Roadshow which took place in a number of secondary schools across the Borough later in the term. As a council running engaging campaigns such as these, the council aims to promote a positive shift in the behaviour of gum droppers, which as a result will bring about a reduction in this unsightly litter and a cleaner more attractive environment for residents, visitors and businesses from the borough.



Sea Bins in Ards and North Down

Ards and North Down Council installed the first Seabin in Bangor Harbour in November 2018. Seabins can collect up to half a ton of debris each year including large plastic items, microplastics, and even oils and pollutants floating on the water surface. If proven successful, further Seabins will be purchased for other marinas and harbours. This project is one of many to be paid for by the Council's Recycling Community Investment Fund (RCIF), established in 2016 as a thank you to residents for their recycling efforts and to help promote the fact that 'recycling pays'. Each year it is being used to fund a variety of projects that directly benefit local communities.



We are watching you!

Dashcam surveillance cameras were installed in Fermanagh and Omagh District Council Enforcement vehicles in 2017. These dashcams capture video and photographic evidence of environmental offences such as littering and fly tipping from vehicles in accordance with the Clean Neighbourhoods and Environment Act. The Dashcam is mounted onto the internal windscreen of the vehicle which continuously records the front view providing real time evidence. The camera acts as a deterrent to the illegal act of littering reducing the cost of street cleansing and helping to change behaviour patterns to achieve a cleaner environment.

CCTV signs were displayed on the vehicles, to conform with legislation informing members of the public 'images are being monitored and recorded for the purposes of the enforcement of The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011'.

Video and photographic evidence of offences provides irrefutable evidence, saving time and associated expense in preparing cases for court. Images also reduce the risk of aggressive behaviour from perpetrators once they are made aware that incontrovertible evidence exists.

Policy developments

With Brexit decision time looming it is difficult to predict our legislative future. With no Stormont in place to develop and enact laws there is no mechanism to cover the legislative vacuum.

What we can do is horizon scan for potential legislation and consultations in the UK, Ireland and the EU or which have recently come through which will help us prepare for the future, whatever that may be.

UK

■ **Resources and waste strategy for England, December 2018**

This strategy will preserve material resources by minimising waste, promoting resource efficiency and moving towards a circular economy in England. The high level strategy recognises that all stages of the material cycle need to be addressed and promises to embed the concepts of “polluter pays” and “extended producer responsibility”. The strategy does not yet have any legal underpinning.

■ **Litter Strategy for England updated July 2018**

This is the first Litter Strategy for England (There is a Litter Strategy already in Scotland). It includes many actions which are useful such as giving councils the ability to fine car owners when littering occurs from their vehicle, and investing in behaviour change awareness campaigns.

Current & upcoming consultations include:

■ **Packaging waste: changing the UK producer responsibility system for packaging waste**

(Directly relevant to Northern Ireland)

■ **Introducing a Deposit Return Scheme (DRS) for drinks containers (bottles and cans)**

(Directly relevant to Northern Ireland)

■ **Plastic packaging tax consultation – Single Use Plastics: Budget 2018**

Westminster government announced that from April 2022 it would introduce a world-leading new tax on the production and import of plastic packaging with less than 30% recycled content – it is currently consulting on that tax.

Current & upcoming consultations include:

■ **UK Marine Strategy Part One**

This is the (only) comprehensive UK Strategy for healthy seas. It's legally binding and requires the UK as a whole to take all necessary steps to reach and maintain 'Good Environmental Status'. This is directly relevant to Littering as it includes targets against a Marine Litter/Plastics Descriptor.

■ **25 year environment plan: measuring progress**

There will be feedback on the 25 year Plan for England – Northern Ireland are currently developing an Environmental Strategy.

■ **Single use plastic: banning the distribution and/or sale of plastic straws, stirrers and plastic-stemmed cotton buds in England**

There are likely to be more consultations coming soon on plastic.

At EU level

The Circular Economy Package includes four EU directives that entered into force on 4 July 2018 and Member States should implement the directives within a two year period.

The legislative package amends:

■ **The Waste Framework Directive (2008/98/EC)**

■ **The Landfilling Directive (1999/31/EC)**

■ **The Packaging Waste Directive (94/62/EC)**

■ **The Directive on end-of-life vehicles (2000/53/EC)**

■ **The Directive on batteries and accumulators and waste batteries and accumulators (2006/66/EC),**

■ **The Directive on waste electrical and electronic equipment (2012/19/EU)**

A new directive on single use plastics was agreed in December by the EU Commission. The Directive, covering both conventional and bio-based plastics, bans items including cutlery and plates, straws and oxo-degradable plastics. It also creates consumption reduction measures for other materials and new design and labelling requirements for balloons, tobacco, wet wipes and sanitary products.

Recommendations

These recommendations are What Keep Northern Ireland Beautiful believe are necessary to meaningfully reduce littering, dog fouling and related environmental damage in Northern Ireland.

We have given priority to recommendations which deal the cause rather than the effects.

For national policy makers

- 1. Northern Ireland still 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. Northern Ireland needs legislation & policy that takes a longer term view** – including a longer term plan for the Environment similar to the 25-year plan for England or Scotland and Wales, more ambitious environmental policies providing a joined up approach which the litter strategy would nest within. Switzerland is considered a leading example for waste and water pollution policy.
- 3. Support initiatives and campaigns to reduce particularly harmful and common types of litter.** The spotlight has been shone on plastic pollution 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.
- 4. We need a deposit return scheme which will work for Northern Ireland including all plastic bottles.** The consultation at the moment includes Northern Ireland within the UK and we should also consider the practicality of introducing this and other viable options on an all-island basis, all UK basis and solely for Northern Ireland.
- 5. Northern Ireland should, as a minimum, comply with the EU Plastics Directive by 2021 and the Waste Directive amendments.** They must also ensure funds raised from introducing relevant legislation are ringfenced for action to further reduce consumption of single use plastics and prevent littering.
- 6. Clear guidance is required for the treatment of littering by the courts.** This should explain which fines, penalties and other options can be issued during court proceedings. 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. 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.
- 2. Schemes that reward desired behaviours should be promoted on an equal footing with enforcement.** Examples of these schemes have already been successfully trialed in parts of Northern Ireland and are growing in popularity across most Council areas.
- 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 or taking litter home rather than to simply install more bins.
(Continued.)

For local policy makers

4. **Support initiatives and campaigns to reduce particularly harmful types of litter and pollution.** 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. **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 and advice should be provided with all dog licences at each renewal. Some councils are running successful engagement schemes such as Scoop the Poo and Green Dog Walkers.
6. **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 about a quarter 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.
7. **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.
8. **Act to make your own council single use plastic free by 2023 and ensure alignment with requirements in EU legislation.** Cascade these policies throughout your supply chains and the high street. Invest resources in developing a circular economy to reduce waste and save resources. Eliminate materials identified in the policy from all their properties and all events taking place on their land.

Education and Awareness Actions

1. **Improve and Invest in co-operation between stakeholders.** Ten of the eleven Councils are already involved with the Live Here Love Here Campaign and every school in Northern Ireland is registered for the Eco-Schools programme. There is a need for better integration of Council messaging on litter and waste, to allow for development and production of larger and more diverse range of resources, and facilitate a more consistent approach across individual channels and agencies.
2. **Share information and ideas further.** 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 Northern Ireland 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.
3. **Focus community planning resources to build self-efficacy in communities and measure success through a new civic pride index.**

Further Research Needed

1. **Study the pathways of Microplastics from the terrestrial environment to the sea in Northern Ireland in order to put in place effective policies and actions to reduce their impacts at source.**
2. **Understand the hotspots of litter and pollution sources on privately owned land, non council land and waterways and formulate focused solutions for those areas.**
3. **Study in greater detail the link between litter, 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 anti-social 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.



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.



To discuss how we can work together to tackle littering please contact:

Dr Jade Berman

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**KEEP
NORTHERN
IRELAND
BEAUTIFUL**



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Registered Charity No XR36767 **NI Charity No** NIC 102973 **Company No** NI388494 **Page 322 of 438**

Report on	Local Authority Recycling Carbon Index Report
Date of Meeting	8 th October 2019
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 on the findings of the Recycling Carbon Index Report 2017/18
2.0	Background
2.1	The Local Authority Recycling Carbon Index Report for 2017/18 was published by Eunomia Research and Consulting on 16 th September. This report, the seventh edition, gives Councils an alternative measure of the environmental performance of their waste and recycling services rather than a purely weight-based measure. It shows which Councils recycling activities are delivering the most carbon benefits.
3.0	Main Report
3.1	<p>Local authorities' recycling performance data for 2017/18 was taken from the WasteDataFlow system and multiplied by carbon "factors". This process converted tonnage data for each recyclable material into carbon dioxide equivalents which showed the total embodied carbon in the material that authorities are diverting from disposal to recycling</p> <p>Local authorities that collect more of the materials with a higher embodied carbon for recycling will show greater benefits (in terms of kgs CO2 saved per person). Rating authorities in this way demonstrates that a high recycling rate does not necessarily result in the greatest carbon savings.</p> <p>Looking at each country's overall performance, Northern Ireland has improved by 3.2 points (4.2 per cent), reflecting a 3.8 percentage point (8.4 per cent) increase in the recycling rate. Wales remains by some distance the country which achieves the greatest carbon saving per capita from local authority recycling. However, its Carbon Index performance suffered a small decrease (of 0.2 points, or 0.2%).</p> <p>Welsh and Northern Irish authorities collected very similar amounts of recycling per capita - 200kg and 197kg respectively. However, in Wales, a greater share of this</p>

	<p>material is dry recycling rather than organics, resulting in considerably greater emissions savings.</p> <p>In Northern Ireland, most local authorities improved their overall performance in with all but three Councils showing an increase. Mid Ulster District Council was the second highest performer (with an index score of 85 – up two percentage points from the previous year) ranking it a “good performer” in a UK wide context.</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	Members are asked to note the contents of this report.
6.0	Documents Attached & References
6.1	Recycling Carbon Index Report 2017/18

Recycling Carbon Index

England, Wales &
Northern Ireland Local
Authorities 2017/18

Summer 2019

About Eunomia Research & Consulting

Eunomia provides environmental consultancy to waste collection and treatment companies, to investors and to local, national and European government. In all of our work we aim to help our clients understand how the environmental and cost performance of the services and products they provide can be improved. We have modelled the carbon and other environmental impacts of waste collection and treatment services for a large number of clients including:

- European Commission Directorate General of the Environment. We have provided detailed advice on the impacts of changes to waste management across the European Union, informing the EU's circular economy proposals, assisted the EU in understanding member states' compliance with current rules, and are closely involved in developing the EU's guidance on its new waste legislation.
- Devolved administrations in Scotland and Wales. We have helped the devolved governments develop progressive waste management policies, including proposals for a deposit refund scheme in Scotland.
- UK Local Government. Eunomia has carried out waste collection and treatment reviews and assessments for a large number of local authorities in England, Wales, Scotland and Northern Ireland, and assists councils that are trying to reduce their carbon footprint.
- Private companies. We advise businesses, manufacturers, retailers and waste management organisations on how to adopt more circular business models.

Our intention in publishing this work free of charge is to help local authorities and their service providers to think about the environmental performance of the services they provide. An authority's recycling rate is an interesting and important metric, but there are other, equally valuable measures of a service's environmental performance, including the carbon index presented in this report.

What is the Carbon Index?

This is the seventh edition of Eunomia’s Local Authority Recycling Carbon Index. It gives councils an alternative and arguably better measure of the environmental performance of their waste and recycling services than a purely weight-based measure. The Index shows which local authorities’ recycling activities are delivering the greatest carbon benefits. Reading it alongside the recycling rate and other metrics provides a fuller picture of the benefits achieved by waste and recycling services.

This and previous years’ results are available through our interactive website (www.eunomia.co.uk/carbonindex) where authorities can track and compare their performance.

How is it Calculated?

Local authorities’ recycling performance data for 2017/18 is taken from WasteDataFlow¹ and multiplied by the same carbon ‘factors’ used by Zero Waste Scotland to produce the Scottish Carbon Metric.² This process converts tonnage data for each recyclable material into carbon dioxide equivalents (CO₂ eq.). This shows the total embodied carbon³ in the material that authorities are diverting from disposal to recycling. Local authorities that collect more of the materials with a higher embodied carbon for recycling will show greater benefits. We also take account of the emissions impact of source separated and comingled collections.

We have calculated the total carbon savings generated from all the recycling reported by each authority, encompassing their kerbside collections, HWRCs and bring sites. Dividing this figure by the population served yields a carbon saving figure per person, thereby allowing an effective comparison between authorities. The formula for the Index is shown below:

Total Carbon Savings
(Kg CO₂ eq.)

Population served

=

kg CO₂
saved per
person

The higher the value, the higher carbon savings. Rating authorities in this way demonstrates that a high recycling rate does not necessarily result in the greatest carbon savings.

Small errors in data reporting might significantly affect the ranking of the authorities in the Index tables so the results should be treated as approximate values. For this reason we have created four categories to better reflect the general performance of each authority. These categories are defined as follows:

- **High Flyers** – the top 10%
- **Good Performers** – the next 30%,
- **Mid Performers** – the next 30%, and
- **Low Performers** – the bottom 30%

Key Findings

England’s Carbon Index performance fell by 0.7 points (1.0%) to less than 69 kg CO₂eq per capita, due to a fall in the household recycling rate. That decreased by 0.5 percentage points (1.1%) in 2017/18, to 43.2%. This is due to local authorities recycling 349,000 tonnes less material than in 2016/17, reducing the amount of carbon saved.⁴

Northern Ireland’s performance on the Carbon Index improved by 3.2 points (4.2%) to almost 79 kg CO₂eq, reflecting a 3.8 percentage point (8.4%) increase in the recycling rate to 48.1%.⁵

Wales remains by some distance the country which achieves the greatest carbon saving per capita from local authority recycling. However, its Carbon Index performance suffered a small decrease (of 0.2 points, or 0.2%) in 2017/18, remaining a little over 93 kg CO₂eq per capita. This was due to a drop in the published recycling rate, calculated on a different basis from England and Northern Ireland, which fell by 1.1 percentage points (1.7%).⁶

Kg Collected per Person	2016/17	2017/18	Change
Garden and food waste	18.3	17.8	-2.8%
Waste food only	8.2	9.2	12.7%
Garden waste only	51.0	50.3	-1.5%
Textiles	1.8	1.8	-1.7%
WEEE	4.6	4.4	-3.7%
Paper	29.9	29.1	-2.7%
Card	14.7	14.6	-0.6%
Glass	22.1	22.4	1.4%
Plastic	8.2	8.3	1.7%
Metal	9.6	9.4	-1.9%
Total	168.0	167.3	-0.4%

The table above shows the weight of the key materials collected for recycling per head of population across England, Wales and Northern Ireland in both 2016/17 and 2017/18. Overall captures of these recyclable materials increased by 0.4%.

Yields of most material streams decreased, with the biggest decrease in percentage terms being in waste electronics. The greatest reductions in terms of Kg per capita were in paper, which has been in consistent decline for several years, and in garden waste - perhaps reflecting an increase in charging for such collections. Food waste was the stream whose capture increased most, both in percentage and weight terms.

1. See: www.wastedataflow.org

2. We have used figures from the 2012 and 2013 versions of the **Scottish Carbon Metric** as appropriate.

3. Embodied carbon is defined as the amount of carbon released from material extraction, transport, processing and manufacturing, and all related activities.

4. Source: UK Department for Environment, Food and Rural Affairs (Defra), **Statistics on waste managed by local authorities in England in 2017/18**.

5. Source: Northern Ireland Department for Agriculture, Environment and Rural Affairs (Daera), **Northern Ireland Local Authority Collected Municipal Waste Management Statistics Annual Report 2017/18**.

6. Source: Welsh Government, **Local Authority Municipal Waste Management Report for Wales, 2017-18**.

English Recycling Carbon Index

The Carbon Index results for 2017/18 are shown alongside the 2016/17 figures for ease of comparison and to highlight changes. The relative positions and groupings of councils within the Index are defined by the 2017/18 data to reflect the latest position. Because we include material collected at HWRCs in addition to kerbside collections, we report performance by Waste Disposal Authority area rather than for Waste Collection Authorities. This helps to ensure a fair comparison between two tier councils and unitary authorities. While the Carbon Index method could be applied to Waste Collection Authorities, their performance would be lower due to HWRCs being operated only at the Waste Disposal Authority level.

		16/17	17/18				16/17	17/18	
High Flyers	Dorset Waste Partnership	104	108	▲	Mid Performers	Bracknell Forest	79	75	▼
	Cheshire West and Chester	111	107	▼		Darlington	75	75	
	Gloucestershire	102	107	▲		City of London	68	74	▲
	Bexley	109	106	▼		Richmond upon Thames	74	74	
	North Somerset	105	102	▼		Hertfordshire	76	74	▼
	Devon	97	102	▲		York	70	74	▲
	Somerset	103	100	▼		Doncaster	65	74	▲
						Norfolk	73	73	
Good Performers	South Gloucestershire	94	97	▲		Derbyshire	74	73	▼
	Buckinghamshire	99	96	▼		Lancashire	77	73	▼
	Bath and North East Somerset	91	96	▲		County Durham	78	72	▼
	Hampshire	94	96	▲		Northumberland	76	72	▼
	Wigan	87	96	▲		Nottinghamshire	75	72	▼
	Cheltenham	85	93	▲		Cornwall	74	72	▼
	Rutland	89	93	▲		Kingston upon Thames	67	71	▲
	East Riding of Yorkshire	92	92			Bristol	73	70	▼
	Northamptonshire	89	88	▼		Calderdale	64	70	▲
	West Sussex	81	88	▲		Halton	68	69	▲
	Oxfordshire	96	87	▼		Leicestershire	75	69	▼
	Worcestershire	89	86	▼		Bromley	66	68	▲
	Cambridgeshire	87	86	▼		Staffordshire	70	68	▼
	Wokingham	86	86			Warwickshire	74	68	▼
	Milton Keynes	90	85	▼		Lincolnshire	71	68	▼
	Suffolk	90	85	▼		Greater Manchester	69	68	▼
	North Yorkshire	89	85	▼		Merseyside	67	66	▼
	North Lincolnshire	87	83	▼		Warrington	68	66	▼
	Surrey	86	82	▼		Kingston-upon-Hull	69	65	▼
	Torbay	79	82	▲		Medway	67	65	▼
	Herefordshire	86	82	▼		Peterborough	67	64	▼
	Essex	82	81	▼		Plymouth	58	64	▲
	Wiltshire	85	81	▼		Windsor and Maidenhead	68	62	▼
	West Berkshire	83	80	▼		Wakefield	64	62	▼
	Swindon	82	80	▼		Southend-on-Sea	66	61	▼
	Isle of Wight	84	79	▼		Bournemouth	63	61	▼
	Kent	84	79	▼	Gateshead	73	61	▼	
	Poole Borough	77	79	▲	Barnsley	66	60	▼	
	Cheshire East	80	78	▼	Reading	63	60	▼	
	Shropshire	80	78	▼	Bedford	60	60		
	Central Bedfordshire	75	77	▲	Sutton	55	59	▲	
	East Sussex	76	76		Merton	60	57	▼	
	Telford and Wrekin	75	76	▲	Rotherham	60	57	▼	
	Cumbria	70	76	▲	Croydon	64	56	▼	
				Southampton	55	56	▲		
				Derby	53	56	▲		

Units = kg CO₂ eq. saved per person

In 2017/18, just 29% of English authorities improved their Recycling Carbon Index performance, when compared to 2016/17. However, of those with an improved performance, 46% improved by at least 3kg of CO₂eq. per person.

Poor Performers

	16/17	17/18	
Waltham Forest	55	55	▼
Stoke-on-Trent	56	54	▼
Portsmouth	50	54	▲
Ealing	54	53	▼
Sandwell	53	53	▼
Leeds Council	53	53	▼
Barnet	49	52	▲
Redcar and Cleveland	58	52	▼
South Tyneside	61	51	▼
Solihull	55	51	▼
Thurrock	51	51	▼
Barking and Dagenham	50	51	▲
Walsall	50	50	▼
Havering	52	49	▼
Brighton and Hove	50	49	▼
Luton	52	48	▼
Sheffield	48	48	▼
Harrow	52	47	▼
Blackburn with Darwen	58	47	▼
Hillingdon	51	47	▼
Hackney	47	46	▼
Wolverhampton	49	46	▼
North Tyneside	54	46	▼
Hartlepool	50	46	▼
Sunderland	44	46	▲
Bradford	34	46	▲
Greenwich	49	45	▼
North East Lincolnshire	43	45	▲
Brent	43	44	▲
Hounslow	58	44	▼
Haringey	47	44	▼
Blackpool	57	44	▼
Leicester	42	44	▲
Dudley	45	43	▼
Middlesbrough	43	43	▼
Enfield	42	43	▲
Camden	41	42	▼
Stockton-on-Tees	38	41	▲
Kirklees	45	40	▲
Newcastle-upon-Tyne	43	40	▼
Redbridge	41	40	▼
Islington	41	37	▼
Coventry	36	37	▲
Westminster	36	37	▲
Western Riverside	34	34	▼
Slough	40	33	▼
Tower Hamlets	32	33	▲
Nottingham	34	32	▼
Birmingham	39	30	▼
Newham	32	30	▼
Southwark	29	30	▲
Lewisham	26	25	▼

Municipal Recycling

in England, Wales and N.Ireland



Results for England Using the ONS 2001 Area Classification

A number of geographic and social factors may influence the recycling performance of local authorities. For this reason, we have also ranked English authorities according to their super group classification in the 2001 National Statistics Area Classification. This allows authorities to compare their indicator score against others with similar geo-demographic characteristics, giving a fairer measure of their performance against that of their peers.



Northern Ireland & Wales Recycling Carbon Index

All local authorities in Wales and Northern Ireland are unitary authorities, with the powers of both a Waste Collection Authority and a Waste Disposal Authority. In the tables below, authorities have been grouped by their relative performance in the Recycling Carbon Index. In both countries, most authorities improved their overall performance in 2017/18, with all but two Northern Irish authorities showing an increase. Antrim and Newtownabbey became the first Northern Irish authority ever to reach the “High Flyer” rank in the Index.

Northern Ireland Authorities Index

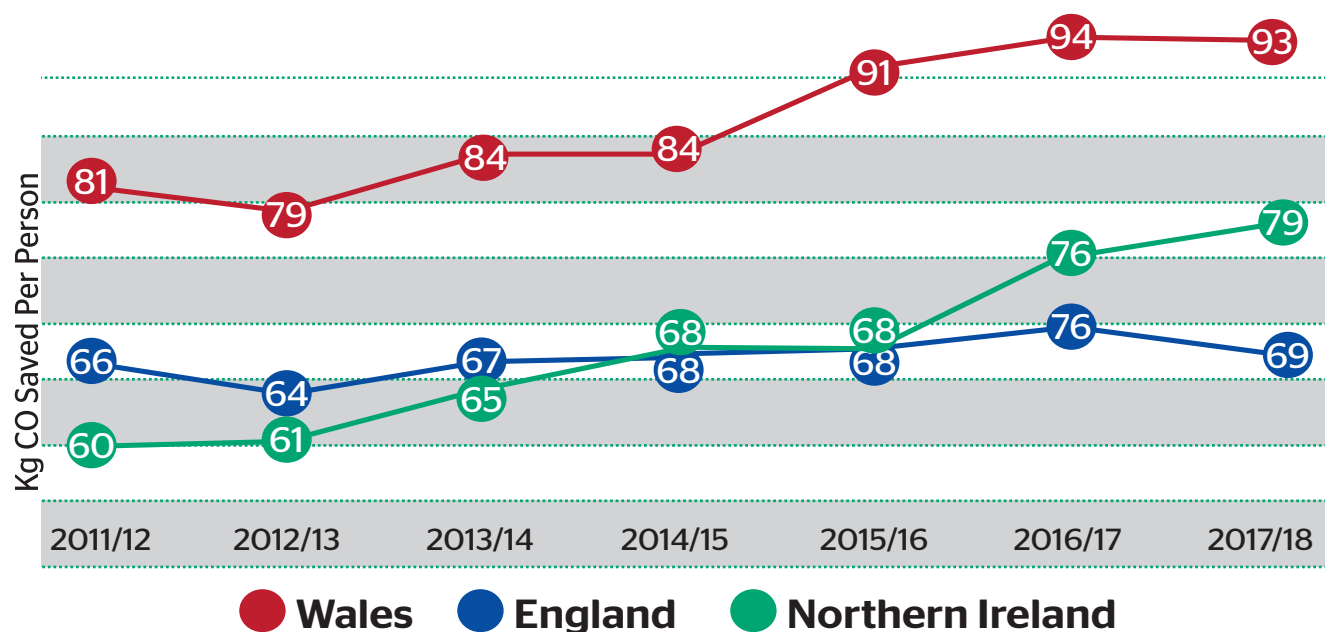
	16/17	17/18	
Antrim and Newtownabbey	93	98	▲
Mid Ulster	83	85	▲
Belfast	80	84	▲
Derry City and Strabane	74	82	▲
Fermanagh and Omagh	83	82	▼
Ards and North Down	83	82	▼
Mid and East Antrim	78	82	▲
Causeway Coast and Glens	73	72	▼
Lisburn & Castlereagh	65	69	▲
Armagh City, Banbridge & Craigavon	62	68	▲
Newry, Mourne and Down	61	66	▲

Welsh and Northern Irish authorities collected very similar amounts of recycling per capita - 200kg and 197kg respectively. However, in Wales, a greater share of this material is dry recycling rather than organics, resulting in considerably greater emissions savings.

Wales Authorities Index

	16/17	17/18	
Merthyr Tydfil	104	117	▲
Bridgend	95	114	▲
Isle of Anglesey	108	113	▲
Neath Port Talbot	107	110	▲
Torfaen	109	110	▲
Flintshire	101	104	▲
Conwy	107	102	▼
Carmarthenshire	99	100	▲
Rhondda Cynon Taff	99	98	▼
Ceredigion	104	98	▼
Wrexham	101	98	▼
Newport City	94	97	▲
Denbighshire	100	96	▼
Gwynedd	99	95	▼
Pembrokeshire	96	94	▼
Powys	118	92	▼
Monmouthshire	96	90	▼
Swansea	86	88	▲
Vale of Glamorgan	83	87	▲
Caerphilly	85	85	▲
Blaenau Gwent	73	78	▲
Cardiff	62	61	▼

Statistical Changes



Further Work

Our intention in publishing this work free of charge is to help local authorities and their service providers to think about the environmental performance of the services they provide.

This report presents a high-level view of the underlying analysis. More detailed outputs can be provided quickly and at low cost for an individual authority or group of authorities.

Our modelling allows us to look at the environmental performance of current and possible future services for both collection and disposal authorities and at the environmental impacts of collection, treatment and disposal.

www.eunomia.co.uk/carbonindex

Want to Know More?

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Report on	Town Centre Footpath Snow/Ice Clearance Agreement
Date of Meeting	8 th October 2019
Reporting Officer	Terry Scullion - Head of Property Services
Contact Officer	Eunan Murray – Grounds and Cemeteries Service Manager

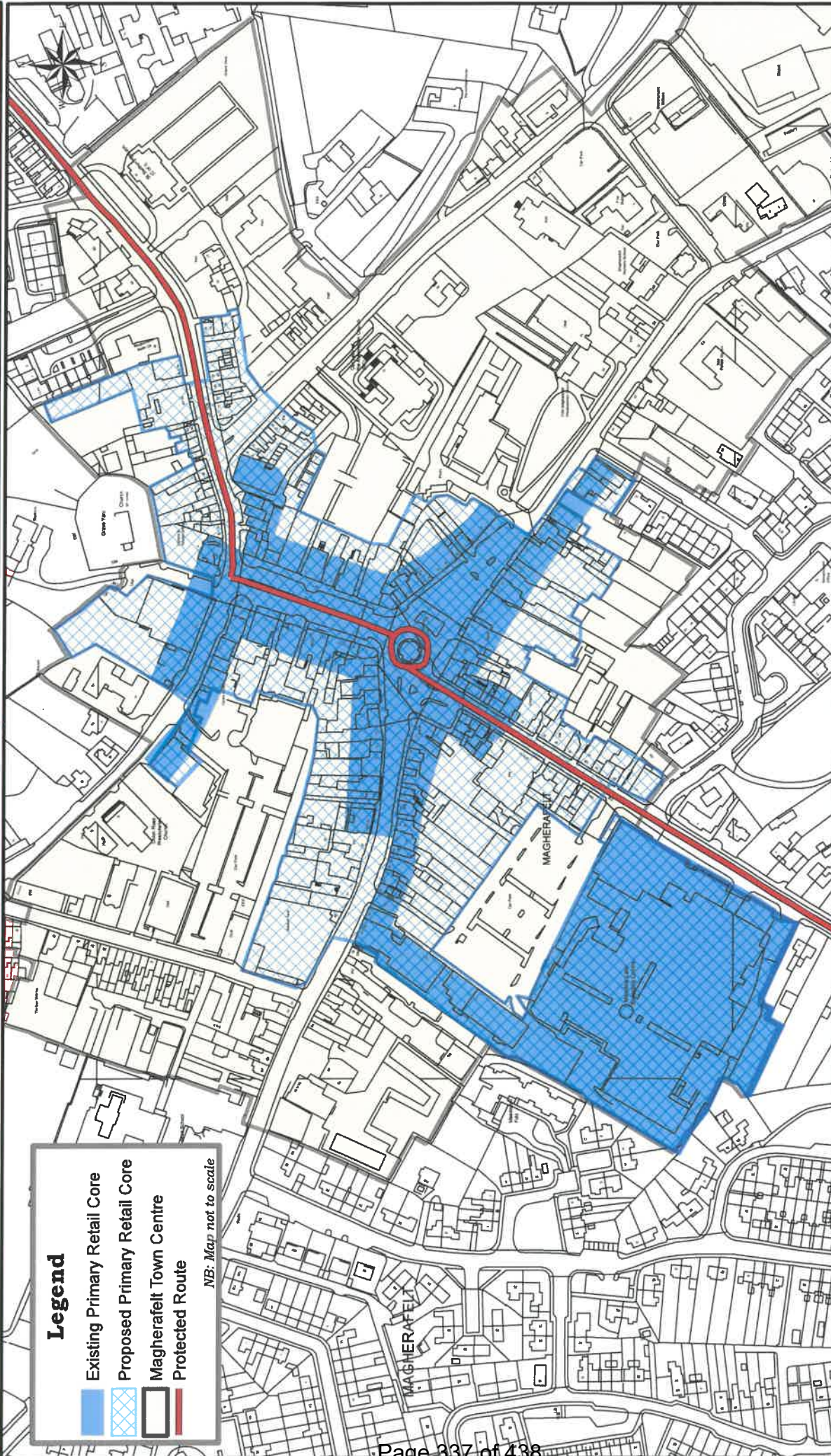
Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To inform member's of the rolling annual agreement with DfI/Transport NI in relation to the treatment of footpaths in the main town centres within Mid Ulster District following heavy snowfall or prolonged freezing.
2.0	Background
2.1	In the 2018/19 winter season an agreement was reached between Council and Department for Infrastructure (DfI) Roads to facilitate the treatment of footways within the business centres for the five largest towns within the Mid Ulster District.
2.2	The agreement reached reflected the legal basis and the operational experience in operating such an agreement over previous years. Following Council agreement in 2018 it would be extended annually upto and including the 2020/21 winter season. The agreement was not triggered during the 2018/19 winter season.
3.0	Main Report
3.1	The main issues covered within the Agreement are summarised below: <ul style="list-style-type: none"> a) Payment of annual Service Fee. In the 2018/19 winter season it was £2,244.69 to reflect annual consumer price index changes. b) During extreme conditions following heavy snowfall or prolonged freezing Council will assist the Department with works for the footways and pedestrian areas contained in maps included in the appendix for the five main settlements. c) Works will be carried out by Council only on receipt of a request from the Department and in circumstances when it is practicable for the Council to respond.

	<p>d) The request will come from Department's Section Engineer to the Council's nominated representative.</p> <p>e) The Department shall provide any salt free of charge.</p> <p>f) The Council shall only provide a response to requests during normal operational hours of the street cleansing workforce, except in the case of an emergency or by mutual agreement.</p> <p>g) The Department shall indemnify and keep indemnified the Council to the extent that the Department enjoys indemnity under Article 9 (3) of the Roads (NI) Order 1993.</p> <p>h) The duration of the agreement will be from 1st November to 31st March each winter season.</p>
3.2	Retail cores are used to ensure a more consistent application of the agreement across the business centres of each town. Detailed operational maps will be developed for use by staff in the event the agreement is triggered.
3.3.	The agreement will be extended into the 2019/20 winter season.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial:</p> <p>Implementation of the agreement should incur little additional cost to the Council as it seeks to utilise street cleansing and grounds maintenance operatives, and other service resources which would otherwise have been engaged in their normal operations save for extreme conditions following heavy snowfalls or prolonged freezing. The annual service fee is agreed linked to the Consumer Price Index as in previous years.</p>
	<p>Human:</p> <p>Officer time in managing the Agreement, liaising with DfI/Transport NI and in supervising any operational activity on the ground.</p>
	<p>Risk Management:</p> <p>It should be noted that the Council has no statutory duty in relation to the clearance of ice and snow from footways; that responsibility lies with Transport NI. The clearance of footways at times of extreme ice and snow from the main town centre assists in the free movement of people and therefore supports the economic cores in our town centres. This helps reduce the impact of extreme winter weather and reduces the associated economic and social risks.</p>

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 2019/20 winter season with regards to the treatment of footways when extreme conditions following heavy snowfalls or prolonged freezing persists.
6.0	Documents Attached & References
6.1	Appendix 1 – Retail core maps for Snow/Ice Clearance operations included in the Council/TNI agreement

Magherafelt Primary Retail Core



Legend

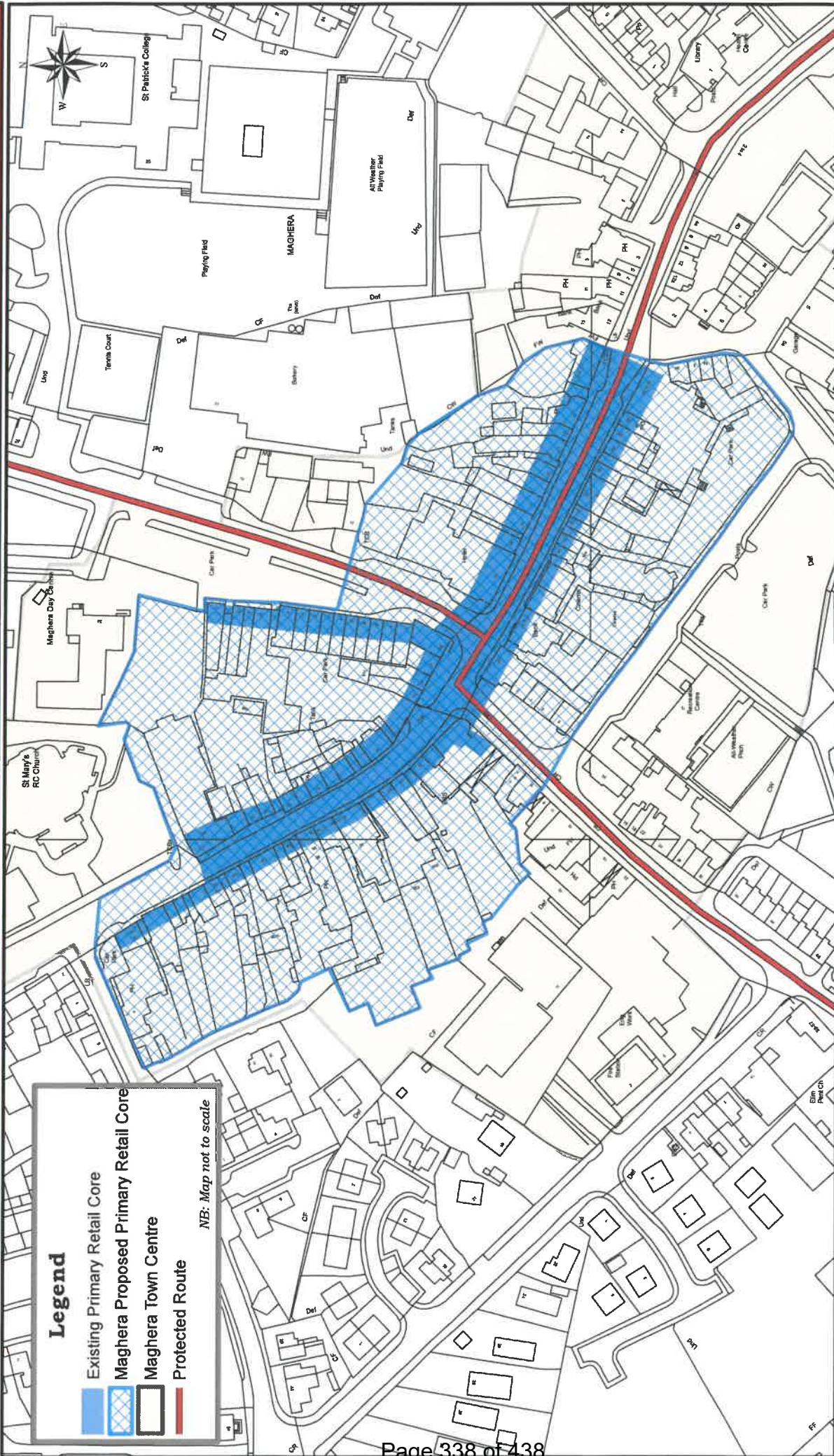
- Existing Primary Retail Core
- Proposed Primary Retail Core
- Magherafelt Town Centre
- Protected Route

NB: Map not to scale

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Dept: Planning
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Maghera Primary Retail Core



Legend

- Existing Primary Retail Core
- Maghera Proposed Primary Retail Core
- Maghera Town Centre
- Protected Route

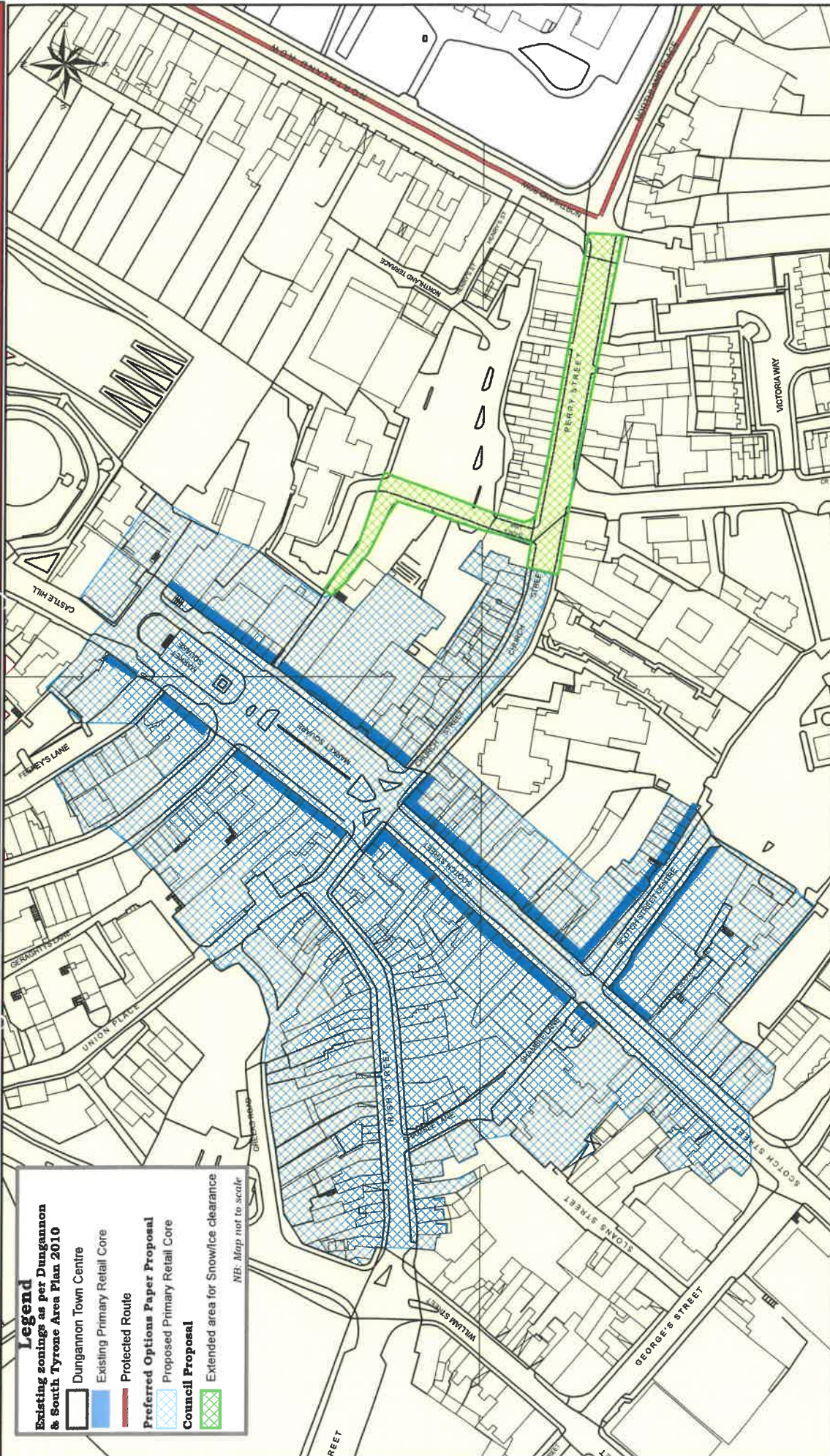
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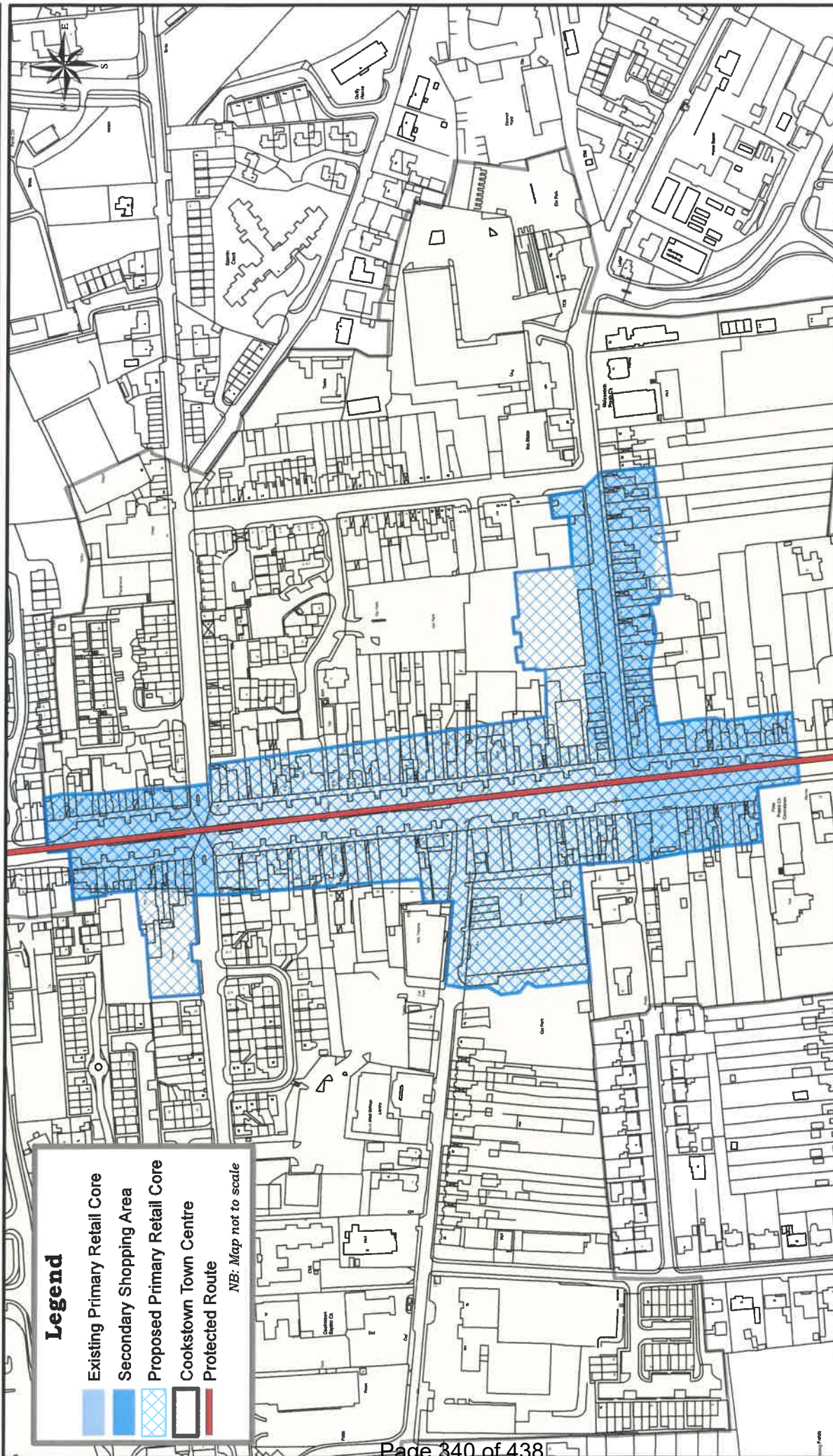
Comhairle Ceantair
Lár Uladh
Mid Ulster
 District Council

Dungannon Town Centre & Primary Retail Core



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Lár Uladh
Mid Ulster
District Council

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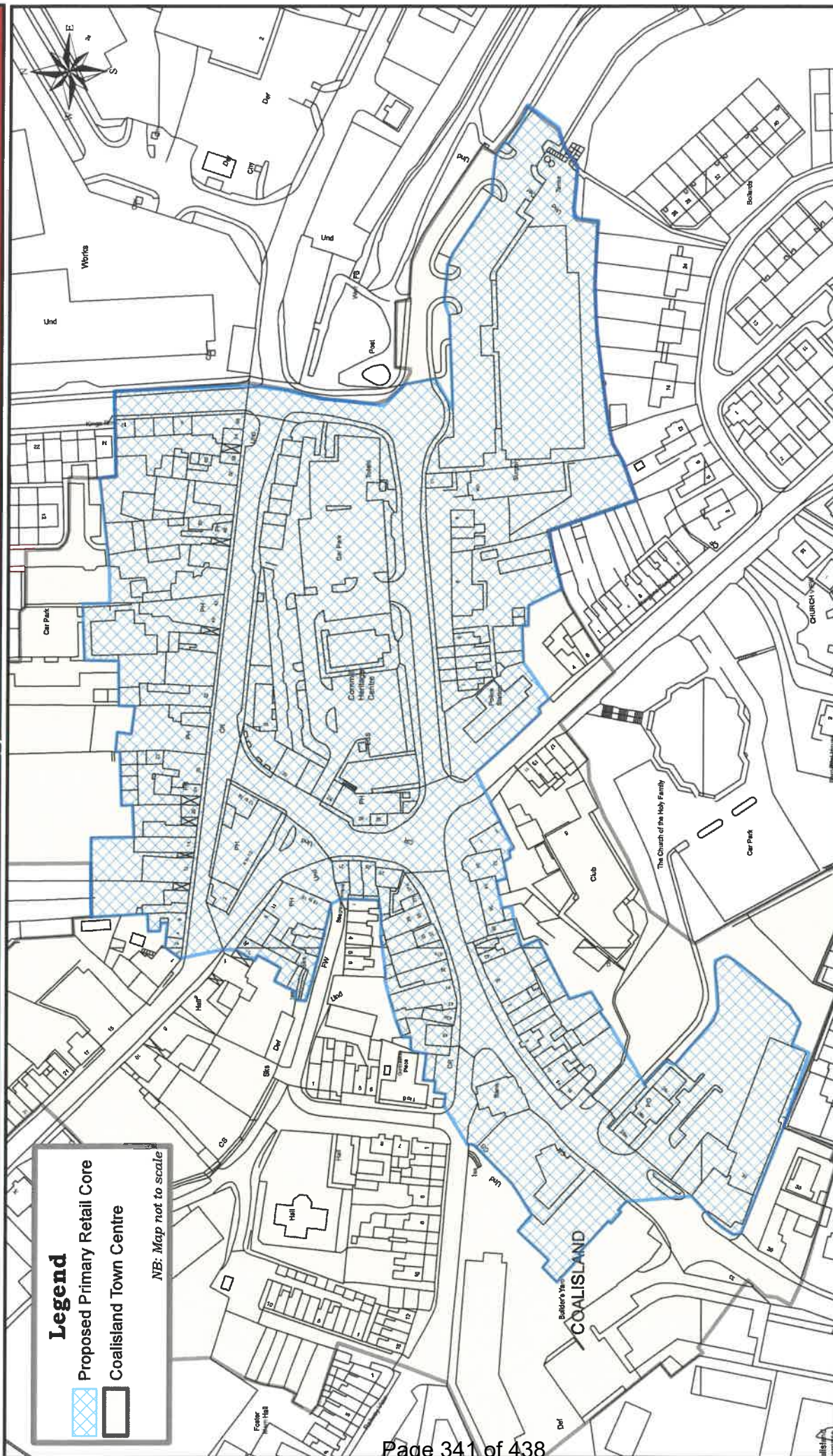
Author: John Paul Devlin

Date: 06/05/2016

Dept: Planning

Authority License No: CS & LA 156

Coastland Primary Retail Core



Report on	Building Control Workload
Date of Meeting	8 th October 2019
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 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	September 2019	Accumulative 2019/20
	Total number of Applications	303	1002
	Full plans applications received	101	419
	Building Notices applications received	175	466
	Regularisation applications received	27	117
	Estimated value of works submitted	£22,584,049	£104,856,033
	Number of inspections carried out by Building Control Officers	1259	4969

	Commencements	320	1092
	Domestic Dwellings	94	364
	Domestic alterations and Extensions	208	626
	Non-Domestic work	18	102
	Completions	259	884
	Domestic Dwellings	88	365
	Domestic alterations and Extensions	158	464
	Non-Domestic work	13	55
	Property Certificates Received	254	1069
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 September 2019

Applicant	Location of Development	Details of Development	Estimated value of development
Corove Ltd	Marlefield, Killyman.	Erection of 28no. Dwellings (Ave Floor Area 113m2) B.C. fee - £5,243	£2,001,520
Meteor Electrics Ltd	7 Corchoney Road, Cookstown.	Extension to Industrial Building (Floor Area 1296m2) B.C. fee - £3,840	£679,905
J & A Developments	Off Torrent Valley, Coalisland.	Erection of 12no. Apartments B.C. fee - £2,741	£577,536
Eurosprings (Ireland) Ltd	127 Ballynakilly Road, Dungannon.	Extension to Industrial Building (Floor Area 882m2) B.C. fee - £2,700	£451,584
Orchard County Contracts	43 The Square, Moy.	Erection of 2no. Dwellings & Change of use to offices including an extension to same B.C. fee - £1,484	£261,520

Report on	Entertainment Licensing Applications
Date of Meeting	8 th October 2019
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 update Members on Entertainment Licensing applications across Mid Ulster District Council.
2.0	Background
2.1	The Council has responsibility for licensing places of entertainment in accordance with The Local Government (Miscellaneous Provisions) (NI) Order 1985.
2.2	Entertainment Licensing applications are received on a continued basis across the District.
2.3	Statutory consultations are carried out with PSNI and NIFRS for each Entertainment Licence application (grant or renewal) submitted.
3.0	Main Report
3.1	As previously agreed a list of applications for all grant/renewal of Entertainment Licences in Mid Ulster District Council is attached (see Appendix 1). The number of applications received on a monthly basis will vary depending on the date of expiry of the current licence.
3.2	<p>Each application is accompanied by the following documentation:</p> <ol style="list-style-type: none"> 1 A current Fire Risk Assessment detailing the following: <ol style="list-style-type: none"> (a) means of escape from premises (b) management responsibilities for day to day safety aspects (c) details of review on an annual basis <p>The fire risk assessment submitted is audited by the inspecting officer.</p> 2 Electrical certification is required for the following: <ol style="list-style-type: none"> (a) General electrical installation (b) Emergency lighting system (c) Fire alarm system

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

Appendix 1

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

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
P & M Mulgrew	The Roadside Tavern	36-38 The Square Stewartstown	Annual	Monday to Saturday From: 11.00 To: 01.00 Sunday From: 12.00 To: 24.00	100
Mid Ulster District Council	Moneymore Recreation Centre	2 Moneyhaw Road Moneymore	Annual	Monday to Sunday From: 09.00 To: 23.00	TBC
P Forbes	The Cove Bar	126 Shore Road Magherafelt	Annual	Monday to Sunday From: 11.30 To: 01.00	120

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
Mid Ulster District Council	Seamus Heaney Home Place	45 Main Street, Bellaghy	Annual	Monday to Thursday From: 10.00 To: 23.00 Friday – Saturday From: 10.00 To: 01.00 Sunday From: 13.00 To: 22.00	220
J Faloon	Dungannon Swifts Football Club	Far Circular Road Dungannon	Annual	Monday To Tuesday From: 19.00 To: 23.00 Wednesday & Thursday From: 16.00 To: 23.00 Friday & Saturday From: 12.00 To: 01.00 Sunday From: 12.00 To: 22.00	350

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
N Dorrity	The Venue	26 The Square, Coalisland	Annual	Monday To Saturday From: 17.00 To: 01.00 Sunday From: 13.00 To: 22.00	200
S Whiteside	Whiteside's Bar	87 Main Street Clogher	Annual	Monday To Saturday From: 11.00 To: 01.00 Sunday From: 11.00 To: 24.00	157
C McCausland	The Lower House	38 Main Street Dungannon	Annual	Monday To Saturday From: 11.30 To: 01.00 Sunday From: 12.30 To: 24.00	206
G McCulloch	St Swithin's Church Hall	47 Church Street Magherafelt	14 Unspecified Days	Monday To Sunday From: 18.00 To: 24.00	380

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
E Lee	Presbyterian Church Hall	8 Circular Road Moneymore	14 Unspecified Days	Monday To Sunday From: 09.00 To: 24.00	250
A Trotter	Dungannon Presbyterian Church Hall	53a Scotch Street Dungannon	14 Unspecified Days	Monday To Saturday From: 09.00 To: 24.00	760
Mid Ulster District Council	Dungannon Leisure Centre	Circular Road Dungannon	Annual	Monday to Sunday From: 07.00 To: 02.00	TBC
M McNally	The Mill Court Bar And Restaurant	40 Main Street Coalisland	Annual	Monday To Thursday From: 10.00 To: 22.00 Friday And Saturday From: 10.00 To: 23.30 Sunday From: 11.00 To: 23.00	160

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
G Booth	Railway Bar	67 Union Street Cookstown	Annual	Monday To Sunday From: 11.00 To: 02.00	140
N & L McKearney	The Gables Bar and Restaurant	40 Cookstown Road Dungannon	Annual	Monday To Saturday From: 11.00 To: 01.30 Sunday From: 12.00 To: 24.00	360
G Williamson	The Valley Hotel	60 Main Street Fivemiletown	Annual	Monday To Saturday From: 11.30 To: 01.30 Sunday From: 12..30 To: 01.30	480

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
P Lavery	PB's BAR	1 Dungannon Street, Moy	Annual	Monday To Saturday From: 11.30 To: 01.00 Sunday From: 12.30 To: 24.00	82
B O'Hanlon	Todds Leap Activity Centre	30 Todds Leap Road, Ballygawley	Annual	Monday to Sunday From: 08.00 To: 22.30	88
E Vallely	The Central Bar	28 Main Street, Coalisland	Annual	Monday to Friday From: 11.00 To: 23.30 Saturday From: 11.30 To: 01.00 Sunday From: 22.30 To: 01.30	85

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
S Hughes	Fall's Bar	6A Reenaderry Road Coalisland	Annual	Monday To Saturday From: 11.30 To: 01.30 Sunday From: 12.00 To: 24.00	170
T Jebb	The Oldtown Inn	12 -14 Oldtown Street Cookstown	Annual	Monday to Saturday From: 11.30 To: 01.00 Sunday From: 12.00 To: 24.00	60

Appendix 2

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

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours Granted
G McCulloch	St Swithin's Church Hall	47 Church Street Magherafelt	14 Unspecified Days	Monday To Sunday From: 18.00 To: 24.00
M Marcus	Parkanaur Manor House	57 Parkanaur Road Dungannon	Annual	Monday To Sunday From: 08.00 To: 01.00
M Wray	Clogher Valley Community Centre	9a Irish Street Augher	14 Unspecified Days	Monday To Sunday From: 10.00 To: 01.00
R J Carmichael	The Jungle	60 Desertmartin Road, Magherafelt	14 Unspecified Days	Monday To Sunday From: 09.00 To: 01.00

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours Granted
L Bradley	The Back Door Bar	31-11 Main Street Maghera	Annual	Monday To Saturday From: 11.30 To: 01.00 Sunday From: 12.30 To: 24.00
T Cassidy	Old Clubhouse	20 Maghera Road Tobermore	14 Unspecified Days	Monday To Saturday From: 12.00 To: 01.00 Sunday From: 12.00 To: 22.00

Report on	Dual Language Signage Requests
Date of Meeting	8 th October 2019
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 requests for Dual Language Signage from residents on the streets/roads in question.
2.0	Background
2.1	In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English.
2.2	The Policy for Dual Language Nameplate Signage – as adopted (See Appendix 1) forms the basis for considering requests expressing the name in a language other than English, to both existing and new streets.
2.3	In accordance with the Policy as adopted, the Environment Committee will be informed of requests which have been validated and are proceeding to survey.
3.0	Main Report
3.1	<p>The Building Control Service within the Public Health and Infrastructure Directorate have received valid letters signed by occupiers of the street in each case requesting signage to be erected in a second language being “Irish” in each case adjacent to the nameplate in English as follows:-</p> <ol style="list-style-type: none"> 1. Jockey Lane, Moy (See Appendix 2) 2. Mawillian Road, Moneymore (See Appendix 3) 3. Killycanavan Road, Dungannon (See Appendix 4) 4. Ballygruby Road, Moneymore (See Appendix 5) 5. Annaghmakeown Road, Castlecaulfield (See Appendix 6) 6. Ferny Ridge, Castlecaulfield (See Appendix 7) 7. Frenchmans Lane, Castlecaulfield (See Appendix 8) 8. Aghareany Road, Donaghmore (See Appendix 9)

3.2	The occupiers signing the requests in each case have been confirmed as residents of their particular street which has been evidenced by their listing on the current Electoral Register as required in accordance with the Policy as adopted (see Appendix 1).
3.3	The requests which have been validated are proceeding to survey and are currently being processed on a date received basis.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	That Members note the content of this report.
6.0	Documents Attached & References
6.1	Appendix 1 – The Policy for Dual Language Nameplate Signage
6.2	Appendix 2 – Letter received from a resident of Jockey Lane, Moy
6.3	Appendix 3 – Letter received from a resident of Mawillian Road, Moneymore
6.4	Appendix 4 – Letter received from a resident of Killycanavan Road, Dungannon
6.5	Appendix 5 – Letter received from a resident of Ballygruby Road, Moneymore
6.6	Appendix 6 – Letter received from a resident of Annaghmakeown Road, Castlecaulfield
6.7	Appendix 7 – Letter received from a resident of Ferny Ridge, Castlecaulfield
6.8	Appendix 8 – Letter received from a resident of Frenchmans Lane, Castlecaulfield
6.9	Appendix 9 – Letter received from a resident of Aghareany Road, Donaghmore

Policy on Dual Language Nameplate Signage

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

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3.0	Policy Scope	
4.0	Linkage to Corporate Plan	
5.0	Dual Language Signage Nameplates	
6.0	Roles & Responsibilities	
7.0	Impact Assessment <ul style="list-style-type: none"> • Equality Screening & Impact • Staff & Financial Resources 	
8.0	Support & Advice	
9.0	Communication	
10.0	Monitoring & Review Arrangements	

Appendices	Description	Page Number
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B	Dual Language Signage Nameplates: <i>Procedure</i>	
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1.0 Introduction

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

- (i) Erection of dual language Street signage

2.0 Policy Aim & Objectives

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

2.2 Policy Objectives:

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

3.0 Policy Scope and Legislative Framework

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

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

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

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

4.0 Linkage to Corporate Plan

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

5.0 Dual Language Signage Nameplates

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

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

1. Have regard to any views on the matter expressed by occupiers of the street.
2. For the purposes of the policy, surveys will be issued to all occupiers (the age of 18 or over) of each dwelling where any person resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which is numbered directly off the adjoining street, hereafter referred to as 'property'. Only the views of the occupiers aged 18 or over for each property that is occupied and listed on the Electoral Register at the date of survey will be considered.
3. In relation to properties, the 'occupier' will include the owner and family members or tenants as listed on the current Electoral / Rates Register as residing at that address or tenants in actual possession of the premises, but not employees within such premises at the date of the survey.
4. The naming of the street in a language other than English does not authorise or require its use as, or part of, the address of any person or the description of the land for the purpose of any statutory provision; e.g., Building Control applications.

- 5.4 The provision of dual language Street Names will normally only be considered in the following circumstances:
- In the case of existing streets, where the Council has been petitioned and/or consulted with the occupiers of premises in that street and other persons it deems appropriate, in accordance with these arrangements.
- 5.5 Where an applicant does not have English as their first language, information in relation to this policy can be provided in an alternative language. Applications can be accepted in alternative languages if required by the applicant. Please see Appendix D for details.
- 5.6 Applications for Dual Language Signage will be processed in accordance with the Procedure as outlined in Appendix B
- 6.0 Roles and Responsibilities**
- 6.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 6.2 **Building Control Service:** shall be responsible for implementing arrangements to administer requests to have an existing name of a Street erected in a language other than English;
- 7.0 IMPACT ASSESSMENTS**
- 7.1 **Equality Screening & Impact**
- 7.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 7.2 **Rural Needs Impact**
- 7.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 7.3 **Staff & Financial Resources**
- 7.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented.
- 8.0 Support and Advice**
- 8.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control

9.0 Communication

- 9.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy

10.0 Monitoring and Review Arrangements

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

Appendix A
Article 11, Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995

Street names and numbering of buildings

Powers of councils in relation to street names and numbering of buildings

11.—(1) A council may erect at or near each end, corner or entrance of any street in its district a nameplate showing the name of the street; and a nameplate erected under this paragraph—

- (a) shall express the name of the street in English; and
- (b) may express that name in any other language

(2) A council may, immediately adjacent to a nameplate erected under paragraph (1) which expresses the name of a street in English only, erect a second nameplate expressing the name of the street in a language other than English.

(3) Neither this Article nor anything done by a council thereunder authorises or requires the use of the name of a street expressed in a language other than English as, or as part of—

- (a) the address of any person; or
- (b) the description of any land; for

the purposes of any statutory provision.

(4) In deciding whether and, if so, how to exercise its powers under paragraph (1)(b) or (2) in relation to any street, a council shall have regard to any views on the matter expressed by the occupiers of premises in that street.

(5) Any person who—

- (a) obscures, pulls down or defaces any nameplate erected under paragraph (1) or (2);
- (b) erects in any street any nameplate showing as the name of the street a name different from that in any nameplate erected in the street under paragraph (1) or (2); or
- (c) erects in any street any nameplate purporting to show the name of the street, without the authorisation of the council for the district in which the street is situated,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) Where a council has exercised its powers under paragraph (1) in relation to any street, the occupier of each house or other building in that street shall ensure that that house or building is at all times marked with such number as the council may approve for the purposes of this Article.

(7) Where a person fails to comply with paragraph (6) the council may serve on him a notice requiring him to comply with that paragraph within 7 days from the date of service of the notice.

(8) A person who fails to comply with a notice served on him under paragraph (7) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) Where a person fails to comply with a notice served on him under paragraph (7) in respect of any house or other building, the council may itself do anything which he has failed to do and may recover from that person summarily as a civil debt any expenses thereby reasonably incurred by it.

(10) In this Article—
“nameplate” includes any means of signifying a name in writing; “street” includes any road, square, court, alley, passage or lane.

(11) The power of a council to erect a nameplate under paragraph (1) or (2) includes power—

- (a) to erect it on any building or in such other manner as the council thinks fit; and
- (b) to cause it to be erected by any person authorised in that behalf by the council.

(12) The following statutory provisions shall cease to have effect, namely—

- (a) sections 64 and 65 of the Towns Improvement Clauses Act 1847^{F6};
- (b) in section 38 of the Towns Improvement (Ireland) Act 1854^{F7} the words “naming the streets and numbering the houses and also so much thereof as relates to”;
- (c) section 21 of the Public Health Acts Amendment Act 1907^{F8};
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949^{F9}; and
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings

Appendix B

Dual Language Signage Nameplates: *Procedure*

In deciding whether it should exercise its discretionary powers in relation to erection of dual language nameplates under Article 11 of the 1995 Order, the Council shall only do so after having regard to the views of occupiers of premises which has its frontage immediately adjoining that street.

The procedure for seeking and assessing the views of occupiers and criteria to be applied in deciding whether to erect a dual language nameplate in a language other than English is;

1. A valid letter, signed by an occupier of the street must be made to Council to enable this matter to be considered. Requests should be made to the Building Control Service within the Public Health and Infrastructure Department. A letter of request shall be valid if; it is from an occupier who appears on the Electoral Register as maintained by the Electoral Office for NI; the applicant's address is referenced on the letter and; the individual's name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A letter may be received by email but it must be attached as a file and signed. The Council shall not accept a request made within the body of an email.
2. The Environment Committee will receive notification of submitted requests by way of valid letters as referenced at 1, above. A letter will be deemed to be valid where it is submitted by a minimum of one householder on that street. The Environment Committee will be informed of requests which have been validated and are proceeding to survey.
3. Following validation, the Council will canvass, by post, each occupier within a household as listed on the Electoral Register; seeking their views on the request to erect a dual-language street nameplate. Each household will receive a letter accompanied by survey forms based on the number of occupiers listed on the Electoral Register. The requisite number of survey forms for individuals registered at that address will be forwarded to each household (See Appendix E)
4. The occupiers will be advised of the date by which completed surveys must be returned. Incomplete or illegible survey returns will not be counted. Completed surveys which has been signed and name printed as required, must be returned in the self- addressed envelopes provided for that purpose. Only replies received by the specified date shall be considered.
5. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will be erected

6. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will not be approved or erected
7. In specific circumstances a report may be brought to the Environment Committee to determine an application where there are particular issues requiring the Members consideration
8. If the request is refused by those households surveyed, further requests will not be considered until the expiry of 12 months from the date at which the Environment Committee refuses it.
9. Where a request for Irish Language signage, the Irish Language Section within Department of Culture and Arts and/or an approved translator will provide the translation of the street name. Any other language shall be obtained from an approved translation service the cost of which will be notified to the Environment Committee when receiving the report on the outcome of the survey. The second language will not be used to express the name of the street for statutory purposes.
10. The layout, font and size of lettering of the second language shall be in accordance with that as shown in Appendix C.
11. Following the Council's decision with regards to the request on Dual Language Signage for a particular street/road, the outcome will be published on the Council Website. Where requested, written confirmation of the decision will be forwarded to relevant households.
12. Where agreed, a new dual language nameplate will be erected at the start and finish of the street or road in question and at such points along it as required e.g. at other road junctions, in accordance with any operational requirements as determined by the Property Services Team.

Appendix C Name Plate Layout

AGREED: 11th September 2018 Environment Committee
23rd September 2018 Full Council

Mono-Lingual New Road / Street Signage

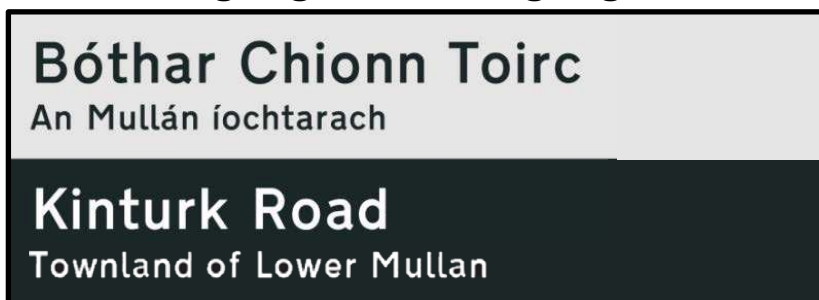


Example signage

Specification

- Name Plate Dimensions: 200mm x length to suit road name
- Background Colour: White
- Font & Colour: Transport Medium; Black
- Road Name font size: Upper case; 70mm Lower case; 50mm
- Townland font size: Upper case; 30mm Lower case; 22mm
- Text Justification: Left hand

Dual Language Street Signage



Example signage

Specification

- Name Plate Dimensions: 460mm x length to suit road name
- Background Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Light Grey Value; C:0 M:0 Y:0 K:10
- Font Type: Transport Medium
- Font Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Standard White
- Road Name font size: Upper case; 63mm Lower case; 50mm
- Townland font size: Upper case; 40mm Lower case; 30mm
- Text Justification: Left hand

Appendix D- Accessibility Statement

The information included in this policy can be made available in alternative formats, such as audio, braille, easy read or large print and may be provided in alternative languages, upon request. Please contact Mid Ulster District Council's Corporate Policy & Equality Officer on 03000 132 132 Ex 24612 or via ann.mcaleer@midulstercouncil.org



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Appendix E

18 February 2019

Our Ref:- «Ref»

The Occupier
50 Ballymore Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Mid Ulster District Council have received an application to erect street nameplates in ??? in addition to the current name for the street as indicated above.

The Council's Policy on Street Naming & Dual Language Signage outlines that individuals who meet the following criteria are eligible to register their preference on this matter:

A person who resides on the street in question and appears on the Electoral Register as maintained by the Electoral Office for Northern Ireland.

Our records would indicate that you meet the above criteria.

In accordance with these arrangements I would be grateful if you would complete the attached survey form and indicate your preference in this matter. The completed survey form should be returned to these offices in the addressed envelope provided by **Tuesday 19 March 2019**. *Survey forms received after this date will not be considered.*

On completion of this survey Council will provide a determination on this request on the basis of the majority preference as submitted. For approval to be considered, at least 51% of respondents must be in favour of the proposal (i.e. street nameplates being erected in ???, in addition to English for Name of Street/Development).

If you have any queries on the above please contact Willie Wilkinson in the Magherafelt Office by either:

Tel: 03000 132 132 (Ext 22208)

Email: willie.wilkinson@midulstercouncil.org

Yours faithfully

W Wilkinson
Head of Building Control

Enc

Cookstown Office
Bun. Road
Cookstown
BT86 8DT

Dungannon Office
Lipton Road
Dungannon
BT17 6LJ

Magherafelt Office
Ballymore Road
Magherafelt
BT45 6EN

Telephone 03000 132 132
willie.wilkinson@midulstercouncil.org
www.midulstercouncil.org



Comhairle Ceannair
Lár Uladh
Mid Ulster
District Council

19 February 2019

Our Ref:- MUDL0078

The Occupier (1)
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Please read the following statements below carefully. Tick your preferred option in the appropriate box, print your name and address and sign the document. Then return this letter which has your reply in the addressed envelope provided by 19 March 2019.

Thank you for your time completing this survey.

Yours faithfully

W Wilkinson

W Wilkinson

Head of Building Control

Options

1. I WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

2. I DO NOT WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

Print Name: _____

Address: _____

Signature: _____

The results of this survey will be available to view on www.midulstercouncil.org but should you wish to receive written correspondence detailing the outcome of the survey please tick this box.

☐

Appendix 2

Mr Willie Wilkinson
Mid Ulster District Council,
Circular Road,
Dungannon,
BT71 6DT

01/08/2019

Willie, A Chara,

I welcome the recently introduced Irish Language policy of Comhairle Ceantair Lár Uladh. I am interested in surveying my street to ascertain demand for bilingual street signage.

Is Ainm dom / My name is- Willie Wilkinson
Seoladh / Address - Jockey Lane Moy Co Tyrone BT71 7SR



FAO

Mr Willie Wilkinson

Building Control

Magherafelt Council Offices

Ballyronan Road

Magherafelt.

Mid Ulster District Council

- 6 AUG 2019

Building Control Department
(Magherafelt Office)

Dear Sir

As a resident and property owner, I am requesting the option of having bilingual signage of Irish and English on the road on which I live which is,

..... MAWILLIAN ROAD Post
code BT45 7XH.

Can you confirm receipt of my application.

Regards

Ms/Mrs/Mr.....

..... MAWILLIAN ROAD
..... MONEYMORE
..... BT45 7XH

Dated 3/8/2019

Willie Wilkinson

C/O Mid-Ulster District Council

Killycanavan Rd,
Ardboe,
Dungannon
BT71 5BP

24th June 2019

Dear Mr. Wilkinson,

Re: Dual Language Signage Request (Irish Language)

I am writing to request, as a resident of Killycanavan Road, Ardboe, that you initiate the Mid-Ulster District Council Dual Language Road Sign Policy, as previously agreed by Council.

In accordance with the Policy, by way of my signature below, I am giving my consent to carry out the relevant procedure to have the road with Dual Language Signage in Irish.

Thank you for your assistance.

Yours sincerely,

Mid Ulster District Council
- 6 AUG 2019
Building Control Department
(Magherafelt Office)

FAO

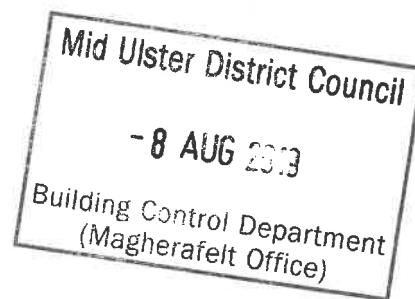
Mr Willie Wilkinson

Building Control

Magherafelt Council Offices

Ballyronan Road

Magherafelt.



Dear Sir

As a resident and property owner, I am requesting the option of having bilingual signage of Irish and English on the road on which I live which is,

..... BALLYRONAN ROAD Post
code..... BT45 7XF

Can you confirm receipt of my application.

Regards

Ms/Mrs/Mr.....

.....
.....
.....

Dated 31/07/19..

Annaghmakeown Rd,
Castlecaulfield,
Dungannon,
Co.Tyrone
BT70 3DQ

Dear Mid-Ulster Council/Comhairle Ceantair Lár Uladh,

I would like to make a request to Building Control Services within the Public Health and Infrastructure Department regarding the putting up of dual language signage (Irish-English) at Annaghmakeown Rd, Castlecaulfield, Dungannon, Co.Tyrone BT70 3DQ.

I am an occupier of the address above and appear on the Electoral Register as maintained for the Electoral Office for NI.

Yours sincerely/Is mise le meas,



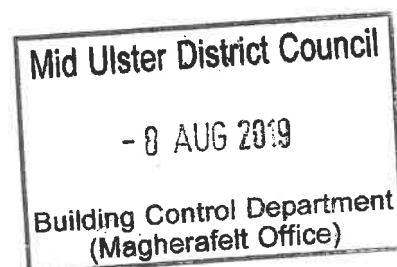
Ferny Ridge,
Castlecaulfield,
Dungannon,
Co.Tyrone
BT70 3FE

Dear Mid-Ulster Council/Comhairle Ceantair Lár Uladh,

I would like to make a request to Building Control Services within the Public Health and Infrastructure Department regarding the putting up of dual language signage (Irish-English) at Ferny Ridge, Castlecaulfield, Dungannon, Co.Tyrone BT70 3FE.

I am an occupier of the address above and appear on the Electoral Register as maintained for the Electoral Office for NI.

Yours sincerely/Is mise le meas,



Appendix 8

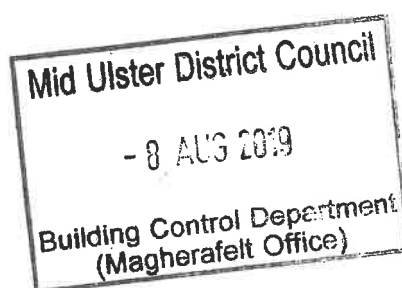
Frenchman's Lane,
Castlecaulfield,
Dungannon,
Co.Tyrone
BT70 3DF

Dear Mid-Ulster Council/Comhairle Ceantair Lár Uladh,

I would like to make a request to Building Control Services within the Public Health and Infrastructure Department regarding the putting up of dual language signage (Irish-English) at Frenchman's Lane, Castlecaulfield, Dungannon, Co.Tyrone BT70 3DF.

I am an occupier of the address above and appear on the Electoral Register as maintained for the Electoral Office for NI.

Yours sincerely/Is mise le meas,



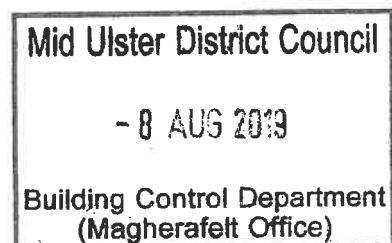
Aghareany Rd,
Donaghmore,
Dungannon,
Co.Tyrone
BT70 1RL

Dear Mid-Ulster Council/Comhairle Ceantair Lár Uladh,

I would like to make a request to Building Control Services within the Public Health and Infrastructure Department regarding the putting up of dual language signage (Irish-English) at Aghareany Rd, Donaghmore, Dungannon, Co.Tyrone BT70 1RL.

I am an occupier of the address above and appear on the Electoral Register as maintained for the Electoral Office for NI.

Yours sincerely/Is mise le meas,



Report on	Dual Language Signage Surveys
Date of Meeting	8 th October 2019
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 on the result of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplate requests.
2.0	Background
2.1	In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English.
2.2	The Policy for Street Naming and Dual Language Signage – Section 6.0, as adopted (See Appendix 1) forms the basis for considering requests expressing the name in a language other than English, to both existing and new streets.
2.3	In accordance with the Policy as adopted, all occupiers as listed on the Electoral Register residing on the streets/roads as noted below were canvassed, by post seeking their views on the request to erect dual-language street nameplates in the Irish Language as requested in each case.
3.0	Main Report
3.1	<p>The Building Control Service within the Public Health and Infrastructure Directorate issued occupiers of the undernoted streets, correspondence seeking their views on the request to erect a dual-language street nameplate.</p> <p>Completed surveys were received by the return date and the outcome is as follows in each case:</p>

3.2

Name of Street	Donaghendry Road, Stewartstown
Language Requested	Irish
Date Request Validated	20/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	29/07/2019
Surveys returned by	26/08/2019
Survey Letters Issued	34
Survey Letters Returned	28
Replies in Favour	6
Replies not in Favour	22
Invalid	0
Valid Returns	28
Percentage in Favour	21%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are not in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Donaghendry Road, Stewartstown will not be approved or erected.

3.3

Name of Street	School Gardens, Coalisland
Language Requested	Irish
Date Request Validated	23/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	29/07/2019
Surveys returned by	26/08/2019
Survey Letters Issued	9
Survey Letters Returned	1
Replies in Favour	1
Replies not in Favour	0
Invalid	0
Valid Returns	1
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, it is confirmed that the dual language nameplates at School Gardens, Coalisland will be erected.

3.4

Name of Street	Annaghnaaboe Road, Coalisland
Language Requested	Irish
Date Request Validated	20/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	29/07/2019
Surveys returned by	26/08/2019
Survey Letters Issued	101
Survey Letters Returned	17
Replies in Favour	16
Replies not in Favour	0
Invalid	1
Valid Returns	16
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, it is confirmed that the dual language nameplates at Annaghnaaboe Road, Coalisland will be erected.

3.5

Name of Street	Moorlands, Coalisland
Language Requested	Irish
Date Request Validated	23/05/2019
Survey Request Approved by Environment Committee	01/07/2019
Surveys Issued	29/07/2019
Surveys returned by	26/08/2019
Survey Letters Issued	79
Survey Letters Returned	40
Replies in Favour	39
Replies not in Favour	0
Invalid	1
Valid Returns	39
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, it is confirmed that the dual language nameplates at Moorlands, Coalisland will be erected.

3.6

Name of Street	Moor Gardens, Coalisland
Language Requested	Irish
Date Request Validated	23/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	29/07/2019
Surveys returned by	26/08/2019
Survey Letters Issued	20
Survey Letters Returned	7
Replies in Favour	7
Replies not in Favour	0
Invalid	0
Valid Returns	7
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, it is confirmed that the dual language nameplates at Moor Gardens, Coalisland will be erected.

3.7

Name of Street	Gortmyre, Coalisland
Language Requested	Irish
Date Request Validated	23/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	29/07/2019
Surveys returned by	26/08/2019
Survey Letters Issued	36
Survey Letters Returned	7
Replies in Favour	6
Replies not in Favour	0
Invalid	1
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, it is confirmed that the dual language nameplates at Gortmyre, Coalisland will be erected.

3.8

Name of Street	Gortgonis Road, Coalisland
Language Requested	Irish
Date Request Validated	20/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	07/08/2019
Surveys returned by	04/09/2019
Survey Letters Issued	103
Survey Letters Returned	26
Replies in Favour	26
Replies not in Favour	0
Invalid	0
Valid Returns	26
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, it is confirmed that the dual language nameplates at Gortgonis Road, Coalisland will be erected.

3.9

Name of Street	Washingbay Road, Coalisland
Language Requested	Irish
Date Request Validated	23/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	07/08/2019
Surveys returned by	04/09/2019
Survey Letters Issued	304
Survey Letters Returned	109
Replies in Favour	106
Replies not in Favour	0
Invalid	3
Valid Returns	106
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, it is confirmed that the dual language nameplates at Washingbay Road, Coalisland will be erected.

3.10

Name of Street	Mountjoy Road, Coalisland
Language Requested	Irish
Date Request Validated	23/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	07/08/2019
Surveys returned by	04/09/2019
Survey Letters Issued	291
Survey Letters Returned	81
Replies in Favour	75
Replies not in Favour	5
Invalid	1
Valid Returns	80
Percentage in Favour	94%

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, it is confirmed that the dual language nameplates at Mountjoy Road, Coalisland will be erected.

3.11

Name of Street	Derrytresk Road, Coalisland
Language Requested	Irish
Date Request Validated	23/05/2019
Survey Request Approved by Environment Committee	01/07/2019
Surveys Issued	07/08/2019
Surveys returned by	04/09/2019
Survey Letters Issued	129
Survey Letters Returned	41
Replies in Favour	41
Replies not in Favour	0
Invalid	0
Valid Returns	41
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, it is confirmed that the dual language nameplates at Derrytresk Road, Coalisland will be erected.

3.12

Name of Street	Moor Park, Coalisland
Language Requested	Irish
Date Request Validated	30/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	07/08/2019
Surveys returned by	04/09/2019
Survey Letters Issued	14
Survey Letters Returned	3
Replies in Favour	3
Replies not in Favour	0
Invalid	0
Valid Returns	3
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, it is confirmed that the dual language nameplates at Moor Park, Coalisland will be erected.

3.13

Name of Street	Moor Villas, Coalisland
Language Requested	Irish
Date Request Validated	30/05/2019
Survey Request Approved by Environment Committee	01/07/2019
Surveys Issued	07/08/2019
Surveys returned by	04/09/2019
Survey Letters Issued	17
Survey Letters Returned	9
Replies in Favour	9
Replies not in Favour	0
Invalid	0
Valid Returns	9
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, it is confirmed that the dual language nameplates at Moor Villas, Coalisland will be erected.

3.14

Name of Street	Moor Road, Coalisland
Language Requested	Irish
Date Request Validated	30/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	16/08/2019
Surveys returned by	13/09/2019
Survey Letters Issued	38
Survey Letters Returned	16
Replies in Favour	16
Replies not in Favour	0
Invalid	0
Valid Returns	16
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, it is confirmed that the dual language nameplates at Moor Road, Coalisland will be erected.

3.15

Name of Street	Dernmore Drive, Coalisland
Language Requested	Irish
Date Request Validated	30/05/2019
Survey Request Approved by Environment Committee	01/07/2019
Surveys Issued	16/08/2019
Surveys returned by	13/09/2019
Survey Letters Issued	38
Survey Letters Returned	16
Replies in Favour	16
Replies not in Favour	0
Invalid	0
Valid Returns	16
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, it is confirmed that the dual language nameplates at Dernmore Drive, Coalisland will be erected

3.16

Name of Street	Canal Meadows, Coalisland
Language Requested	Irish
Date Request Validated	30/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	16/08/2019
Surveys returned by	13/09/2019
Survey Letters Issued	56
Survey Letters Returned	14
Replies in Favour	10
Replies not in Favour	1
Invalid	3
Valid Returns	11
Percentage in Favour	91%

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, it is confirmed that the dual language nameplates at Canal Meadows, Coalisland will be erected

Name of Street	Glebe Crescent, Dungannon
Language Requested	Irish
Date Request Validated	31/05/2019
Survey Request Approved by Environment Committee	01/07/2019
Surveys Issued	16/08/2019
Surveys returned by	13/09/2019
Survey Letters Issued	35
Survey Letters Returned	17
Replies in Favour	15
Replies not in Favour	2
Invalid	0
Valid Returns	17
Percentage in Favour	88%

3.17

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, it is confirmed that the dual language nameplates at Glebe Crescent, Dungannon will be erected

3.18

Name of Street	Mourne View, Stewartstown
Language Requested	Irish
Date Request Validated	31/05/2019
Survey Request Approved by Environment Committee	01/07/2019
Surveys Issued	16/08/2019
Surveys returned by	13/09/2019
Survey Letters Issued	42
Survey Letters Returned	3
Replies in Favour	3
Replies not in Favour	0
Invalid	0
Valid Returns	3
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, it is confirmed that the dual language nameplates at Mourne View, Stewartstown will be erected

3.19

Name of Street	Kildrum, Dungannon
Language Requested	Irish
Date Request Validated	31/05/2019
Survey Request Reported to Environment Committee	01/07/2019
Surveys Issued	16/08/2019
Surveys returned by	13/09/2019
Survey Letters Issued	64
Survey Letters Returned	39
Replies in Favour	37
Replies not in Favour	0
Invalid	2
Valid Returns	37
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, it is confirmed that the dual language nameplates at Kildrum, Dungannon will be erected

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 for application of Dual Language Nameplates in Irish for the streets/roads as detailed below.
5.2	Where more than 51 % of occupiers that respond indicated that they were in favour of the erection of a dual language signage, nameplates will be erected. <ul style="list-style-type: none"> 1 School Gardens, Coalisland 2 Annaghnaboe Road, Coalisland 3 Moorlands, Coalisland 4 Moor Gardens, Coalisland 5 Gortmyre, Coalisland 6 Gortgonis Road, Coalisland 7 Washingbay Road, Coalisland 8 Mountjoy Road, Coalisland 9 Derrytresk Road, Coalisland 10 Moor Park, Coalisland 11 Moor Villas, Coalisland 12 Moor Road, Coalisland 13 Dernmore Drive, Coalisland

5.3	<p>14 Canal Meadows, Coalisland</p> <p>15 Glebe Crescent, Dungannon</p> <p>16 Mourne View, Stewartstown</p> <p>17 Kildrum, Dungannon</p> <p>Where less than 51 % of occupiers that responded indicate that they were not in favour of the erection of a dual-language street nameplate, then the dual language nameplate will not be approved or erected</p> <p>1 Donaghendry Road, Stewartstown</p>
6.0	Documents Attached & References
6.1	Appendix 1 – Street Naming and Dual Language Signage – Section 6.0 : Dual Language Signage Nameplates Policy
6.2	Appendix 2 – Dual Language Nameplate Translation for each street/road

Policy on Dual Language Nameplate Signage

Document Control			
Policy Owner	Director of Public Health & Infrastructure		
Policy Author	Director of Public Health & Infrastructure		
Version	Version 1		
Consultation	Senior Management Team	Yes / No	
	Trade Unions	Yes / No	
Equality Screened by	Principal Building Control Officer	Date	20/02/2019
Equality Impact Assessment	N/A	Date	
Good Relations	N/A		
Approved By	Environment Committee	Date	12/03/2019
Adopted By	Council	Date	28/03/2019
Review Date		By Whom	
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4.0	Linkage to Corporate Plan	
5.0	Dual Language Signage Nameplates	
6.0	Roles & Responsibilities	
7.0	Impact Assessment <ul style="list-style-type: none"> • Equality Screening & Impact • Staff & Financial Resources 	
8.0	Support & Advice	
9.0	Communication	
10.0	Monitoring & Review Arrangements	

Appendices	Description	Page Number
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1.0 Introduction

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

- (i) Erection of dual language Street signage

2.0 Policy Aim & Objectives

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

2.2 Policy Objectives:

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

3.0 Policy Scope and Legislative Framework

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

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

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

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

4.0 Linkage to Corporate Plan

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

5.0 Dual Language Signage Nameplates

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

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

1. Have regard to any views on the matter expressed by occupiers of the street.
2. For the purposes of the policy, surveys will be issued to all occupiers (the age of 18 or over) of each dwelling where any person resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which is numbered directly off the adjoining street, hereafter referred to as 'property'. Only the views of the occupiers aged 18 or over for each property that is occupied and listed on the Electoral Register at the date of survey will be considered.
3. In relation to properties, the 'occupier' will include the owner and family members or tenants as listed on the current Electoral / Rates Register as residing at that address or tenants in actual possession of the premises, but not employees within such premises at the date of the survey.
4. The naming of the street in a language other than English does not authorise or require its use as, or part of, the address of any person or the description of the land for the purpose of any statutory provision; e.g., Building Control applications.

- 5.4 The provision of dual language Street Names will normally only be considered in the following circumstances:
- In the case of existing streets, where the Council has been petitioned and/or consulted with the occupiers of premises in that street and other persons it deems appropriate, in accordance with these arrangements.
- 5.5 Where an applicant does not have English as their first language, information in relation to this policy can be provided in an alternative language. Applications can be accepted in alternative languages if required by the applicant. Please see Appendix D for details.
- 5.6 Applications for Dual Language Signage will be processed in accordance with the Procedure as outlined in Appendix B
- 6.0 Roles and Responsibilities**
- 6.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 6.2 **Building Control Service:** shall be responsible for implementing arrangements to administer requests to have an existing name of a Street erected in a language other than English;
- 7.0 IMPACT ASSESSMENTS**
- 7.1 **Equality Screening & Impact**
- 7.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 7.2 **Rural Needs Impact**
- 7.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 7.3 **Staff & Financial Resources**
- 7.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented.
- 8.0 Support and Advice**
- 8.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control

9.0 Communication

- 9.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy

10.0 Monitoring and Review Arrangements

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

Appendix A
Article 11, Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995

Street names and numbering of buildings

Powers of councils in relation to street names and numbering of buildings

11.—(1) A council may erect at or near each end, corner or entrance of any street in its district a nameplate showing the name of the street; and a nameplate erected under this paragraph—

- (a) shall express the name of the street in English; and
- (b) may express that name in any other language

(2) A council may, immediately adjacent to a nameplate erected under paragraph (1) which expresses the name of a street in English only, erect a second nameplate expressing the name of the street in a language other than English.

(3) Neither this Article nor anything done by a council thereunder authorises or requires the use of the name of a street expressed in a language other than English as, or as part of—

- (a) the address of any person; or
- (b) the description of any land; for

the purposes of any statutory provision.

(4) In deciding whether and, if so, how to exercise its powers under paragraph (1)(b) or (2) in relation to any street, a council shall have regard to any views on the matter expressed by the occupiers of premises in that street.

(5) Any person who—

- (a) obscures, pulls down or defaces any nameplate erected under paragraph (1) or (2);
- (b) erects in any street any nameplate showing as the name of the street a name different from that in any nameplate erected in the street under paragraph (1) or (2); or
- (c) erects in any street any nameplate purporting to show the name of the street, without the authorisation of the council for the district in which the street is situated,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) Where a council has exercised its powers under paragraph (1) in relation to any street, the occupier of each house or other building in that street shall ensure that that house or building is at all times marked with such number as the council may approve for the purposes of this Article.

(7) Where a person fails to comply with paragraph (6) the council may serve on him a notice requiring him to comply with that paragraph within 7 days from the date of service of the notice.

(8) A person who fails to comply with a notice served on him under paragraph (7) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) Where a person fails to comply with a notice served on him under paragraph (7) in respect of any house or other building, the council may itself do anything which he has failed to do and may recover from that person summarily as a civil debt any expenses thereby reasonably incurred by it.

(10) In this Article—
“nameplate” includes any means of signifying a name in writing; “street” includes any road, square, court, alley, passage or lane.

(11) The power of a council to erect a nameplate under paragraph (1) or (2) includes power—

- (a) to erect it on any building or in such other manner as the council thinks fit; and
- (b) to cause it to be erected by any person authorised in that behalf by the council.

(12) The following statutory provisions shall cease to have effect, namely—

- (a) sections 64 and 65 of the Towns Improvement Clauses Act 1847^{F6};
- (b) in section 38 of the Towns Improvement (Ireland) Act 1854^{F7} the words “naming the streets and numbering the houses and also so much thereof as relates to”;
- (c) section 21 of the Public Health Acts Amendment Act 1907^{F8};
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949^{F9}; and
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings

Appendix B

Dual Language Signage Nameplates: *Procedure*

In deciding whether it should exercise its discretionary powers in relation to erection of dual language nameplates under Article 11 of the 1995 Order, the Council shall only do so after having regard to the views of occupiers of premises which has its frontage immediately adjoining that street.

The procedure for seeking and assessing the views of occupiers and criteria to be applied in deciding whether to erect a dual language nameplate in a language other than English is;

1. A valid letter, signed by an occupier of the street must be made to Council to enable this matter to be considered. Requests should be made to the Building Control Service within the Public Health and Infrastructure Department. A letter of request shall be valid if; it is from an occupier who appears on the Electoral Register as maintained by the Electoral Office for NI; the applicant's address is referenced on the letter and; the individual's name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A letter may be received by email but it must be attached as a file and signed. The Council shall not accept a request made within the body of an email.
2. The Environment Committee will receive notification of submitted requests by way of valid letters as referenced at 1, above. A letter will be deemed to be valid where it is submitted by a minimum of one householder on that street. The Environment Committee will be informed of requests which have been validated and are proceeding to survey.
3. Following validation, the Council will canvass, by post, each occupier within a household as listed on the Electoral Register; seeking their views on the request to erect a dual-language street nameplate. Each household will receive a letter accompanied by survey forms based on the number of occupiers listed on the Electoral Register. The requisite number of survey forms for individuals registered at that address will be forwarded to each household (See Appendix E)
4. The occupiers will be advised of the date by which completed surveys must be returned. Incomplete or illegible survey returns will not be counted. Completed surveys which has been signed and name printed as required, must be returned in the self- addressed envelopes provided for that purpose. Only replies received by the specified date shall be considered.
5. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will be erected

6. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will not be approved or erected
7. In specific circumstances a report may be brought to the Environment Committee to determine an application where there are particular issues requiring the Members consideration
8. If the request is refused by those households surveyed, further requests will not be considered until the expiry of 12 months from the date at which the Environment Committee refuses it.
9. Where a request for Irish Language signage, the Irish Language Section within Department of Culture and Arts and/or an approved translator will provide the translation of the street name. Any other language shall be obtained from an approved translation service the cost of which will be notified to the Environment Committee when receiving the report on the outcome of the survey. The second language will not be used to express the name of the street for statutory purposes.
10. The layout, font and size of lettering of the second language shall be in accordance with that as shown in Appendix C.
11. Following the Council's decision with regards to the request on Dual Language Signage for a particular street/road, the outcome will be published on the Council Website. Where requested, written confirmation of the decision will be forwarded to relevant households.
12. Where agreed, a new dual language nameplate will be erected at the start and finish of the street or road in question and at such points along it as required e.g. at other road junctions, in accordance with any operational requirements as determined by the Property Services Team.

Appendix C Name Plate Layout

AGREED: 11th September 2018 Environment Committee
23rd September 2018 Full Council

Mono-Lingual New Road / Street Signage

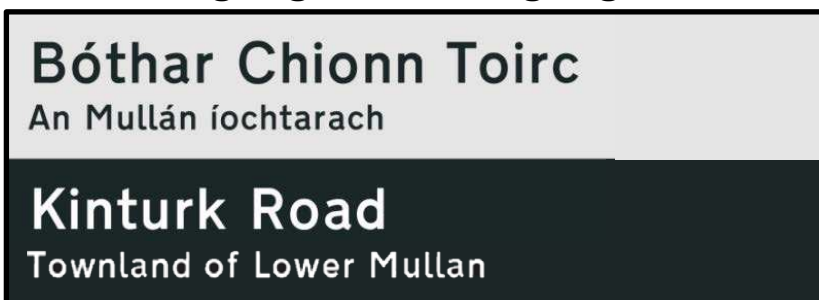


Example signage

Specification

- Name Plate Dimensions: 200mm x length to suit road name
- Background Colour: White
- Font & Colour: Transport Medium; Black
- Road Name font size: Upper case; 70mm Lower case; 50mm
- Townland font size: Upper case; 30mm Lower case; 22mm
- Text Justification: Left hand

Dual Language Street Signage



Example signage

Specification

- Name Plate Dimensions: 460mm x length to suit road name
- Background Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Light Grey Value; C:0 M:0 Y:0 K:10
- Font Type: Transport Medium
- Font Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Standard White
- Road Name font size: Upper case; 63mm Lower case; 50mm
- Townland font size: Upper case; 40mm Lower case; 30mm
- Text Justification: Left hand

Appendix D- Accessibility Statement

The information included in this policy can be made available in alternative formats, such as audio, braille, easy read or large print and may be provided in alternative languages, upon request. Please contact Mid Ulster District Council's Corporate Policy & Equality Officer on 03000 132 132 Ex 24612 or via ann.mcaleer@midulstercouncil.org



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Appendix E

18 February 2019

Our Ref:- «Ref»

The Occupier
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Mid Ulster District Council have received an application to erect street nameplates in ??? in addition to the current name for the street as indicated above.

The Council's Policy on Street Naming & Dual Language Signage outlines that individuals who meet the following criteria are eligible to register their preference on this matter:

A person who resides on the street in question and appears on the Electoral Register as maintained by the Electoral Office for Northern Ireland.

Our records would indicate that you meet the above criteria.

In accordance with these arrangements I would be grateful if you would complete the attached survey form and indicate your preference in this matter. The completed survey form should be returned to these offices in the addressed envelope provided by **Tuesday 19 March 2019**. *Survey forms received after this date will not be considered.*

On completion of this survey Council will provide a determination on this request on the basis of the majority preference as submitted. For approval to be considered, at least 51% of respondents must be in favour of the proposal (i.e. street nameplates being erected in ???, in addition to English for Name of Street/Development).

If you have any queries on the above please contact Willie Wilkinson in the Magherafelt Office by either:

Tel: 03000 132 132 (Ext 22208)

Email: willie.wilkinson@midulstercouncil.org

Yours faithfully

W Wilkinson
Head of Building Control

Enc

Cookstown Office
Bun. Road
Cookstown
BT85 8DT

Dungannon Office
Lipton Road
Dungannon
BT17 6LJ

Magherafelt Office
Ballyronan Road
Magherafelt
BT45 6EN

Telephone 03000 132 132
willie.wilkinson@midulstercouncil.org
www.midulstercouncil.org



Comhairle Ceannair
Lár Uladh
Mid Ulster
District Council

19 February 2019

Our Ref:- MUDL0078

The Occupier (1)
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Please read the following statements below carefully. Tick your preferred option in the appropriate box, print your name and address and sign the document. Then return this letter which has your reply in the addressed envelope provided by 19 March 2019.

Thank you for your time completing this survey.

Yours faithfully

W Wilkinson

Head of Building Control

Options

1. I WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

2. I DO NOT WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

Print Name: _____

Address: _____

Signature: _____

The results of this survey will be available to view on www.midulstercouncil.org but should you wish to receive written correspondence detailing the outcome of the survey please tick this box.

☐

Appendix 2

Dual Language Nameplates

	Current Name	Irish Translation
Road	School Gardens	Gairdíní na Scoile
Townland	Annaghmore	Eanach Mór

	Current Name	Irish Translation
Road	Annaghnaboe Road	Bóthar Eanach na Bó
Townlands	Annaghnaboe Meenagh	Eanach na Bó An Mhíneach

	Current Name	Irish Translation
Road	Moorlands	Na Móintigh
Townland	Annaghmore	Eanach Mór

	Current Name	Irish Translation
Road	Moor Gardens	Gairdíní an Mhóintigh
Townland	Annaghmore	Eanach Mór

	Current Name	Irish Translation
Road	Gortmyre	Gort Maghair
Townland	Annaghmore	Eanach Mór

	Current Name	Irish Translation
Road	Gortgonis Road	Bóthar Ghort an Ghamhna
Townlands	Gortgonis Annaghmore	Gort an Ghamhna Eanach Mór

	Current Name	Irish Translation
Road	Washingbay Road	Bóthar an Chuain Ionnalta
Townlands	Brackaville Gortgonis Annaghmore Aughamullan	Bréachmhaoil Gort an Ghamhna Eanach Mór Achadh Uí Mhaoláin

	Current Name	Irish Translation
Road	Mountjoy Road	Bóthar Mhuinseo
Townlands	Dernagh Magheramulkenny Curglassan	An Doireanach Machaire Mhaolchainnigh Corr Ghlasáin

	Current Name	Irish Translation
Road	Derrytresk Road	Bóthar Dhoire Treasc
Townland	Derrytresk	Doire Treasc

	Current Name	Irish Translation
Road	Moor Park	Páirc an Mhóintigh
Townland	Annaghmore	Eanach Mór

	Current Name	Irish Translation
Road	Moor Villas	Bailtíní an Mhóintigh
Townland	Annaghmore	Eanach Mór

	Current Name	Irish Translation
Road	Moor Road	Bóthar an Mhóintigh
Townlands	Ballynakilly Dernagh Unicks Shanliss Upper	Baile na Coille An Doireanach Uaineog An Seanlios Uachtarach

	Current Name	Irish Translation
Road	Dernmore Drive	Céide na Doireanaí Móire
Townland	Annaghmore	Eanach Mór

	Current Name	Irish Translation
Road	Canal Meadows	Céide na Doireanaí Móire
Townland	Annaghmore	Eanach Mór

	Current Name	Irish Translation
Road	Glebe Crescent	Corrán na Gléibe
Townland	Mullaghconor Glebe	Gléib Mhullach Chonchúir

	Current Name	Irish Translation
Road	Mourne View	Radharc Mhúrn
Townland	Carnan	An Carnán

	Current Name	Irish Translation
Road	Kildrum	Coill Droma
Townland	Glenbeg	An Gleann Beag

Report on	Air Quality in the Mid Ulster District Council Area 2019
Date of Meeting	8 th October 2019
Reporting Officer	Fiona McClements, Head of Environmental Health

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

1.0	Purpose of Report
1.1	The purpose of this report is to update Members on the air quality and associated ongoing monitoring in the Mid Ulster District Council area.
2.0	Background
2.1	Although air quality in the UK is generally good, air pollution can have negative impacts on human health and the natural environment.
2.2	Local Air Quality Management (LAQM) provides the framework within which air quality is managed by Northern Ireland's local authorities. The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether air quality objectives are likely to be achieved. Where exceedances are considered likely, the local authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place to improve air quality in its District so that these objectives are achieved.
2.3	In Northern Ireland Local Authorities report on air quality within their districts via Progress Reports and Updating and Screening Assessment Reports. Air Quality Progress Reports have been submitted by the former Dungannon & South Tyrone Borough Council, Cookstown District Council, and Magherafelt District Council since 2002. These reports initially looked at a number of pollutants listed under European Directives and examined whether or not air quality objectives were likely to be met.
2.4	After the initial assessment in the legacy areas it was determined that air quality objectives for four out seven pollutants would be met. However, it was felt that further examination would need to be undertaken for the remaining three pollutants. A list of the pollutants and the relevant air quality objectives are set out in Appendix 1 of this report.
2.5	These pollutants were Nitrogen Dioxide (NO ₂), Sulphur Dioxide (SO ₂) and PM10. For a number of years, the levels of SO ₂ and PM10 were monitored at areas identified as worst case scenarios in each of the Districts. These areas were chosen due to the relatively high number of solid fuel burning properties near by the

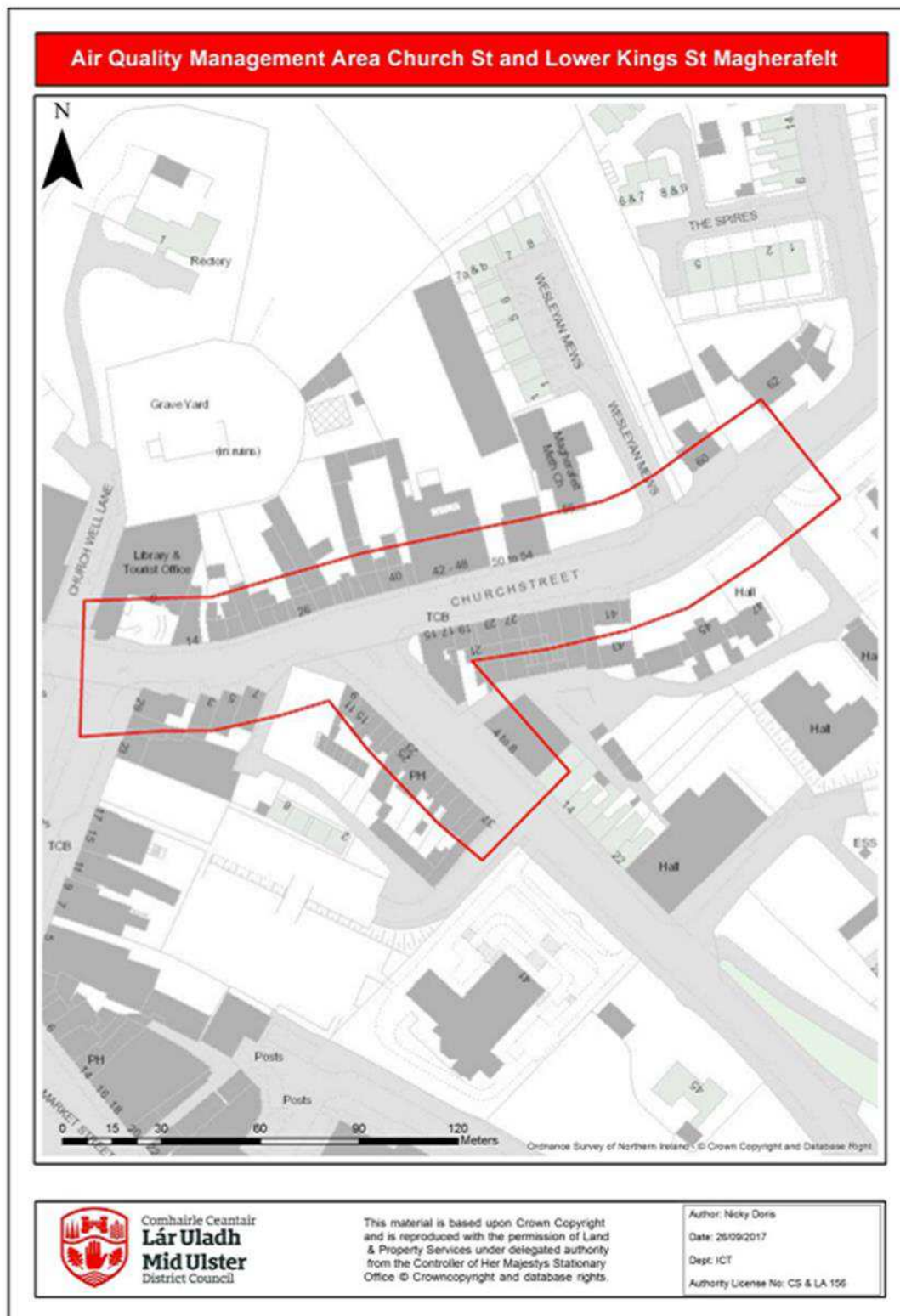
	<p>monitoring sites. After several years of monitoring it was found that all the areas chosen were within the air quality objectives and were unlikely to exceed the objectives in the future. As a result, monitoring was discontinued for these two pollutants. The only remaining pollutant that is routinely monitored in the Mid Ulster District is Nitrogen dioxide.</p>
2.6	<p>Air Quality monitoring has been carried out for Nitrogen Dioxide (NO₂) in Magherafelt, Cookstown and Dungannon since the initial reports were submitted in 2002. Monitoring is also undertaken in the villages of Moneymore and Moy. NO₂ is associated with road traffic and monitoring has taken place on congested traffic routes in the District. Mid Ulster District Council currently has three AQMA's within the District. The AQMA's within the District are located in Moy, Dungannon and Magherafelt and maps of their location can be found in Appendix 2.</p>
3.0	Main Report
3.1	<p>Mid Ulster District Council has 20 non-automatic monitoring sites for Nitrogen dioxide (NO₂). The Air quality monitoring takes place along the roads that are more heavily congested throughout the District, and that run close by occupied residential properties.</p>
3.2	<p>The results of the diffusion tube monitoring for 2018 are indicated in Appendix 3. As can be seen from the table, 2 of the 20 sites exceeded the air quality objective of 40 µg/m³. These sites are located at Newell Road in Dungannon and Charlemont Street in Moy and are located within the Air Quality Management Areas (AQMA) for Dungannon and Moy.</p>
3.3	<p>This year marks the first year when all the monitoring sites in the Magherafelt AQMA have recorded levels below the air quality objective. This reduction is likely to be largely as a result of the recently completed bypass of the town.</p>
3.4	<p>Results for the Cookstown and Moneymore areas continue to be within compliance levels with the air quality objective.</p>
3.5	<p>Further to the submission of the Air Quality Report for 2018, it is proposed to review the Mid Ulster District Council Air Quality Action Plan and facilitate a multi-agency meeting in October. The provisional date is 25th October at 10am in Committee Room 3 of the Magherafelt office of Mid Ulster Council. The meeting will review the Air Quality results for the District, and how this relates to the Air Quality Action Plan. It will note work undertaken to date and focus on areas where work is still ongoing and outstanding. The Action Plan focusses on air quality within the Air Quality Management Areas (AQMA's), but many of the recommendations can be actioned on a District wide basis. The meeting will also provide the opportunity for an input into future actions that should be incorporated into the Action Plan to fully reflect Mid Ulster District Council's commitment to air quality in the District. The meeting will feature a number of Departments within the Council, and also a number of external agencies with an input into this issue such as DfI Roads.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: £1,600 for provision and analysis of NO ₂ tubes of which 50% is grant funded through the Environment Fund Grant Scheme 2019-20.
	Human: £6,000 per annum of which 50% is grant funded through the Environment Fund Grant Scheme 2019-20.
	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 air quality update and note the provisional date of the proposed meeting (25 th October at 10am in Committee Room 3 of the Magherafelt office of Mid Ulster Council), should any Member wish to input.
6.0	Documents Attached & References
6.1	Appendix 1: Air Quality Objectives included in Regulations for the purpose of LAQM in Northern Ireland
6.2	Appendix 2: Maps Showing Air Quality Management Areas (AQMA's) in Mid Ulster.
6.3	Appendix 3: Air Quality Monitoring Results 2018.
6.4	Appendix 4: Air Quality Action Plan.

Appendix 1: Air Quality Objectives included in Regulations for the purpose of LAQM in Northern Ireland

Pollutant	Air Quality Objective		Date to be achieved by
	Concentration	Measured as	
Benzene	16.25 µg/m ³	Running annual mean	31.12.2003
	3.25 µg/m ³	Running annual mean	31.12.2010
1,3-butadiene	2.25 µg/m ³	Running annual mean	31.12.2003
Carbon monoxide	10 mg/m ³	Running 8-hour mean	31.12.2003
Lead	0.50 µg/m ³	Annual mean	31.12.2004
	0.25 µg/m ³	Annual mean	31.12.2008
Nitrogen dioxide	200 µg/m ³ not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 µg/m ³	Annual mean	31.12.2005
Particulate matter (PM ₁₀) (gravimetric)	50 µg/m ³ , not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 µg/m ³	Annual mean	31.12.2004
Sulphur dioxide	350 µg/m ³ , not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 µg/m ³ , not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 µg/m ³ , not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

Appendix 2:



Air Quality Management Area Newell Road Dungannon

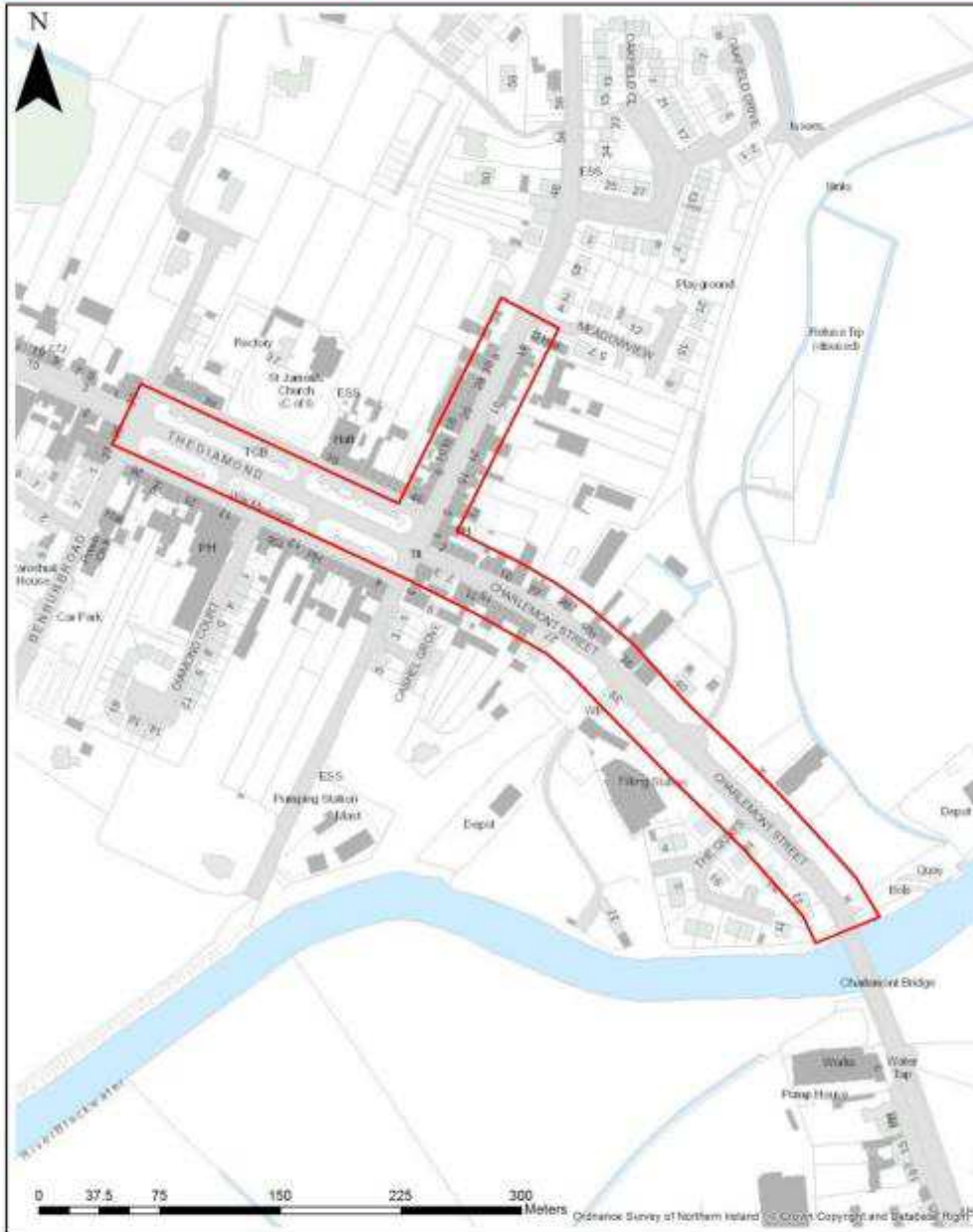


Comhairle Ceantair
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Mid Ulster
District Council

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Date: 26/09/2017
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Authority License No: CS & LA 196

Air Quality Management Area Charlemont St The Moy



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

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Appendix 3:

Site ID	Location	Site Type	Within AQMA?	2018 Annual Mean Concentration ($\mu\text{g}/\text{m}^3$)
M2	22 Church Street	Roadside	Y	35
M9	12 Church Street	Roadside	Y	30
M10	30 Church Street	Roadside	Y	35
M11	11 King Street	Roadside	Y	24
M13	60 Church Street	Roadside	Y	23
M23	35 Church Street	Roadside	Y	33
D1	Ardgannon	Urban Background	N	12
D2	Newell Rd	Roadside	Y	50
D3	Charlemont St	Roadside	Y	55
D4	Killyman St	Roadside	Y	26
D5	The Quays	Urban Background	N	9
D6	Dunclose Way	Urban Background	N	8
C1	Lawford St	Kerbside	N	35
C2	William St	Roadside	N	25
C3	James St	Kerbside	N	31
C4	Church St	Roadside	N	26
C5	Killymoon St	Kerbside	N	30
C8	Smith St	Kerbside	N	26
C10	Stonard St	Kerbside	N	37
C11	Conyngham St	Kerbside	N	17

Appendix 4: Mid Ulster District Council- Air Quality Action Plan

Measure No.	Measure	EU Category	EU Class	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Estimated Completion Date
1	Investigate potential for traffic control systems leading to and within AQMA	Traffic Management	UTC, Congestion management, traffic reduction	Transport NI	2018	2019	To be determined	To be agreed
2	Ensure potential air quality issues are assessed with new developments before problems arise through consultation with the Planning Department	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	MUDC	2017	Immediate	Unable to determine	Air Quality issues considered in all planning consultation responses by Environmental Health

Measure No.	Measure	EU Category	EU Class	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Estimated Completion Date
3	Investigate the potential of requiring a number of electric charging points to be included in certain developments, through consultation with the Planning Department	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	MUDC	2017	2018	Increase in number of charging point	Inclusion of app on Council web-site to identify electric charging points in the District.
4	Prepare information leaflets on how to help improve air quality and reduce exposure	Promoting Travel Alternatives Transport and Planning Infrastructure	Promotion of cycling Promotion of walking School Travel & Workplace Travel Planning	MUDC DEARA	2017-2023	Ongoing	Development of leaflets and information on Council website. Promotion campaigns and advertisements	Ongoing

Measure No.	Measure	EU Category	EU Class	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Estimated Completion Date
5	Control of emissions from Part C processes	Environmental Permits	Air Quality Planning and Policy Guidance	MUDC	2017	Ongoing	Meet inspection target in line with DEARA requirements	Current review and update of all Environmental permits.
6	Investigation of air quality nuisance complaints, inclusion appropriate action to resolve the problem	No EU category/ classification	No EU category/ classification	MUDC	In place	Ongoing	85% of complaints to be responded to within 3 days	Ongoing
7	Identify, map and promote use of electric vehicle recharging points within Council area.	Promoting Low Emission Transport	Other	MUDC Local Business/ town Centre forum	2018	2018	Map produced and available on council website	Inclusion of app on Council web-site to identify electric charging points in the District.

Measure No.	Measure	EU Category	EU Class	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Estimated Completion Date
8	Enforcement of the Clean Air Act with regards to industrial smoke	No EU category/ classification	No EU category/ classification	MUDC	2017	Ongoing	Unable to determine	Ongoing
9	Encourage the installation and of new and bicycle stands at large supermarkets located in the District and will promote the use of existing bicycle stands	Promoting Travel Alternatives	Promotion of cycling	MUDC Local Business town Centre forum	2019	2020	Increase in number of bike stands	Ongoing
10	Ensure that bicycle stands are available at all council buildings	Promoting Travel Alternatives	Promotion of cycling	MUDC	2019	2020	Increase in number of bike stands	Ongoing

Measure No.	Measure	EU Category	EU Class	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Estimated Completion Date
11	Investigate fleet improvements of Council owned vehicles	Vehicle Fleet Efficiency	Vehicle Retrofitting Programme	MUDC	Not yet determined	Not yet determined	Air Quality performance now included as part of Council specification for new vehicles.	Ongoing
12	Annual engagement event to educate and raise awareness regarding air quality. Also to find joint working opportunities	Public Information	Promotion campaigns and advertisements	MUDC	2018-2023	Ongoing	Development of leaflets and information on Council website	Ongoing
13	Investigation potential for marked walking and routes within towns	Promoting Travel Alternatives	Promotion of walking	MUDC	2019	2020	Increase in number of walking routes within towns	Ongoing

Report on	Community Resuscitation
Date of Meeting	8 th Oct 2019
Reporting Officer	Fiona McClements, Head of Environmental Health

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

1.0	Purpose of Report
1.1	To inform Members of the ongoing work around Community resuscitation across Mid Ulster District Council area.
2.0	Background
2.1	<p>The Community Resuscitation Strategy for Northern Ireland was launched in July 2014 with a vision to increase survival for those who suffer an out-of-hospital cardiac arrest, to the highest level that can be achieved across Northern Ireland. The objectives set out in the Strategy are to:</p> <ul style="list-style-type: none"> • Raise public awareness of the importance of early recognition of an out-of-hospital cardiac arrest, and the importance of early intervention; • Encourage members of the public to intervene in the event of an out-of-hospital cardiac arrest; • Increase the availability of, and access to, appropriate and effective CPR training provision across Northern Ireland; • Achieve high uptake of CPR training; • Make the most efficient use of the resources available to support community resuscitation training; • Improve the availability of, and access to, the automated external defibrillators that are in place across Northern Ireland, and • Enhance the capacity of information systems to capture and provide key data on out-of-hospital cardiac arrest and patient outcomes.
2.2	In 2015 following a Council motion, the Mid Ulster Community Resuscitation Group was established to consider Community Resuscitation at a local level. The Group consisting of Council staff and representatives of partner agencies formed an Action plan for Mid Ulster.
3.0	Main Report
3.1	Within MUDC Community Planning, the work of the Community Resuscitation Group has been included in the "Vibrant and Safe Communities Delivery plan for Short term Actions". The Community Resus group continue to meet and are currently working on a number of programmes.

3.2	<p><u>World Restart a Heart day -16th October 2019</u></p>
	<p>Activities are again planned for World Restart a Heart Day 2019 which is on 16th October. Free half hour CPR training will be provided to as many people as possible in the Mid Ulster District area. The training which will be led by Northern Ireland Ambulance Service and Mid Ulster District Council staff aims to equip participants with the skills necessary to deal effectively with someone who is suffering from a cardiac arrest. Community and Voluntary Organisations, sports clubs, workplaces and anyone else who would like to learn how to correctly perform CPR in the event of a cardiac arrest can register to attend.</p>
3.3	<p>In addition, The Northern Ireland Ambulance Service is liaising with schools in the District, who are registered to teach CPR, to participate in World Restart a Heart Day by delivering training to their pupils.</p>
3.4	<p>The main aim of the day is to increase awareness of the importance of bystander CPR which increases the chance of survival when someone has a cardiac arrest.</p>
3.5	<p>Further details of the events are included in the attached press release at Appendix 1.</p>
3.6	<p><u>AEDS</u></p> <p>There are Automatic Defibrillators (AEDS) distributed across Council facilities. A list is attached at Appendix 1. 21 of the 24 AEDs are located on council property with the additional three being maintained by Council. Staff within each AED location have responsibilities to ensure the AEDS are maintained, managed and registered with the Northern Ireland Ambulance Service. This work also forms part of the Community Resuscitation Action plan. Mid Ulster District Council also offers training to staff in the use of AEDS.</p>
3.7	<p>Another aim of the group is to encourage organisations and businesses across the District to register their AEDS in the Mid Ulster area. At September 2019 there are 162 AEDS registered with NIAS.</p>
3.8	<p>In order to help raise awareness, further information on Community Resuscitation has been added to the Mid Ulster Council website. The information includes a link to the Northern Ireland Ambulance map of all registered AEDs</p> <p>https://www.midulstercouncil.org/resident/health-wellbeing/community-life-saving</p>
3.9	<p>The information includes a link to the Northern Ireland Ambulance map of all registered AEDs</p> <p>http://www.nias.hscni.net/our-services/aed/aed-mapping/</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Staff time. AED cost approximately £800-£1,100 with additional fitting costs and cabinet costs if located externally.
	Human: Staff time
	Risk Management: N/a
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/a
	Rural Needs Implications: N/a
5.0	Recommendation(s)
5.1	Members to note the ongoing work around Community Resuscitation across the Mid Ulster District Council area.
6.0	Documents Attached & References
6.1	Appendix 1: Press release Restart a Heart Day 2019
6.2	Appendix 2: List of AEDs on Council facilities

News Release

September 26 2019

Join Mid Ulster's Community of Life Savers this Restart A Heart Day!

Mid Ulster District Council is urging residents to join the district's community of life savers and take part in one of this year's World Restart A Heart Day events.

World Restart a Heart Day returns on Wednesday 16 October to again provide free life-saving CPR awareness sessions to as many people as possible in the Mid Ulster district.

Organised by the Mid Ulster Community Resuscitation Group and led by the Northern Ireland Ambulance Service (NIAS) and the Council, the sessions will provide participants with the knowledge and skills to deal effectively with someone who is unconscious and stopped breathing normally.

Half hour awareness sessions will take a place on: Tuesday 15 October at 11am, 12pm, & 1pm at Maghera Leisure Centre; Wednesday 16 October at 11am, 12pm & 1pm at the Torrent Complex Donaghmore; and Thursday 17 October at 11am, 12pm, 1pm & 6.30pm at Cookstown Leisure Centre.

Community and voluntary organisations, sports clubs, workplaces, and anyone else who would like to learn how to correctly perform CPR in the event of a cardiac arrest, are being urged to attend.

NIAS is also encouraging local schools who are registered to teach CPR, to participate in World Restart a Heart Day by delivering training to pupils.

The main aim of the day is to increase awareness of the importance of bystander CPR which increases the chance of survival when someone has a cardiac arrest. Each year in Northern Ireland there are around 1,500 out of hospital cardiac arrests (OHCAs).

OHCAs can occur in homes and public spaces. Every minute counts when someone has an OHCA- every minute without CPR and defibrillation reduces the chances of survival by up to 10%. But many people simply don't have the skills and confidence to step in and help, and these awareness sessions will provide these vital skills.

Chair of Mid Ulster District Council, Councillor Martin Kearney said, "I am delighted the Council has again been involved in organising this extremely worthwhile, and in

some cases, life-saving training for the residents of Mid Ulster. The fact the training is free and will take place over three days this year will hopefully give more people the opportunity to come out and participate in a session that suits them so they can join Mid Ulster's community of life savers.

"Mid Ulster has the longest Emergency Ambulance response times in Northern Ireland, largely due to the rurality of the area. This training would be extremely beneficial in providing people with the relevant skills to help manage situations until the ambulance arrive at the scene and could result in many more lives being saved."

World Restart a Heart Day is an annual initiative which aims to raise awareness of the importance of bystander Cardiopulmonary Resuscitation (CPR) and is part of a wider action plan on Community Resuscitation in partnership with the Northern Ireland Ambulance Service and other Agencies.

This year you can even register online. Just go to:

www.midulstercouncil.org/restartaheart and select the session you wish to attend.

For more information contact Environmental Health at Mid Ulster District Council on 03000 132 132 or email health.wellbeing@midulstercouncil.org.

ENDS

Cap: Chair of Mid Ulster District Council, Councillor Martin Kearney is pictured learning some lifesaving CPR skills ahead of the Council's World Restart a Heart Day events which take place on 15, 16, & 17 October. Also pictured (l-r) are: Conleth Donnelly Sport NI, Stephanie Leckey, Northern Ireland Ambulance Service; Una O'Kane, Leigh Gilmore and Anne Caldwell, Mid Ulster District Council and Roberta Tasker, Integrated Care Partnership Pharmacy Lead.

For more information contact Mairead McNally, Mid Ulster District Council, E: mairead.mcnally@midulstercouncil.org or tel: 03000 132 132 Mob: 07816339825



List of AED within MUDC- dates are correct as of 11-06-19

Premise	AED Location	NIAS Identifier	Contact Number	Expiry Date- Battery	Expiry Date- Pads
Dungannon Leisure Centre	Managers Office	D198	O2887720370	01/09/2023	01/06/2020
Ranfurly House Arts & Visitors Centre (Behind Reception)	Reception	D199	O2887728600	AA Batteries	01/02/2020
Burnavon Theatre (In the box Office)	Reception	D208	O2886769949	01/03/2022	01/09/2019
Cookstown Offices (Post room behind reception)	Reception	D207	O3000132132	01/02/2022	01/06/2019
Magherafelt Offices (Main reception)	Reception	D206	O3000132132		
Dungannon Park (External wall of admin building)	Reception	D210	O2887728690	01/04/2024	07/017/2019 & 01/02/2020
Maghera Leisure Centre (Reception)	Reception	D205	O2879547400	01/11/2019	01/11/2019
Tobermore Golf Centre	Reception	D204	02879645406	01/03/2021	14/04/2021
Meadowbank Sports Arena (Reception)	Reception	D203	O2879397117	01/03/2021	14/04/2021
Greenvale Leisure Centre (Reception)	Swimming Office / Reception	D1653	O2879632796 Registered with NIAS	01/03/2021	01/03/2021
Mid Ulster Sports Arena (Reception Desk)	Reception	D202	O2886767135	01/07/2021	01/10/2018
Moneymore Recreation Centre (Reception)	First Aid Room	D201	No land line connected	01/03/2020	Adult Pad 01/05/2019 Junior Pads 01/07/2019
Cookstown Leisure Centre (Reception)	Reception	D200	O2886763853	31/12/2017	Infant Pads 31/03/2020 Adult Pads 31/10/2019 Adult Pads 31/10/2020
Fairhill Bowling Pavilion – BT80 8DE	Carpark (Attached to exterior building)	D910	O2886763853	01/03/2020	Infant Pads 23/06/2020 Adult Pads 16/09/2023
Ballyronan Marina (External – Marina centre)	Wall Mounted Outside	D211	O2879418143	01/03/2021	Adult Pads 28/09/2018/ Junior Pads 23/06/2020
Oaks Road Depot (Reception)	RECEPTION AREA	Not registered – it is a portable AED	O3000132132	01/2023	00/11/2020
Oaks Road –Drumcoo Bowling	Wall mounted outside	D1213	O2887720370	01/03/2019	01/03/2019
Seamus Heaney HomePlace	Wall mounted outside	D1649	028 7938 7444	30/06/2022	01/03/2019
Gortalowry House	Wall mounted outside front of exterior door	D1155	028 8676 6249		November 2020

List of AED within MUDC- dates are correct as of 11-06-19

Old Clogher School	Wall Mounted Outside	07769724391		
Castlecaulfield playing fields 1 Drumreany Rd BT70 3NY	Wall Mounted Outside	O2887720371	01/07/ 2020	01/07/2020
Time Bar	Wall Mounted Outside	D230	23/01/2021	31/12/2019
Tesco	Wall Mounted Outside	Registered NIAS	01/09/2021	01/09/2021
Specsavers	Wall Mounted Outside	Registered NIAS	22/10/2022	22/10/2022

* Yellow boxes – require information

* Red – currently not in use

