

Environment Committee 13 March 2018 Report

Report on	Mid Ulster Bonfires – Draft Procedures
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Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update members on the Bonfire Working Group and consideration of Draft Procedures arising from the selection of Draft Options at last month's meeting of Committee.
2.0	Background
2.1	The Working Group have considered a range of issues pertaining to local bonfire events held throughout the year and met with representatives from the various statutory agencies. Following discussion, it was agreed that Draft Guidelines be developed to assist local communities celebrate their cultural events safely.
2.2	<p><u>Special Meeting August 2017</u></p> <p>Following discussions at the Environment Committee meeting in August 2017 (Minute reference SE001/17), it was resolved:</p> <p>That it be recommended to the Council that approval be given to:</p> <ol style="list-style-type: none"> 1) Members continuing on their work with the Bonfire Working Group and wait until the findings of the Flags and Emblems Committee being made known before inviting other agencies i.e. PSNI, Fire Service and NIEA to becoming involved. 2) Engagement with local communities who wish to host bonfires and those who don't wish to host bonfires on Council land to ensure adherence to Good Practice with Council and other Statutory Agencies to promote public safety at bonfires. 3) Officers to prepare an Options Paper for the introduction of an application and licencing process, which should meet certain criteria for building bonfires, with this being done through the Bonfire Working Group and then brought back to Committee for consideration. 4) Illegal bonfires being put on the Risk Register and being brought back to Committee.
2.3	<p>Event Management Procedures</p> <p>At the February meeting of Committee, members were updated on the Councils proforma's for Event Management.</p>

	<p>For the purpose of Council's guidance an 'Event' is defined as, 'a planned and organised occasion taking place on an outdoor Council facility, outside the normal day to day business of the Council service, attracting members of the public or invited guests to the event'.</p> <p>Council's Event Safety Guidance requires outside bodies to complete a proforma in order to gain access to Council property. This process requires the organisers to demonstrate the following:</p> <ul style="list-style-type: none"> • Details of an Event Organiser and event management • Safeguarding Policies of children and adults at risk of harm (when applicable) • Public Liability Insurance <p>Outside of this general policy context, Mid Ulster Council is not insured to have bonfires on its property. Unregulated bonfires can carry a risk of serious injury being caused to someone, either during the building process or when the bonfires are lit if they are not appropriately managed and controlled.</p>						
3.0	Main Report						
3.1	<p>The Environment Committee at last month's meeting requested that the remit of the Bonfire Working Group be extended to include Good Relations within its Terms of Reference in the promotion of safer bonfires.</p> <p>The key objectives of the Working Group as amended are as shown below :</p> <ul style="list-style-type: none"> • Review the current position regarding bonfires set up on Council property. • Explore the options for reducing negative environmental impacts around bonfires in conjunction with other statutory bodies. • Propose mechanisms for promotion of Bonfire Safety and sustainable bonfires /celebration events going forward. • Give consideration to Good Relations in these matters. 						
3.2	<p>Following consideration of the Draft Options Paper at last month's meeting members agreed to progress Options 2, 3 and 4 with a focus on Option 3 and 4 in addressing the primary issues over the immediate short term.</p> <p>Members also agreed that an Inter-Agency Bonfire Management Group be established which is linked with the Policing and Community Safety Partnership to assist with practical implementation.</p> <p><u>Options</u></p>						
3.3	<p>The Committee identified a combination of the three options listed for progression with a focus on Option 3 and 4 in addressing the primary issues over the immediate short term.</p> <table border="1"> <thead> <tr> <th>Option No.</th><th>Option Title</th></tr> </thead> <tbody> <tr> <td>2.</td><td>Examine Current NIHE Procedures with a View to Emulating</td></tr> <tr> <td>3.</td><td>Address Key Areas Where Risk has been Identified</td></tr> </tbody> </table>	Option No.	Option Title	2.	Examine Current NIHE Procedures with a View to Emulating	3.	Address Key Areas Where Risk has been Identified
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	<div> <div>4.</div> <div>Develop a Strategic Action Plan (2 – 5 years)</div> </div>
	<p>Following consideration the Bonfire Working Group reviewed a programme of Draft Actions under each of the three Options.</p> <p>The Draft Actions associated with each of the Options are as detailed in the accompanying Draft Procedural Arrangements document included at Appendix 1.</p> <p>Members are reminded that the Committee prioritised Options 3 and 4 when these issues were considered at last month's meeting.</p> <p>As previously referenced, the absence of a clear statutory framework for bonfire management means public bodies are left to apply best practice in a pragmatic manner with support from other statutory agencies as necessary. Council in this instance has statutory responsibilities to protect public safety while ensuring the health and safety of its staff and workers. Experience would indicate that local communities must be engaged as early as practicable to avoid potential disengagement and encourage the application of good practice going forward.</p> <p>The Working Group have reviewed the Draft Procedural Arrangements and confirmed that specific guidance and direction is now required for both staff and local residents to ensure safe and positive celebratory bonfire events over the forthcoming months.</p> <p>Members are asked to review the Draft Procedural Arrangements and provide direction for staff and local residents in the identification of the actions they wish to see taken forward.</p>
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: As identified</p> <p>Human: As identified</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>As identified</p>
4.3	<p><u>Risk Management Implications</u></p> <p>As identified</p>
5.0	Recommendation(s)
5.1	<p>That Members consider the Draft Procedural Arrangements for promotion of bonfire safety and confirm the Actions they wish to see implemented in this regard.</p>
6.0	Documents Attached & References

6.1	Appendix 1 – Draft Procedural Arrangements - Bonfire Working Group Paper
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Appendix 1

Bonfire Working Group
Draft Procedural Arrangements
February 2018

The Environment Committee has recommended the following options are developed in relation to the development of procedural arrangements for bonfires held on Council owned land:

- Option 2: Review and emulate Current NIHE Procedures or Similar
- Option 3: Address Key Areas Where Risk has been identified
- Option 4: Strategic Action Plan (2 - 5years)

Details of each option are set out below:

Option 2: Review and emulate Current NIHE Procedures or Similar

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

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

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

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

This option involves developing and adopting a long-term strategy in relation to how bonfire events can be safely facilitated in the District over the next 2-5 years. This will include the production of an application procedure for use of Council facilities and open spaces for cultural celebrations while also providing alternative events and types of cultural expression.

The focus of Council going forward will be on Options 3 and 4.

The following draft actions and commitments have been developed in order to put these into practice:

Draft Actions and Commitments for Option 2: Review and emulate Current NIHE Procedures or Similar

	Action	Council Commitment
1.	Council will develop a Bonfire Management Programme which sets out the minimum requirements for a safe, well managed bonfire event	Proposed bonfires on Council land would only be considered feasible when the event organiser(s) demonstrates that the event /site will be managed safely and conditions relating to collection/type of materials to be burned, public safety, emblems/ flags, Good Relations etc. are achieved. Acting outside of this scope would make it impossible for a bonfire/event to be held on Council land.
2.	Council will support communities to engage re bonfire safety	Encourage communities to deliver programmes that challenge antisocial behaviour, provide youth engagement opportunities and deliver diversionary programmes linking PCSP and other agencies.
3.	Council will promote bonfire event safely	Council will endeavour to promote bonfire safety and the guidance as provided by NIFRS and all statutory partners.
4.	Council will identify and engage with those who wish to hold a bonfire event on Council lands and their communities to ensure that bonfires are safe and present limited risk	Prepare an application procedure for use of Council facilities and open spaces which will be subject to Event Management protocols and Safety Guidelines. Provide advice, guidance and good practice for residents and communities who wish to celebrate safely.

Draft Actions and Commitments for Option 3: Address the Key Areas Where Risk has been identified

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

Draft Actions and Commitments for Option 4: Strategic Action Plan (2 - 5years)

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