

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

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

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

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

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