



12 March 2024

Dear Councillor

You are invited to attend a meeting of the Environment Committee to be held in The Chamber, Cookstown at Mid Ulster District Council, Council Offices, Burn Road, COOKSTOWN, BT80 8DT on Tuesday, 12 March 2024 at 19:00 to transact the business noted below.

Yours faithfully

Adrian McCreesh  
Chief Executive

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## AGENDA

### OPEN BUSINESS

1. Notice of Recording  
This meeting will be webcast for live and subsequent broadcast on the Council's You Tube site [Live Broadcast Link](#)
2. Apologies
3. 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.
4. Chair's Business

### Matters for Decision

- |    |  |         |
|----|--|---------|
| 5. | Dual Language Signage Requests   | 3 - 22  |
| 6. | Martyns Law Government Consultation: Terrorism (Protection of Premises) Bill – Standard Tier                 | 23 - 74 |
| 7. | DfI Roads Proposal to Mid Ulster District Council – Disabled Persons Parking Bay at Fairhill Road, Cookstown | 75 - 78 |
| 8. | DfI Roads Proposal to Mid Ulster District Council – Disabled Persons Parking Bay at O'Neill Park, Ballyronan | 79 - 82 |

### Matters for Information

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| 9.  | Minutes of Environment Committee held on 13 February 2024 | 83 - 90  |
| 10. | Tullyvar Joint Committee Update                           | 91 - 108 |

11.	Public/bank holiday working arrangements for 2024/25	109 - 110
12.	Bus Shelters Update	111 - 130
13.	Building Control Workload	131 - 136
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15.	Dual Language Signage Surveys	153 - 172
16.	Emergency Planning Update: DAERA MOU	173 - 188

**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

17. SIB Waste Specialist Resource
18. Extension to Contracts for Processing of Dry Recyclables
19. Small Settlements- ICT appointment- Moy Pitch
20. Maghera Public Realm - IST Contract Award

Matters for Information

21. Confidential Minutes of Environment Committee held on 13 February 2024
22. Update on Digital Transformation Work for Refuse Collection Service
23. Capital Framework – ICT Contracts Update
24. Capital Framework – IST Contracts Update
25. Off Street Car Parks Quarter 3 Update
26. Lough Neagh/River Blackwater Update

<b>Report on</b>	Dual Language Signage Requests
<b>Date of Meeting</b>	12 <sup>th</sup> March 2024
<b>Reporting Officer</b>	Terry Scullion, AD Property Services
<b>Contact Officer</b>	P J Fox, Building Control Development Manager, and Colm Currie, Senior Building Control Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To inform Members of requests for Dual Language Signage from residents on the streets/roads in question, and seek members consideration on an application.
<b>2.0</b>	<b>Background</b>
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 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 in the normal way.
2.4	Following the February Council meeting in respect of the dual language survey for the Rossmore Road, Dungannon it was agreed it be brought back to the March Environment Committee in open business for decision and that Council delegate authority to the Environment Committee to process any decisions.
<b>3.0</b>	<b>Main Report</b>
3.1	The Building Control Service within the Environment Directorate have received valid letters signed by the occupiers of the streets below requesting signage to be erected in a second language being "Irish" in each case adjacent to the nameplate in English as follows: -  <ol style="list-style-type: none"> <li>1. Torrent Valley, Coalisland,</li> <li>2. Clarke Avenue, Maghera, and</li> <li>3. Rossmore Road, Dungannon</li> </ol>
3.2	The occupiers signing the requests in these cases 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 letters of request attached in Appendix 1-3. It should be noted that neither Torrent Valley, Coalisland and Clarke Avenue, Maghera have been previously surveyed are for members to note both requests.
3.3	In respect of the request for Rossmore Road, Dungannon, Members consideration is required. It should be noted the Rossmore Road, Dungannon has been subject of a dual language survey following a request in 2021 and in 2023.
3.4	Members will be aware of the administration errors associated with the most recent survey, however communication to occupiers of the properties who had taken part in the survey were provided with the correct survey outturn based on the collection of all survey results received. As members will also be aware the policy is silent on procedure and processes to be followed if an error in administration occurs.
3.5	Members consideration is now requested in respect of the latest survey request(s) received for the Rossmore Road, Dungannon.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: None
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That Members note the content of this report, and members consideration is sought in respect of the most recent survey request for Rossmore Road, Dungannon.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Policy for Dual Language Nameplate Signage
6.2	Appendix 2 - Letter received from a resident of Torrent Valley, Coalisland
6.3	Appendix 3 - Letter received from a resident of Clarke Avenue, Maghera
6.4	Appendix 4 – Letter received from a resident of Rossmore Road, Dungannon

## Policy on Dual Language Nameplate Signage

Document Control			
<b>Policy Owner</b>	Director of Public Health & Infrastructure		
<b>Policy Author</b>	Director of Public Health & Infrastructure		
<b>Version</b>	Version 1		
<b>Consultation</b>	Senior Management Team	Yes / No	
	Trade Unions	Yes / No	
<b>Equality Screened by</b>	Principal Building Control Officer	<b>Date</b>	27/04/21
<b>Equality Impact Assessment</b>	N/A	<b>Date</b>	
<b>Good Relations</b>	N/A		
<b>Approved By</b>	Environment Committee	<b>Date</b>	11/05/21
<b>Adopted By</b>	Council	<b>Date</b>	27/05/21
<b>Review Date</b>		<b>By Whom</b>	
<b>Circulation</b>	Councillors, Staff		
<b>Document Linkages</b>			

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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 4 years 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<sup>F6</sup>;
- (b) in section 38 of the Towns Improvement (Ireland) Act 1854<sup>F7</sup> 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<sup>F8</sup>;
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949<sup>F9</sup>; 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:** 11<sup>th</sup> September 2018 Environment Committee  
23<sup>rd</sup> September 2018 Full Council

### Mono-Lingual New Road / Street Signage

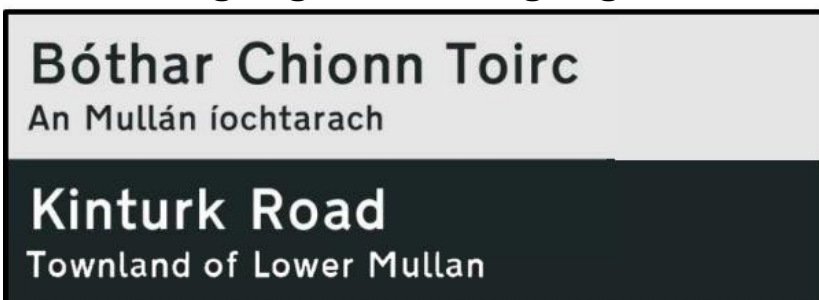


#### Example signage

##### 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](mailto:ann.mcaleer@midulstercouncil.org)





Cumhairle 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](mailto:willie.wilkinson@midulstercouncil.org)

Yours faithfully

W Wilkinson  
Head of Building Control

Enc

Cookstown Office  
Bun Road  
Cookstown  
BT80 8DT

Dungannon Office  
Linc St Road  
Dungannon  
BT17 6LJ

Magherafelt Office  
Ballyronan Road  
Magherafelt  
BT45 6EN

Telephone 03000 132 132  
[info@midulstercouncil.org](mailto:info@midulstercouncil.org)  
[www.midulstercouncil.org](http://www.midulstercouncil.org)

19 February 2019

Our Ref:- MUDL0078

The Occupier (1)  
50 Ballyronan Road  
Townparks of Magherafelt  
Magherafelt  
BT45 6EN

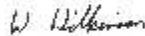
Ref: Application for Dual Language signs at Name of Street/Development

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 ???

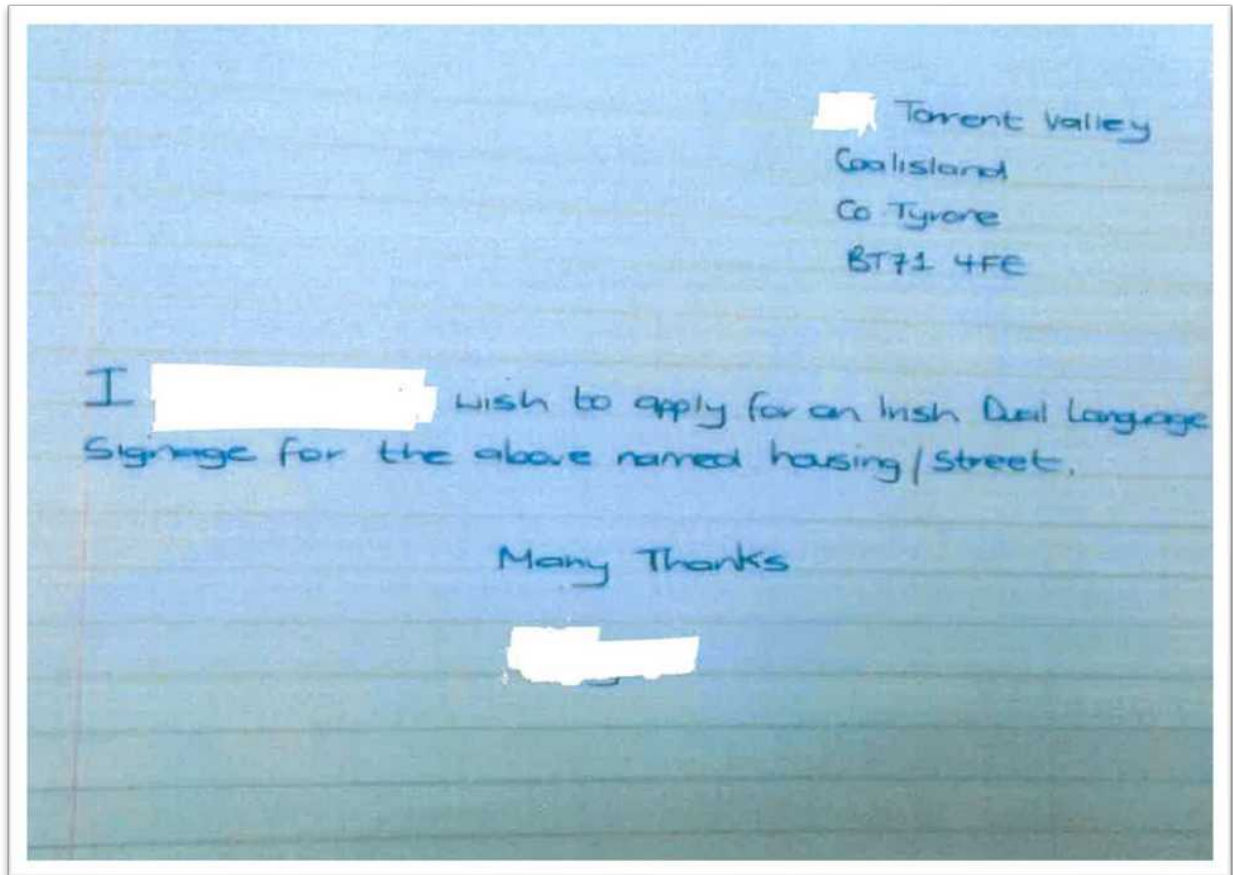
Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

The results of this survey will be available to view on [www.midulstercouncil.org](http://www.midulstercouncil.org) but should you wish to receive written correspondence detailing the outcome of the survey please tick this box.

Appendix 2 - Letter received from a resident of Torrent Valley, Coalisland



Appendix 3 - Letter received from a resident of Clarke Avenue, Maghera

Comhairle Ceantair Lár Uladh  
Mid Ulster District Council  
Ballyronan Road  
Magherafelt  
Co. Derry  
BT45 6EN

Clarke Avenue  
Maghera  
Co. Derry  
BT46 5BD

23 November 2023

A chara,

Téastaíonn uaim seoladh s'agam "CLARKE AVENUE" a bheith athchóirithe le Gaeilge agus Béarla ar comharthaí sráide.

Go raibh maith agat.

I wish for council to implement my address "CLARKE AVENUE" for bi-lingual adoption of both Irish and English street signage.

Many thanks.

Is mise le meas

Mid Ulster District Council  
- 8 FEB 2024  
Building Control Department  
(Magherafelt Office)

15<sup>th</sup> February 2024.

██████████ Rossmore Road  
Dungannon  
Tyrone  
BT71 4BT

Building Control Service

Mid Ulster Council

Ballyronan Road

Magherafelt.

BT45 6EN

Dear Sir/Madam

I request dual language sign  
(Gnsh/English) for Rossmore Road Dungannon

yours Sincerely

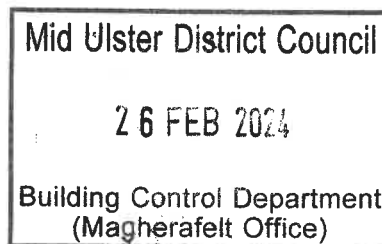
████████████████████

Mid Ulster District Council  
20 FEB 2024  
Building Control Department  
(Magherafelt Office)

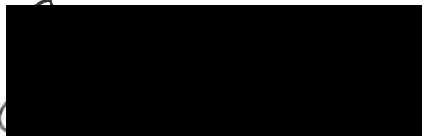
■ Rossmore Road  
Dungannon  
Tyrone  
BT714BJ

14<sup>th</sup> Febraury 2024

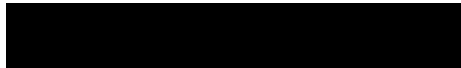
Building Control Service,  
Mid Ulster Council  
Ballyronan Road,  
Magherafelt,  
BT45 6EN



I request dual language signage (Irish/English) for Rossmore Road,  
Dungannon.



Yours Sincerely



<b>Report on</b>	Martyns Law Government Consultation: Terrorism (Protection of Premises) Bill – Standard Tier
<b>Date of Meeting</b>	12 <sup>th</sup> March 2024
<b>Reporting Officer</b>	Terry Scullion, AD Property Services
<b>Contact Officer</b>	Rory Donnelly, Corporate Health & Safety Manager

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	The purpose of this report is to update the Committee on a Government consultation on a draft bill to enhance public safety by ensuring premises are prepared for the threat of terrorism, and seek members approval to respond to the consultation.
<b>2.0</b>	<b>Background</b>
2.1	As a consequence of the terror attack at the Manchester Arena in 2017 where 22 victims lost their lives, the Government have been preparing legislation requiring those responsible for premises to undertake activities to improve protective security from and preparedness for a terror attack at their premises. Following the attack, the Martyn's Law Campaign Team campaigned to introduce Martyn's Law to Parliament.
<b>3.0</b>	<b>Main Report</b>
3.1	During pre-legislative scrutiny concerns were raised as to the burden of the legislation on those premises with a maximum capacity of 100 - 799 persons (Standard Tier) and in particular on those premises which are voluntary, or community run.
3.2	The Government has now revised its approach to premises in this category and is consulting as to proposed requirements for such premises.
3.3	The proposed requirements are that Standard Tier premises must: <ul style="list-style-type: none"> <li>a) Notify the Regulator that they are, or have become responsible for premises within the scope of the Bill (and so subject to the relevant requirements)</li> <li>b) Have in place procedural measures that could be expected to reduce, so far as is reasonably practicable, the risk of physical harm to individuals at the premises in the event of an attack.</li> <li>c) Whilst there will be no requirement to complete a specified form or ensure that persons working at the premises are given any specific training workers</li> </ul>

	will be required to be sufficiently instructed or trained to undertake the procedural measures effectively
3.4	Whilst the primary qualifying condition is that the premises has a capacity of 100 or more individuals it is considered likely that a number of Council premises will fall within the scope of this proposed legislation including Council Civic Offices, Council leisure and Arts facilities.
3.5	The Government consultation closes on 18 <sup>th</sup> March 2024 and a draft response to the consultation has been prepared for members consideration in section 6.1.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: No direct financial costs to consider
	Human: No direct human resources implications
	Risk Management: N/A
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: N/a
	Rural Needs Implications: N/a
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	It is recommended that members note this Consultation response and recommend to Council submission on behalf of Council.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1: Terrorism (Protection of Premises) Bill- Standard Tier Government Consultation response





Home Office

# **Terrorism (Protection of Premises) Bill - Standard Tier**

## **Government consultation**

This consultation begins on 5 February 2024

This consultation ends on 18 March 2024

## About this consultation

**To:**

This consultation is open to the public, and is targeted at organisations, businesses, local and public authorities, and/or individuals who own or operate publicly accessible premises or events that the proposed Terrorism (Protection of Premises) Bill would potentially affect. In particular, it seeks views from those responsible for the smaller premises which would fall within the Standard Tier.

The proposed Bill would impose requirements in relation to certain premises and events to increase their preparedness for, and protection from, a terrorist attack by requiring them to take proportionate steps, depending on the size and nature of the activities that take place at their premises.

The proposed requirements would apply to those responsible for qualifying public premises and qualifying public events. They might be individuals but, in most cases, would likely be a business or other organisation. If premises or an event did not meet certain prescribed qualifying conditions, then the proposed requirements would not apply in relation to them. One of the conditions for premises would be that they be wholly or mainly used for a listed purpose, such as the provision of entertainment and leisure facilities to the public.

The proposals set out different requirements for i) Standard Tier premises, which would have a capacity of 100-799 individuals, and ii) Enhanced Tier premises and qualifying public events, both of which have a capacity of 800 individuals or more.

This consultation is **solely focussed on the requirements proposed in relation to standard duty premises, which is referred to as the “Standard Tier”**.

We welcome responses from anyone with an interest in or experience of the areas being consulted on within this consultation. The consultation relates to the United Kingdom only.

**Duration:**

From 05/02/24 to 18/03/24

**Enquiries (including requests for the paper in an alternative format) to:**

Email: [MartynsLaw@homeoffice.gov.uk](mailto:MartynsLaw@homeoffice.gov.uk)  
Or  
Terrorism (Protection of Premises) Bill Consultation  
Protect and Prepare 4th Floor Peel Building,  
Homeland Security Group  
Home Office  
2 Marsham Street,  
London, SW1P 4DF

**How to respond:**

The survey will take around 10 minutes to complete, depending on how much detail you give. If you wish to take part, you will be required to complete the survey in one sitting.

Please submit your response by 18 March 2024

To help us analyse the responses please use the online system wherever possible: [\[Online survey link\]](#)  
If for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may request and complete a Word document version of the form by email.

**Response paper:**

A response to this consultation will be published online via GOV.UK, once the Bill is introduced to Parliament.



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# Foreword

The safety of our citizens is the Government's top priority. The current threat picture is complex, evolving, and enduring, and often hard to predict, with terrorists choosing to attack a broad range of locations. Martyn's Law will ensure premises in the UK are better prepared for and protected from, a terrorist attack. The Bill is one part of the Government's wider counter terrorism strategy – CONTEST.

We are aware through engagement with businesses that counter terrorism security efforts often fall behind other activities already required by law, such as Health and Safety. Our expert security partners assess that individuals are more likely to take action that can reduce harm and save lives, if they have considered what they would do, and how, prior to a terrorist attack occurring.

In 2017, 22 victims lost their lives to the terror attack at the Manchester Arena. Following the attack, the Martyn's Law Campaign Team led by Figen Murray, the mother of one of the victims, Martyn Hett, tirelessly campaigned to introduce Martyn's Law to Parliament. I would like to thank Figen and the team for their enduring efforts.

The Government has consulted extensively with expert security partners, businesses, local authorities, and the Martyn's Law Campaign Team on the proposals. Throughout the development of the legislation, the Government has been conscious of the need for proportionality, balancing the requirements with other pressures facing those who run premises and events in scope.

In 2021, we held an [18-week public consultation](#) which received a total of 2,755 responses, and we attended over 80 stakeholder engagement events to test proposals and encourage stakeholder feedback. Further to this consultation, we held numerous stakeholder group discussions in 2022 to discuss aspects of proposals, and in early 2023 we held five sectoral webinars with specific, impacted groups (Public Sector, Education, Charities, Places of Worship and Industry).

A [draft Bill](#) setting out the Government's proposed approach was published in May 2023. To reach as broad an audience as possible, seven in-person regional roadshows were held across the UK in May 2023. These events were attended by 700 in-person attendees and 1000 individuals online.

To ensure this novel piece of legislation can meaningfully enhance public safety whilst remaining proportionate, we requested the Home Affairs Select Committee (HASC) to conduct pre-legislative scrutiny of the published draft Bill. Evidence sessions were completed in June 2023 and a report was produced by HASC on 27 July 2023 scrutinising the proposed measures. Throughout the scrutiny period, and over the summer, we have continued to engage directly with stakeholders across a variety of sectors, presenting an overview of the proposed legislation, supporting understanding, and seeking feedback on our proposals.

The Government has carefully considered feedback provided as part of [HASC's pre-legislative scrutiny](#) process, as well as the considerable engagement from across the sectors within scope of the proposed Bill. Significant feedback was received on the

## Terrorism (Protection of Premises) Bill - Standard Tier Consultation

application of the proposals in relation to smaller premises (with capacity of 100 to 799 individuals). Further to this, we have reviewed our approach to the Standard Tier, proposing changes to ensure that requirements are proportionate and clear, whilst ensuring that these achieve their primary objective of this tier: to implement simple procedures which could reduce harm and save lives in the event of an attack. Those responsible for such premises will be required to undertake simple, yet effective, activities to improve protective security and preparedness.

We are launching this consultation to ensure the public can share their views on these proposals for the Standard Tier, which will support policy decisions prior to the legislation's introduction to Parliament.

A handwritten signature in black ink, appearing to read 'Tom Tugendhat', written in a cursive style.

Rt Hon Tom Tugendhat MP

Security Minister

## Executive summary

This consultation is open to the public, and is targeted at organisations, businesses, local and public authorities, and/or individuals who own or operate publicly accessible premises or events that the proposed Terrorism (Protection of Premises) Bill would potentially affect. In particular, it seeks views from those responsible for the smaller premises which would fall within the Standard Tier.

The proposed Bill would impose requirements in relation to certain premises and events to increase their preparedness for, and protection from, a terrorist attack by requiring them to take proportionate steps, depending on the size and nature of the activities that take place at their premises.

The proposed requirements would apply to those responsible for qualifying public premises and qualifying public events. They might be individuals but, in most cases, would likely be a business or other organisation. If premises or an event did not meet certain prescribed qualifying conditions, then the proposed requirements would not apply in relation to them. One of the conditions for premises would be that they be wholly or mainly used for a listed purpose, such as the provision of entertainment and leisure facilities to the public.

The proposals set out different requirements for i) Standard Tier premises, which would have a capacity of 100-799 individuals, and ii) Enhanced Tier premises and qualifying public events, both of which have a capacity of 800 individuals or more.

This consultation is **solely focussed on the requirements proposed in relation to standard duty premises, which is referred to as the “Standard Tier”**.

We welcome responses from anyone with an interest in or experience of the areas being consulted on within this consultation. The consultation relates to the United Kingdom only.



# Introduction

This paper sets out consultation proposals for Standard Tier requirements within the Terrorism (Protection of Premises) Bill, also known as Martyn's Law. The consultation is aimed at organisations, businesses, local and public authorities, and/or individuals who own or operate publicly accessible premises or events in the UK that the proposed Terrorism (Protection of Premises) Bill would potentially affect. In particular, it seeks views from those responsible for the smaller premises which would fall within the Standard Tier.

An Impact Assessment is attached. This impact assessment estimated the cost of Martyn's Law as of May 2023. Any changes to these estimates since May 2023 have been calculated and the differences highlighted in Annex A.

# The proposals

## Threat picture

- 1) The UK's Counter Terrorism Strategy, CONTEST, outlines that the terrorist threat is enduring and evolving. We now face a domestic terrorist threat which is less predictable, harder to detect and investigate; a persistent and evolving threat from Islamist terrorist groups overseas; and an operating environment where technology continues to provide both opportunity and risk to our counter-terrorism efforts. We therefore judge that the risk from terrorism is once again rising.
- 2) There have been 14 domestic terror attacks since the start of 2017 in the UK (not including Northern Ireland-related terrorism). Since March 2017, MI5 and the police have disrupted 39 late-stage attacks. Ongoing investigations and disruptions are undertaken in both rural and urban areas.
- 3) The threat to the UK from terrorism is currently SUBSTANTIAL meaning an attack is likely. The nature of the threat means that there is significant potential for attacks which are motivated by a range of factors. Terrorist attackers have targeted a wide range of people and places in recent years. It is not possible to predict where in the UK an attack might happen, or the type of premises or event that could be impacted – either directly (as the target of an attack) or indirectly (by being located near to the target of an attack). To ensure better preparedness and raise the public safety bar, a broad range of premises and events need to be ready to act to reduce harm. Government considers that businesses and organisations which welcome the public have an important role to play by being prepared to act in order to reduce harm should a suspected terrorist attack occur.

## Purpose of Bill

- 4) The proposed legislation, also referred to as “Martyn’s Law”, will enhance public safety by ensuring there is better preparedness for, and protection from, terrorist attacks. Martyn’s Law will place requirements on those responsible for certain premises and events to fulfil necessary, but proportionate, steps. The proposal distinguishes between premises according to their capacity and applies different requirements to each of the two resulting “tiers”. These steps are designed to mitigate the impact of a terrorist attack and reduce harm. Through Martyn’s Law, premises will be better prepared and ready to respond in the event of a terrorist attack.
- 5) There will be a significant period prior to the implementation of the legislation following Royal Assent. We expect this period to be at least 18-24 months to ensure sufficient time for those responsible for premises and events in scope to understand their new obligations, and to plan and prepare.

## Scope

- 6) The main requirements of the proposed legislation would apply only in relation to certain premises that meet specified conditions.
- 7) The primary qualifying conditions for premises<sup>1</sup> are that:
- a. **Their capacity<sup>2</sup>** is 100 or more individuals, and
  - b. They are **wholly or mainly used for one or more specified uses**, falling into the following categories:
    - i. Retail, e.g. stores or shopping centres;
    - ii. Hospitality and nightlife, e.g. bars, pubs, restaurants, cafés, nightclubs and other public clubs;
    - iii. Entertainment, e.g. theatres, cinemas, and concert halls and arenas;
    - iv. Sports grounds;
    - v. Recreation and leisure, e.g. public sports/leisure centres, ice rinks and gyms;
    - vi. Public libraries, museums and galleries;
    - vii. Public conference centres, exhibition halls and other venues for hire;
    - viii. Visitor attractions;
    - ix. Hotels, holiday parks and similar holiday accommodation;
    - x. Places of worship;
    - xi. Healthcare;
    - xii. Education and childcare;
    - xiii. Public transport, including train stations, ports and airports; and
    - xiv. Public services and facilities.
- 8) The requirements will not apply to premises that meet the above conditions if either:
- a. They are subject to a specified transport security regime; or
  - b. They comprise a public park, public garden or recreation or sports ground, where no payment is taken for entry nor any check carried out.
- 9) **Premises that meet the above conditions fall into two tiers:**
- a. **The Standard Tier:** Standard Tier premises are those with a capacity of 100-799 individuals, e.g. many retail stores, village halls, bars, restaurants and theatres; and
  - b. **The Enhanced Tier:** Enhanced Tier premises are those with a capacity of 800 or more individuals, e.g. large shopping centres, concert halls and sports stadia. The Enhanced Tier also includes certain events with equivalent capacity.
- 10) It is proposed that places of worship will be Standard Tier premises, irrespective of their maximum capacity, unless they charge a fee for admission. Places of worship are significantly different to other premises within scope, and there are a range of procedures and measures in place, including those funded by Government, to work with and support places of worship to reduce their vulnerability to terrorism and hate crime. As such, it is considered that it is right for them to be generally within the Standard Tier.
- 11) Similarly, it is proposed that premises that are used for childcare or primary, secondary or further education (but not higher education) will also fall within the Standard Tier even if their capacity is 800 or over. Existing safety and safeguarding policies and procedures (which are independently overseen) mean there is a range of measures and procedures in

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<sup>1</sup> Premises may comprise (i) a building with accompanying land, including parts of buildings and groups of building or (ii) any other land with a readily identifiable boundary (whether permanent or not).

<sup>2</sup> Capacity calculations to be based on maximum capacity of the public parts of a premise (including employees where applicable)

## Terrorism (Protection of Premises) Bill - Standard Tier Consultation

place at these establishments. These include, for example, lockdown and evacuation processes. The operating environments for these establishments are significantly different to the freely accessible nature of higher education premises, which are subject to the requirements of the Bill in accordance with their capacity.

- 12) The requirements for the Enhanced Tier are more significant than those for the Standard Tier, which is the focus of this consultation. This reflects the potentially greater impact of a successful attack at these higher-capacity premises. In short, those responsible for Enhanced Tier premises must have in place such security measures as would, insofar as is reasonably practicable, mitigate the risk of a terrorist attack occurring at the premises and/or the risk of physical harm to individuals at the premises (if an attack occurred there or in the vicinity). Unlike the Standard Tier, the measures are not limited to the response to a terrorist attack and may entail the installation of physical measures where doing so is reasonably practicable.
- 13) In total, it is estimated that 278,880 premises fall into the Standard Tier. These are mostly retail and hospitality (65% of premises), places of worship (16%) and schools (11%). In terms of the operation of these premises, 153,590 are operated by micro businesses/organisations (55.1%), 37,450 are operated by small businesses/organisations (13.4%), 28,600 are operated by medium businesses (10.3%), and 59,240 are operated by large businesses/organisations (21.2%).
- 14) The Standard Tier incorporates premises which have a variety of purposes, ranging from shops, community facilities or village halls to cinemas, nightclubs or theatres which may have capacity for up to 799 individuals. Those who operate these premises will have differing skills, experiences and knowledge as to how best to respond to emergencies. The Standard Tier procedures have been developed to recognise a diversity of premises and their occupants, delivering meaningful outcomes across this broad range of premises where lives could be saved in the event of an attack.

## Revised approach to Standard Tier

- 15) During pre-legislative scrutiny conducted by HASC, some concerns were raised as to the burden associated with the Standard Tier, with particular focus on voluntary and community-run premises within scope of the published draft Bill.
- 16) Since publication of the draft Bill in May 2023, the Government has revised its approach to the Standard Tier. The revised obligations are designed to be low-to-no financial cost and low burden to put in place, whilst continuing to deliver meaningful outcomes that could save lives. The Government is committed to ensuring that those responsible for complying with Standard Tier requirements premises are not over-burdened. HMG believes the proposed changes to the Standard Tier mean that the duty can apply to premises in a proportionate way, without incurring significant additional cost or time. We are seeking specific feedback in this consultation to ensure the proposed requirements strike the right balance.
- 17) The purpose of this consultation is to test Government's proposals for the Standard Tier. We wish to understand the views of organisations and the general public as to whether our revised approach:

- Sets out the Government's requirements for the Standard Tier in a clear, understandable way; and
- Is better suited to the wide variety of organisations within the Standard Tier, to ensure that any burden is appropriate.

## Overview of Revised Standard Tier requirements

18) In summary, those responsible for Standard Tier premises<sup>3</sup> must:

- **Notify the Regulator that they are, or have become, responsible for premises within scope of the Bill (and so subject to the relevant requirements).** This remains broadly in line with previous requirements.
- **Have in place procedural measures that could be expected to reduce, so far as reasonably practicable, the risk of physical harm to individuals at the premises in the event of an attack.** These relate only to the procedures to be followed by people working at the premises in the event of an attack occurring or being suspected as about to occur. Details on the procedures required are set out at paragraph 22. As the procedural measures are about procedures for responding to an attack or suspected attack, it is not expected or required that physical alterations be undertaken or additional equipment purchased for Standard Tier premises.
- In contrast to the published draft Bill, there is **no requirement to complete a specified form (the 'Standard Terrorism Evaluation') for Standard Tier premises or ensure that people working at the premises are given any specific training.** However, as part of putting in place the procedural measures, workers will need to be sufficiently instructed or trained to carry them out effectively.

## Detailed Standard Tier requirements

19) This section sets out more detail on the key elements of the Standard Tier.

### Policy Intent - Procedural measures

20) The procedures at particular premises may vary in line with the activities they undertake, the operating environment, and the systems, equipment and resources available at the premises. At venues for hire, the person responsible for the venue might include procedures in their contracts for hire and ensure relevant information is displayed appropriately, including – for example - on posters. This is similar to how such organisations meet their

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<sup>3</sup> A person – whether an individual or an organisation (e.g. a company) – will be responsible for premises, and so for complying with the requirements proposed in relation to them, where they have control over the premises.

## Terrorism (Protection of Premises) Bill - Standard Tier Consultation

obligations under Fire Safety. Comparatively, a medium sized theatre (e.g. 750 person capacity) may determine that existing security and front of house staff need increased awareness to ensure procedures are followed.

- 21) Whilst well-received as a concept, it became apparent through pre-legislative scrutiny that the previous approach, which focused on the completion of a specified form, the Standard Terrorism Evaluation, was too directive and inflexible for the broad range of sectors and premises in scope. In addition, when considering the requirement to provide relevant workers with prescribed terrorism protection training, it became clear that this also was too directive and inflexible, particularly when considering its application to smaller locations, and charitable and voluntary premises.
- 22) Having considered these issues, the Government's revised proposal is a requirement for those responsible for Standard Tier premises to have in place such procedures that may be expected, so far as reasonably practicable, to reduce harm to the public and staff at the premises in the event of a terrorist attack. This will include procedures for:
- Evacuation – how to get people out of the building,
  - Invacuation - how to bring people into the premises to keep them safe, or move them to safe parts of the building,
  - Lockdown - how to secure the premises against attackers, e.g. locking doors, closing shutters and using barriers to prevent access, and
  - Communication - how to alert staff and customers and move people away from danger.
- 23) This moves away from the focus being on the completion of a form, to concentrating efforts on outcomes and the development of effective plans and procedures. These plans and procedures should be tailored to the particular premises (how they operate, their resources and the types of acts of terrorism that could occur there).
- 24) Having these procedures in place also means ensuring that they are appropriately communicated to staff and maintaining their awareness of them, e.g. through training and in some cases practice runs, so that they can be effectively implemented in the event of an attack. Guidance will include information on procedures that can be adapted to specific premises.
- 25) Those responsible for Standard Tier premises need not do anything that is outside their control, or that would impose disproportionate burden on their finances or resources. This balancing exercise between the reduction of risk of harm to staff and visitors and the costs of implementation is familiar from other regulatory regimes such as Health and Safety, which require the taking of reasonably practicable steps.

## Guidance

- 26) Guidance will help those subject to the requirements develop effective procedures that are suitably tailored to their circumstances and resources. It will guide them in developing and implementing policies, procedures and plans that are reasonably practicable for their organisation; for example, reasonably practicable procedures might look different at a theatre compared to a community hall.

## Terrorism (Protection of Premises) Bill - Standard Tier Consultation

- 27) Guidance will be available on ProtectUK and will support users in further understanding the types of terrorist attacks that could occur at their premises.
- 28) Guidance will also include optional templates, building upon the previously published Standard Terrorism Evaluation. The templates will guide organisations through a step-by-step process to consider CT procedures for their premises.

## Training

- 29) Under the published draft Bill, those responsible for all premises in scope were required to ensure certain individuals completed specific types of training at definitive milestones (e.g. prior to commencing work at the premises or as soon as possible after). Workers identified as those with relevant responsibilities were required to have training to understand the types of terrorist acts most likely to occur, the indicators that an attack might be taking place, and the procedures to follow (“terrorism protection training”).
- 30) Having listened to concerns from our stakeholders, we understand that a prescriptive requirement for all relevant workers to complete such a training product is not appropriate for the broad types of premises and sectors in scope.
- 31) As set out above at paragraph 18, the Government’s revised approach will require those responsible for Standard Tier premises to put in place procedures to be followed, should a terrorist attack occur or be suspected. As part of putting in place such procedures, those responsible must ensure that all procedures are sufficiently communicated to staff so that they know what to do in the event of an attack. What sort of training or instruction in those procedures is reasonably practicable will depend on the nature of the premises, its staffing and circumstances. For example, certain staff, such as duty managers or those working front-of-house at a theatre, should have a greater awareness whilst general staff may only be notified of protocols relevant to their area or responsibilities.
- 32) Accordingly, the published requirement for terrorism protection training is no longer part of the proposed legislation. The focus is on ensuring that those working at the premises are aware of the actions to take in the event of a suspected attack. The Government considers this revised approach ensures greater clarity by ensuring that training should support the delivery of effective procedures, and takes account of particular organisational capabilities and needs, e.g. staffing.

## Compliance for Standard Tier

- 33) The Government’s clear expectation is that the Regulator’s first obligation will be to support those responsible for premises in complying with their obligations. We will set clear parameters and expectations that the Regulator should provide such support through advice and guidance – with the Regulator acting as an educator in the first instance. The Regulator should, wherever possible, support those responsible for premises to put in place procedures to reduce harm to their staff and customers should an attack occur.



- 34) Reflecting the importance of proportionality, the proposed sanctions regime has been designed such that differing levels of sanctions apply to the Standard and Enhanced Tiers. It is assumed, based on learning from other regulatory regimes, that instances of non-compliance will be rare, and that compliance will be achieved following engagement with the Regulator and largely without the need for enforcement action.
- 35) However, such engagement can fail and non-compliance may persist. Where a person does not comply with the proposed requirements, the Regulator will be able to issue compliance notices and monetary penalties in relation to Standard Tier premises.<sup>4</sup> Prior to issuing a notice or monetary penalty, the Regulator will provide an opportunity to make representations and demonstrate compliance. There will be no criminal offence for failing to comply with a compliance notice in the Standard Tier.
- 36) It is expected that more often than not a monetary penalty will be issued only after a compliance notice has been issued and not complied with. The amount of the penalty must not exceed £10,000 for the original, fixed penalty. There is the possibility of further daily penalties of up to £500, if non-compliance continues. This maximum amount ensures an appropriate penalty can be issued for the range of premises within the Standard Tier, from premises that are small in size or run by smaller organisations (such as community halls) to larger premises and those run by larger organisations (chain supermarkets, chain restaurants, 799 seater theatres).
- 37) The amount of the penalty must be reasonable and proportionate to the non-compliance with which it is concerned. The Regulator must take into account the effects of the failure, any mitigating action taken to remedy it or its effects, and the recipient's ability to pay. This ensures that it will not be overly punitive or impactful on the organisation's ability to continue operating, which is of particular concern for smaller businesses and organisations within the VCSE sector.
- 38) Further detail on how the Regulator will operate is being developed in collaboration with other regulators and industry partners in readiness for the Regulator being established.
- 39) **In summary, the revised requirements for the Standard Tier are:**
- **To notify the Regulator that they are, or have become, responsible for premises within scope of proposed legislation and so subject to the relevant requirements therein.** This remains broadly in line with previous requirements, and
  - **To have in place procedural measures that could be expected to reduce, so far as reasonably practicable, the risk of physical harm to individuals at the premises in the event of an attack.** These relate only to the procedures to be followed by people working at the premises in the event of an attack occurring or be suspected as about to occur.

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<sup>4</sup> Unlike the Enhanced Tier, the Regulator will not be able to issue restriction notices in relation to standard duty premises. A Restriction Notice can only be issued by the Regulator where it is necessary to restrict activity at premises or events in order to protect the public. Restrictions can range from limiting times at which they may operate or the number of individuals permitted (at any time) to enter the premises or event, and in particularly serious cases, to prevent an event from taking place or prohibit premises operating in a certain way.



- In contrast to the published draft Bill, there is **no requirement to ensure that people working at the premises are given any specific training**, but it forms part of putting in place the procedural measures that workers are sufficiently instructed or trained to carry them out effectively.

### How does this approach differ from the published Bill?

- 40) We have **removed the requirement for specific terrorism protection training**. This required certain individuals to complete training that was not limited to the carrying out of procedures in the event of an attack. Now, those responsible for Standard Tier premises must ensure that sufficient training is provided for their procedural measures to be put in place effectively. Information on appropriate training will be included in guidance.
- 41) We have **removed the requirement to complete the Standard Terrorism Evaluation**. Instead, the requirement is simpler and more meaningful in requiring that reasonably practicable procedures to follow in the event of an attack are in place at Standard Tier premises. A template will remain available as part of guidance on the proposed requirements, guiding users through their consideration of the appropriate procedures for their premises.

### Impact Assessment

- 42) The Government has published an Impact Assessment into Martyn's Law detailing the costs, benefits and effects of the policy. The Impact Assessment can be found online [here](#)<sup>5</sup>. This includes an assessment of the Net Present Social Value (NPSV) and the estimated yearly cost to business. Since the Impact Assessment has been published, revisions to the IA have been made to reflect policy changes since May 2023, improve accuracy and respond to comments from the RPC. The full list of changes is summarised in the Annex. A summary of the current assessment of the impact of the policy can be found below.
- 43) To apply proportionate duties whilst considering any impacts to business, the primary duty for Standard Tier premises has been amended from a requirement to complete a standardised template to having procedures in place, were an attack to occur and making sure staff are aware of these procedures. The Reasonably Practicable test allows for businesses to determine what is proportionate to their organisation, including what is financially feasible.
- 44) The Net Present Social Value of Martyn's Law is estimated to be between -£726 million<sup>6</sup> and -£5.52 billion with a central estimate of -£2.15 billion<sup>7</sup>. The majority of the cost is concentrated on the cost to business which is estimated to be between -£731 million and -£5.47 billion with a central estimate of -£2.12 billion (PV). The estimated yearly cost to business is between £85 million and £635 million with a central estimate of £246 million per year.

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<sup>5</sup> Terrorism (Protection of Premises) Bill: Impact assessment (publishing.service.gov.uk)

<sup>6</sup> All the values in the note are in 2022 prices and have a base year of 2024, with values being expressed in present value (PV) terms.

<sup>7</sup> Ranges between a high and low estimate with a central value have been used to show the uncertainty in the costs and benefits of the proposals (and are used alongside the central value).

## Terrorism (Protection of Premises) Bill - Standard Tier Consultation

- 45) The Standard Tier has an estimated total cost of between £387 million and £1.63 billion with a central estimate of £860 million (PV) over the full appraisal period. This is an economic cost from working hours being taken up to complete CT planning, put in place procedural measures and communicate them to relevant workers, with no financial burden on sites. For an individual site, it is estimated to cost between £160 and £525 per year, with a central estimate of £310 per year.
- 46) A more detailed overview of the Impact Assessment can be found at Annex A below.

# Questionnaire

## About the questionnaire and how the data will be used

The survey will take around 10 minutes to complete, depending on how much detail you give.

Please submit your response by 18<sup>th</sup> March 2024.

To help us analyse the responses please use the online system wherever possible:

[\[Online survey link\]](#)

This research is being conducted by Verian, on behalf of the UK Home Office, to understand views towards the proposed Standard Tier requirements. Verian's privacy policy can be found here: <https://www.veriangroup.com/uk-surveys>

The data you submit in the survey will be confidential and used only for the research purpose of understanding views towards the proposed Standard Tier requirements. The survey does not ask for any personally identifiable information, and therefore only anonymous survey data will be shared with the Home Office. We ask that you do not provide any personal data in the survey. If you wish to contact the Home Office directly about this consultation, you can contact:

Email: [MartynsLaw@homeoffice.gov.uk](mailto:MartynsLaw@homeoffice.gov.uk)

Or

Terrorism (Protection of Premises) Bill Consultation  
Protect and Prepare 4th Floor NE, Peel Building,  
Homeland Security Group  
Home Office  
2 Marsham Street,  
London, SW1P 4DF

Participation in this survey is entirely voluntary. If at any point you wish to withdraw from the survey, you are free to do so without obligation.

Research conducted by Verian is in accordance with the MRS Code of Conduct.

## How do I fill out the questionnaire?

1. Please use the [online system](#) wherever possible. If you are unable to use the online system, please send this questionnaire by email to [MartynsLaw@homeoffice.gov.uk](mailto:MartynsLaw@homeoffice.gov.uk) or by post to: Terrorism (Protection of Premises) Bill Consultation, Protect and Prepare 4th Floor NE, Peel Building, Homeland Security Group, Home Office, 2 Marsham Street, London, SW1P 4DF
2. Most questions can be answered by putting a cross  in the box next to or **highlighting** the answer that applies to you
3. Some questions will ask you to: **cross or highlight one box only** and some will ask you to: **cross or highlight all boxes that apply**
4. Some questions include space for you to answer in your own words to provide more detail about a particular subject. You will be asked to either: **specify in the box below** ✍ or to: **write your answer below** ✍
5. Some questions may not apply to you, and you will be directed to the next one that does by following an arrow like this: **→ Go to QE**
6. Further information is provided in boxes indicated by **i** which includes additional information about the topic and in some cases instructions on who should answer the questions which follow. Please read these carefully.
7. Please try to answer every question that applies to you. If you cannot remember or do not know, please cross or highlight the relevant box where shown or leave the question blank.



- Throughout the questionnaire, there are references to paragraphs numbers. These relate to the paragraphs in 'The Proposals' which you can refer back to.

## Section 1: Information about you and your organisation

### QA. Which of the following best describes you or your organisation?

Please cross or highlight one box only  and then go to the specified question.

- 1  I own or operate premises → Go to QB
- 2  I own or operate an event → Go to QB
- 3  I am responsible for security at premises or events → Go to QB
- 4  I work at a premises or event in scope, but do not own or operate it → Go to QE
- 5  I am a security consultant → Go to QB
- 6  I am an interested member of the public → Go to QG
- 98  Other → Go to QG
- 99  Don't know → Go to QG
- 97  I prefer not to say → Go to QG

### QB. Do you own and/or operate any premises that would fall within the Standard Tier?



To be in scope for Standard Tier:

- Premises and events must be accessible to the public.
- Premises must be used for a purpose listed in the Bill (e.g. entertainment and leisure, retail, food and drink).
- Have a capacity of 100-799 individuals.

Please cross or highlight one box only  and then go to the specified question.

- 1  Yes → Read the following information box and then go to QC
- 2  No → Read the following information box and then go to QC
- 99  Don't know → Read the information box below and then go to QC
- 3  I don't own or operate any premises → Read the following information box and then go to QE



- If you own or operate multiple premises, please answer the questions in the rest of this survey by reference to one particular Standard Tier site.
- This survey is about Standard Tier premises, but we still welcome your views even if you do not own or operate Standard Tier premises.

**QC. IF YOU ANSWERED 'YES' AT QB: What is the estimated capacity of your Standard Tier premises based on capacity calculations you already have in place?**

**IF YOU ANSWERED 'NO' OR 'DON'T KNOW' AT QB: What is the estimated capacity of your premises based on capacity calculations you already have in place? If you own or operate multiple premises, please provide an answer based on your typical capacity size.**

Please cross or highlight one box only  and then go to QD.

- 1  Less than 100
- 2  100-199
- 3  200-299
- 4  300-399
- 5  400-499
- 6  500-599
- 7  600-699
- 8  700-799
- 9  800 or more (i.e. Enhanced Tier premises)
- 99  Don't know
- 11  Not calculated presently
- 12  I don't own or operate any premises

**QD. IF YOU ANSWERED 'YES' AT QB:** How many people work for you or your organisation (whether paid or not) at your chosen Standard Tier site (in relation to which you are answering this survey)?

**IF YOU ANSWERED 'NO' OR 'DON'T KNOW' AT QB:** How many people work for you or your organisation (whether paid or not)? If you own or operate multiple premises, please provide an answer based on your typical capacity size.

Please cross or highlight one box only  and then go to QE.

- 1  Zero
- 2  1-4
- 3  5-9
- 4  10-24
- 5  25-49
- 6  50-99
- 7  100-199
- 8  200-399
- 9  400-499
- 10  500 or more
- 11  I don't own or operate any premises
- 99  Don't know

**QE. Which of the following best describes the nature of your organisation?**

Please cross or highlight one box only  and then go to QF.

- 1  Company
- 2  Sole trader
- 3  Partnership
- 4  Not for profit
- 5  Local government
- 6  Unincorporated association
- 98  Other → Please specify in the box below ✍
- 99  Don't know
- 97  Prefer not to say



**QF. In which of the following sectors do you or your organisation primarily operate?**

Please cross or highlight one box only  and then go to QG.

- 1  Retail, e.g. stores or shopping centres
- 2  Hospitality and nightlife, e.g. bars, pubs, restaurants, cafés, nightclubs and other public clubs
- 3  Entertainment, e.g. theatres, cinemas, and concert halls and arenas
- 4  Sports grounds
- 5  Recreation and leisure, e.g. public sports/leisure centres, ice rinks and gyms
- 6  Public libraries, museums and galleries
- 7  Public conference centres, exhibition halls and other venues for hire
- 8  Visitor attractions
- 9  Hotels, holiday parks and similar holiday accommodation
- 10  Places of worship
- 11  Healthcare
- 12  Education and childcare
- 13  Public transport, including trains stations, ports and airports
- 14  Public services and facilities
- 15  Village hall/community centre
- 98  Other sector
- 99  Don't know
- 97  Not applicable

**QG. In which part of the UK are you based?**

Please cross or highlight one box only  and then go to Section 2.

- 1  North East
- 2  North West
- 3  Yorkshire and the Humber
- 4  East Midlands
- 5  West Midlands
- 6  East of England
- 7  South East exc. London
- 8  London
- 9  South West
- 10  Scotland
- 11  Wales
- 12  Northern Ireland
- 13  I'm not based in the UK

## Section 2: Your views on the proposed Standard Tier



- Thank you for your responses so far. The next section of this survey is about the proposed Standard Tier
- The current threat picture is complex, evolving, and enduring, with terrorists choosing to attack a broad range of locations. Martyn's Law will ensure premises in the UK are better prepared for and protected from terrorist attacks, therefore reducing their impact.
- The UK Government's view is that the Standard Tier will drive good preparedness outcomes. Those responsible for Standard Tier premises will be required to undertake simple yet effective activities designed to increase staff awareness of the right protocols and procedures to follow in the event of a suspected attack. The ultimate aim of this approach is to reduce harm to staff and the general public.

**Q1. To what extent do you agree or disagree that those responsible for premises within the Standard Tier should have a legal obligation to be prepared for a terrorist attack?**

Please cross or highlight one box only  and then go to the specified question.

- 1  Strongly agree → Go to the information above Q2
- 2  Agree → Go to the information above Q2
- 3  Neither agree nor disagree → Go to the information above Q2
- 4  Disagree → Go to Q1a
- 5  Strongly disagree → Go to Q1a
- 99  Don't know → Go to the information above Q2

**Q1a. Which of the following best describes why you disagree that those responsible for premises within the Standard Tier should have a legal obligation to be prepared for a terrorist attack?**

Please cross or highlight one box only  and then go to the information above Q2.

- 1  I believe it is only for the Government to be prepared to reduce the impact of terrorism
- 2  I don't believe the obligation should be legal
- 3  I believe only larger premises should have a legal obligation
- 4  I don't believe that premises of any size should have a legal obligation
- 5  I don't believe that there should be any responsibility for premises to be prepared for a terrorist attack
- 98  Other → Please specify in the box below ✍
- 99  Don't know



- As outlined in paragraph 18, we (the UK Home Office) have revised the requirements in the Standard Tier. Those responsible for Standard Tier premises will be required to have in place reasonably practicable procedures to follow in the event of an attack. We have also removed the requirement for specific terrorism protection training. Instead, training or instruction will be what is sufficient and appropriate to ensure procedures are effectively in place in light of their circumstances and that staff are aware of the actions to take and protocols to follow in the event of an attack. Guidance will assist those responsible for standard duty premises.

**Q2. To what extent do you agree or disagree that ‘the revised requirements for the Standard Tier are more appropriate for the broad spectrum of premises in scope, as outlined at paragraph 18 (e.g. village halls to a 799-seater theatre), than the previous requirements outlined in the Draft May 2023 Bill’ (key changes outlined at paragraphs 40 and 41)?**

Please cross or highlight one box only  and then go to the specified question.

- 1  Strongly agree → Go to Q2a
- 2  Agree → Go to Q2a
- 3  Neither agree nor disagree → Go to Q3
- 4  Disagree → Go to Q2b
- 5  Strongly disagree → Go to Q2b
- 99  Don't know → Go to Q3

**Q2a. Why do you agree that the revised requirements are more appropriate than the previous requirements?**

Please cross or highlight all boxes that apply  and then go to Q3.

- 1  I think the proposed changes make the Standard Tier clearer
- 2  I think the proposed changes remove unnecessary administrative burden for small premises
- 3  I think the proposed changes are more appropriate for the broad spectrum of organisations in scope
- 4  I think the proposed changes will be more proportionate for businesses
- 98  Other → Please specify in the box below ✍
- 99  Don't know

**Q2b. Why do you disagree that the revised requirements are more appropriate than the previous requirements?**

Please cross or highlight all boxes that apply  and then go to Q3.

- 1  I don't think the proposed changes make the Standard Tier clearer
- 2  I don't think the proposed changes go far enough to remove unnecessary burdens for small premises
- 3  I don't think the proposed changes are more appropriate for the broad spectrum of organisations in scope
- 4  I don't think the proposed changes will be more proportionate for businesses
- 98  Other → Please specify in the box below ✍
- 99  Don't know

**Q3. How successful, if at all, do you think the revised Standard Tier requirements will be at improving feelings of safety for staff and visitors at premises within the Standard Tier?**

Please cross or highlight one box only  and then go to the specified question.

- 1  Very successful → Go to Q4
- 2  Moderately successful → Go to Q4
- 3  Slightly successful → Go to Q3a
- 4  Not at all successful → Go to Q3a
- 99  Don't know → Go to Q4

**Q3a. Why do you think the Standard Tier requirements will not be or will only be slightly successful at improving feelings of safety for staff and visitors at premises within the Standard Tier?**

Please cross or highlight one box only  and then go to Q4.

- 1  Premises already do the things that the Standard Tier would now require
- 2  I don't think the revised requirements will have any positive impact
- 3  I think other things are required to improve feelings of safety for staff and visitors
- 98  Other → Please specify in the box below ✍
- 99  Don't know

**Q4. How easy or difficult do you think it will be for those responsible for Standard Tier premises to take forward the revised requirements (outlined in paragraph 18)?**

Please cross or highlight one box only  and then go to the specified question.

- 1  Very easy → Go to Q5
- 2  Easy → Go to Q5
- 3  Neither difficult nor easy → Go to Q5
- 4  Difficult → Go to Q4a
- 5  Very difficult → Go to Q4a
- 99  Don't know → Go to Q5



**Q4a. Why do you think the revised requirements will be difficult for those responsible for Standard Tier premises to take forward?**

Please cross or highlight all boxes that apply  and then go to Q5.

- 1  The requirements are too complicated to implement
- 2  The requirements are too burdensome (in terms of time/effort) to implement
- 3  The requirements are too costly to implement
- 98  Other → Please specify in the box below ✍
- 99  Don't know

**Q5. What unintended consequences, if any, do you think could result from taking forward the revised Standard Tier requirements?**

Please write your answer below ✍ OR cross or highlight one box only  and go to the next information box.

- 1  I don't think there will be any unintended consequences
- 99  Don't know



- Information in this box relates to Q6, Q6a and Q7.
- Q6 should only be answered by Standard Tier premises operators/owners excluding consultants – this applies if you answered with option 1, 2 or 3 at QA and option 1 at QB. Please read the following information and then answer Q6.
- All others should read the information in this box and then go to Q7.
- Following on from Impact Assessment detail in paragraphs 42-45, below is a summary of the costs of the Standard Tier of Martyn's Law:
- The Standard Tier has an estimated total cost of between £387 million and £1.63 billion with a central estimate of £860 million (PV/Present Value) over the full appraisal period of 10 years. This is an economic cost from working hours being taken up to complete counter-terrorism planning and training, with no financial burden on sites. For an individual site, it is estimated to cost between £160 and £525 per year, with a central estimate of £310 per year. This is likely an upper estimate, with the addition of a reasonably practicable test meaning that some sites will face reduced costs. For more information, you can read Annex A.

**Q6. How concerned, if at all, are you that the cost of meeting the Standard Tier requirements will affect your organisation's financial ability to continue operating?**

Please cross or highlight one box only  and then go to the specified question.

- 1  Not at all concerned → Go to Q7
- 2  Slightly concerned → Go to Q7
- 3  Somewhat concerned → Go to 6a
- 4  Very concerned → Go to Q6a
- 5  Extremely concerned → Go to Q6a
- 99  Don't know → Go to Q7

**Q6a. You indicated that you're concerned about your organisation's ability to meet the cost of Standard Tier requirements. Please help us understand your concerns by providing detail below.**

Please write your answer below ✍ and then go to Q7.

it seems imperative that the introduction of this legislation and its application to small and medium sized businesses must be accompanied by clear guidance. This could be achieved through the production of associated codes of best practice. These codes might provide clear guidance to assist premises operators comply with the legislation without having to seek external expertise

99  Don't know

**Q7. Given this cost assessment, how would you think any costs of the Standard Tier should be met?**

Please cross or highlight one box only ☒ and then go to the information above Q8.

- 1  All the cost should be met by the **customers** of the premises where possible
- 2  **Most** of the cost should be met by **customers** of the premises
- 3  The costs should be **shared** equally by the premises owner/operator and the customers of the premises
- 4  **Most** of the cost should be **absorbed** by the premises owner/operator and only a minimum passed on to the customers
- 5  **All** of the cost should be **absorbed** by the premises owner/operator and none should be met by the customers of the premises
- 99  Don't know



- As outlined in paragraphs 29-32, the training expected as a result of the proposals is now limited to that which forms part of ensuring that there are effective procedural measures to reduce the risk of harm in the event of a terrorist attack. Workers must have sufficient awareness of what they need to do in the event of an attack, i.e. the procedure to be followed, for such measures to be in place. Organisations should ensure training is right for their specific needs and relevant to the roles of specific staff.

**Q8. Do you think the new approach to training places more or less burden on Standard Tier organisations compared to the previous approach (as outlined in paragraphs 40 and 41)? By “burden”, we mean any burden including financial, time, effort or other.**

Please cross or highlight one box only  and then go to the specified question.

- 1  Much more burden with the new approach → Go to Q8a
- 2  More → Go to Q8a
- 3  About the same → Go to the information above Q9
- 4  Less → Go to the information above Q9
- 5  Much less burden with the new approach → Go to the information above Q9
- 99  Don't know → Go to the information above Q9

**Q8a. Why do you think there is more burden on Standard Tier organisations with the new approach compared to the previous approach? Please provide detail below.**

Please write your answer below ✍ OR cross or highlight one box only  and then go to the information above Q9.

99  Don't know



- Q9 should only be answered by Standard Tier premises operators/owners or those who are security consultants or are responsible for security at premises or events – this applies if you answered with option 3 or 5 at QA or option 1 at QB. Please read the following information box and then answer Q9.
- All others should go to Q10.



- Standard Tier requirements will focus on procedures to be enacted in the event of an attack as set out at paragraph 22. These surround evacuation, invacuation, securing the premises and communicating with individuals on the premises. Security partners advise that consideration of these activities, in the event of an attack, will lead to the most relevant and effective actions to save lives. These procedures focus on activities that will help to keep people away from danger.

**Q9. We'd like to hear about any other procedures that could be utilised in Standard Tier premises were a terrorist attack to occur further to the above (i.e. other than evacuation, invacuation, lockdown and communications procedures). Please type them in the space below.**

Please write your answer below  and then go to Q10.

99  Don't know

**Q10. Do you think the Standard Tier procedures in Martyn’s Law place more or less burden on Standard Tier premises compared to procedures for Health & Safety and Fire Safety? By “burden”, we mean any burden including financial, time, effort or other.**

Please cross or highlight one box only  and then go to the specified question.

- 1  Much more burden in Martyn’s Law than for Health & Safety and Fire Safety →  
Go to Q10a
- 2  More → Go to Q10a
- 3  About the same → Go to Q10b
- 4  Less → Go to Q10c
- 5  Much less burden in Martyn’s Law than for Health & Safety and Fire Safety →  
Go to Q10c
- 99  Don’t know → Go to the information above Q11

**Q10a. Why do you say that the Standard Tier procedures in Martyn’s Law will place more burden on Standard Tier premises compared to procedures for Health & Safety and Fire Safety? Please provide detail below.**

Please write your answer below ✍ OR cross or highlight one box only  and then go to the information above Q11.

- 99  Don’t know

**Q10b. Why do you say that the Standard Tier procedures in Martyn's Law will place about the same burden on Standard Tier premises compared to procedures for Health & Safety and Fire Safety? Please provide detail below.**

Please write your answer below  and then go to the information above Q11.

The introduction of legislation for premises owners to specifically consider risks from Terrorism will place a legislative burden on standard Tier premises comparable to considerations arising from Fire Safety and Health and Safety. Whilst Fire safety and Health and Safety risks may be known to the owner of such premises and as such reasonably foreseeable the risks to premises from Terrorism related incidents are not as reasonably foreseeable.

99  Don't know

**Q10c. Why do you say that the Standard Tier procedures in Martyn's Law will place less burden on Standard Tier premises compared to procedures for Health & Safety and Fire Safety? Please provide detail below.**

Please write your answer below  and then go to the information above Q11.

99  Don't know





- Q11 and Q12 should only be answered by Standard Tier premises operators/owners – this applies if you answered with option 1 at QB and any of options 2-8 at QC.
- All others should go to the information box after Q12a.

**Q11. If volunteers work at your premises, who is responsible for planning Health & Safety and Fire Safety policies and procedures?**

Please cross or highlight one box only  and then go to Q12.

- 1  Only paid employees are responsible
- 2  Volunteers are responsible in the same way as paid employees
- 3  Volunteers are responsible but not in the same way as paid employees
- 97  Not applicable – there are no volunteers working at my premises
- 99  Don't know

**Q12. If volunteers work at your premises, what arrangements do you make for training on Health & Safety and Fire Safety?**

Please cross or highlight one box only  and then go to the specified question.

- 1  Only paid employees complete mandatory training → Go to the information box after Q12a
- 2  Volunteers are trained in the same manner as paid employees → Go to the information box after Q12a
- 3  Volunteers undertake different training from paid employees → Go to Q12a
- 97  Not applicable – there are no volunteers working at my premises → Go to the information box after Q12a
- 99  Don't know → Go to the information box after Q12a

**Q12a. How does training on Health & Safety and Fire Safety for volunteers differ, if at all, from that for paid employees? Please provide detail below.**

Please write your answer below ✍ OR cross or highlight one box only  and then go to the information box below.

Premises owners have a general duty to ensure all persons in their premises are so far as is reasonably practicable not exposed to risk whilst on their premises. If volunteers were present in a premises in a work capacity it is critical that through a risk assessment process relevant training on the risks to which they are exposed whilst present in the premises are considered and if necessary suitable and sufficient training, instruction and supervision provided to these volunteers.

99  Don't know



- Thank you for responding to the consultation survey. You have answered all questions.

# Contact details and how to respond

Please send your response by 18 March 2024 via the URL above.

## Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Home Office at the below address.

## Extra copies

Alternative format versions of this publication can be requested from [MartynsLaw@homeoffice.gov.uk](mailto:MartynsLaw@homeoffice.gov.uk)

Or

Terrorism (Protection of Premises) Bill Consultation  
Protect and Prepare 4th Floor Peel Building,  
Homeland Security Group  
Home Office  
2 Marsham Street,  
London, SW1P 4DF.

## Publication of response

A paper summarising the responses to this consultation will be published once the Bill is introduced to Parliament. The response paper will be available online at GOV.UK .

## Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

## Confidentiality

This research is being conducted by Verian, on behalf of the UK Home Office, to understand views towards the proposed Standard Tier requirements. Completion of the survey should take around ten minutes but is dependent on the level of detail you wish to provide. Verian's privacy policy can be found here: <https://www.veriangroup.com/uk-surveys>

## Terrorism (Protection of Premises) Bill - Standard Tier Consultation

The data you submit in the survey will be confidential and used only for the research purpose of understanding views towards the proposed Standard Tier requirements. The survey does not ask for any personally identifiable information, and therefore only anonymous survey data will be shared with the Home Office. We ask that you do not provide any personal data in the survey. If you wish to contact the Home Office directly about this consultation, you can contact:

Email: [MartynsLaw@homeoffice.gov.uk](mailto:MartynsLaw@homeoffice.gov.uk)

Or

Terrorism (Protection of Premises) Bill Consultation  
Protect and Prepare 4th Floor, Peel Building,  
Homeland Security Group  
Home Office  
2 Marsham Street,  
London, SW1P 4DF

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Research conducted by Verian is in accordance with the MRS Code of Conduct.

# Annex A - Impact Assessment

## Changes to the Martyn's Law Impact Assessment Since Pre-Legislative Scrutiny

1. The Home Office previously published an impact assessment (IA) for Martyn's Law in May alongside a draft of the bill.
2. Since then, Martyn's Law has changed in certain areas and this annex summarises the changes and reasoning behind the changes.

### Headline Changes

3. Overall, the IA has become cheaper and slightly less burdensome on business due to changes in the contents of the bill as well as improvements to the evidence base on Martyn's Law. A summary of these changes can be found in the table below. All figures in this document are in 2022 Prices and 2024 Present Value.

Part of the IA	Estimate Value	Previous Estimate	Current Estimate	Change
Net Present Social Value (£ million)	<b>Central:</b>	<b>-£2,725.3</b>	<b>-£2147.3</b>	<b>-£578.0</b>
	High:	-£6,329.0	-£5522.6	-£806.4
	Low:	-£1,083.7	-£726.3	-£357.4
Estimated Yearly Cost to Business (£ million)	<b>Central:</b>	<b>£303.7</b>	<b>£246.2</b>	<b>-£57.5</b>
	High:	£715.5	£635.0	-£80.5
	Low:	£119.8	£85.0	-£34.8
Total Cost (£ million)	<b>Central:</b>	<b>£2,743.8</b>	<b>£2165.8</b>	<b>-£578.0</b>
	High:	£6,336.6	£5530.2	-£806.4
	Low:	£1,120.6	£763.2	-£357.4
Total Benefit (£ million)	<b>Central:</b>	<b>£18.4</b>	<b>£18.4</b>	<b>£0.0</b>
	High:	£36.9	£7.6	£0.0
	Low:	£7.6	£36.9	£0.0
Annual Cost to a Standard Tier Premise (£)	<b>Central:</b>	<b>£216</b>	<b>£309</b>	<b>+£93</b>
	High:	£354	£526	+£172
	Low:	£119	£161	+£42
Annual Cost to an Enhanced Tier Premise (£)	<b>Central:</b>	<b>£8,232</b>	<b>£5139</b>	<b>-£3093</b>
	High:	£16,219	£12286	-£3933
	Low:	£4,128	£1886	-£2242

### Individual Changes

## Standard Tier

4. In the Standard Tier, the cost has increased due to the addition of clauses relating to the Counter Terrorism Planning element of the tier and increased accuracy. In light of the requirement to make sure staff are aware of the procedural measures, the cost of an additional 15 minutes in the first year and 7.5 minutes for each subsequent year, for staff to make themselves aware of the procedures has been added. The addition of a reasonably practicable test means that this cost estimate will likely be an upper estimate as sites may decide some of the requirements are not reasonably practicable to implement, and therefore face lower costs.

5. This has raised the cost of the tier by roughly £250 million over the ten year appraisal period, with the central estimate for the cost of this tier increasing from £602.5 million to £860.4 million (central estimate).

## Enhanced tier

6. In the Enhanced Tier, the cost has decreased due to more evidence on the time taken to complete the risk assessment as well as changes to the training requirements.

7. The risk assessment time has changed due to greater evidence surrounding the possible time taken to complete a risk assessment. This means the estimated time per site has decreased from 367.5 hours to 30 hours. This is based on looking at literature about the burden which Health and Safety risk assessments place on firms and the average time taken to complete these documents.

8. The training requirement for staff in the enhanced tier has remained stable with 10% of staff being trained but staff are estimated to undertake training for three hours rather than the previous one hour.

9. Overall, the effect of both changes has led to the estimated cost of the enhanced tier decreasing from £1,997.8 million to £1,247.2 million (central estimate), a decrease of roughly £750 million.

## Regulator

10. The cost of the Regulator changed due to revisions around the possible costs of delivery. This has decreased the estimated cost from £130.4 million to £57.7 million (central estimate).

## Benefits

11. The monetised benefits remain the same, but the non-monetised benefits section now includes reference to newly published cost estimates. This includes the estimated cost of all the 2017 attacks, estimated to be £181.1 million. Additionally, the indirect cost of the 2017 attacks has been estimated by RAND Europe to cost an estimated £3.5 billion. Martyn's Law would apply to two of the five locations attacked in 2017, Manchester Arena (22 deaths) and London Bridge/Borough Market (8 deaths).

# Consultation principles

The principles that government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<https://www.gov.uk/government/publications/consultation-principles-guidance>







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<b>Report on</b>	Dfl Roads Proposal to Mid Ulster District Council – Disabled Persons Parking Bay at Fairhill Road, Cookstown
<b>Date of Meeting</b>	12 <sup>th</sup> March 2024
<b>Reporting Officer</b>	Terry Scullion, AD Property Services
<b>Contact Officer</b>	Terry Scullion, AD Property Services

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To seek the agreement of Members in relation to a proposal from Dfl Roads to introduce a Disabled Persons Parking Bay at Fairhill Road, Cookstown.
<b>2.0</b>	<b>Background</b>
2.1	Dfl Roads is proposing to introduce a Disabled Persons Parking Bay at Fairhill Road, Cookstown
<b>3.0</b>	<b>Main Report</b>
3.1	<p>The following outlines the proposal to be brought to the attention of the Environment Committee:</p> <p><b>PROPOSED INTRODUCTION OF DISABLED PERSONS' PARKING BAY – FAIRHILL ROAD, COOKSTOWN</b></p> <p>Correspondence was received from Dfl Roads dated 7 February 2024 to introduce a Disabled Persons Parking Bay at Fairhill Road, Cookstown.</p> <p>A consultation letter and a location map of the aforementioned proposal are attached as appendices to this report.</p>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: None
	Human: Officer time in drafting reports
	Risk Management: The introduction of the aforementioned proposal at these locations will assist in the management of road safety issues.

<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: The introduction of the aforementioned proposal at these locations will assist Dfl in the discharge of their statutory duty.
	Rural Needs Implications: The rural needs assessment would be conducted by Dfl Roads.
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That the Environment Committee endorses the proposal submitted by Dfl Roads.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Letter from DFI Roads dated 7 February 2024; proposed Disabled Persons Parking Bay at Fairhill Road, Cookstown.
6.2	Appendix 2– Map from DFI Roads dated 7 February 2024; proposed Disabled Persons Parking Bay at Fairhill Road, Cookstown.



Department for

**Infrastructure**

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**Infrastructure**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

Roads  
Network Development  
County Hall  
Drumragh Avenue  
Omagh

Tel: 028 8225 4085

7 February 2024

Mr Adrian McCreesh  
Chief Executive  
Mid Ulster District Council  
Ballyronan Road  
Magherafelt  
BT45 6EN

Dear Mr McCreesh

**DISABLED PERSONS' PARKING BAY – FAIRHILL ROAD, COOKSTOWN**

DfI Roads is proposing to provide a disabled parking bay at Shopmobility, Fairhill Road, Cookstown, as shown on the attached map.

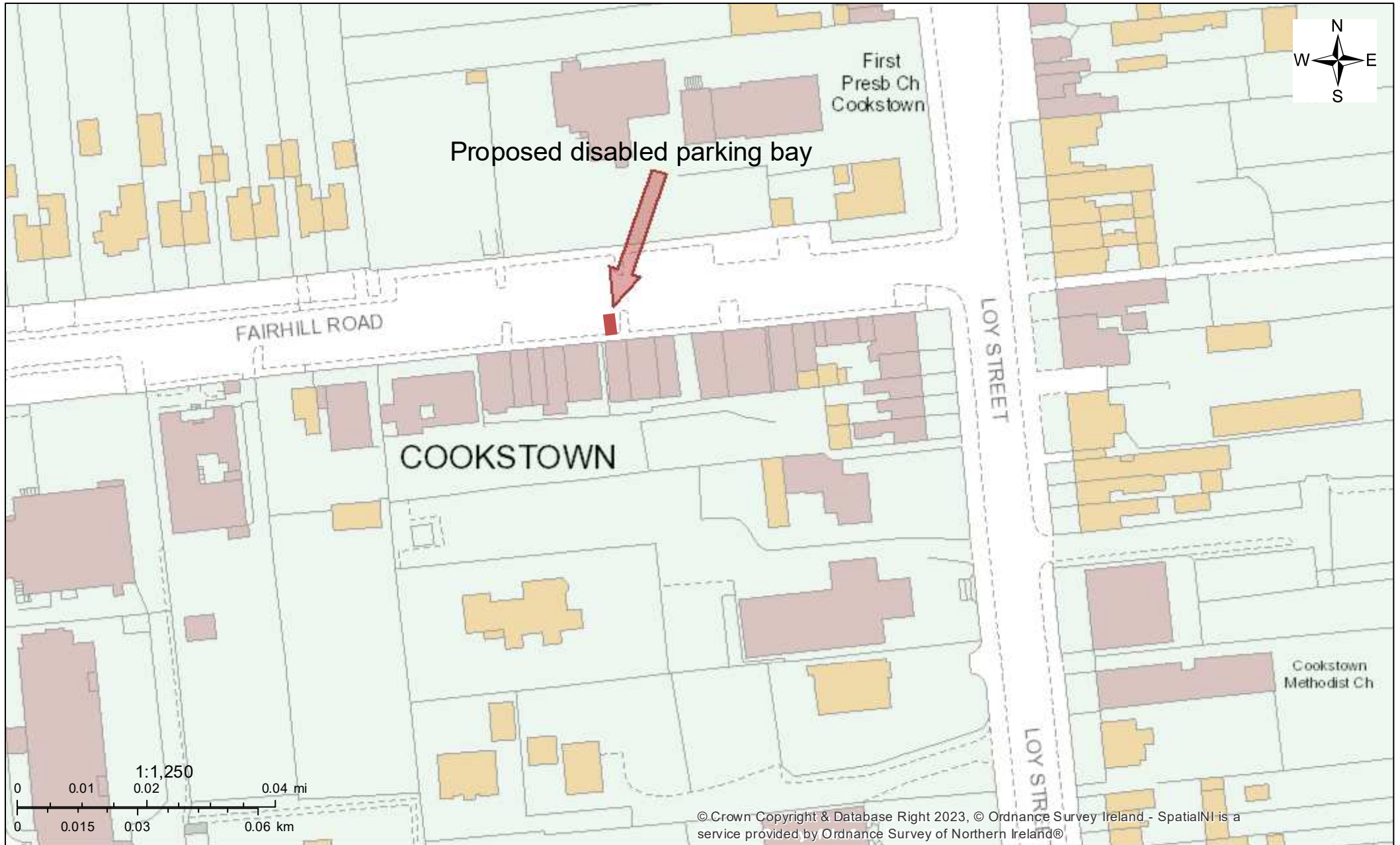
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton  
Network Development Section

Enc

# Proposed disabled parking bay - Fairhill Road, Cookstown



07/02/2024, 11:20:35

<b>Report on</b>	Dfl Roads Proposal to Mid Ulster District Council – Disabled Persons Parking Bay at O’Neill Park, Ballyronan
<b>Date of Meeting</b>	12 <sup>th</sup> March 2024
<b>Reporting Officer</b>	Terry Scullion, AD Property Services
<b>Contact Officer</b>	Terry Scullion, AD Property Services

<b>Is this report restricted for confidential business?</b>	Yes	
If ‘Yes’, confirm below the exempt information category relied upon	No	X

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To seek the agreement of Members in relation to a proposal from Dfl Roads to introduce a Disabled Persons Parking Bay at O’Neill Park, Ballyronan.
<b>2.0</b>	<b>Background</b>
2.1	Dfl Roads is proposing to introduce a Disabled Persons Parking Bay at O’Neill Park, Ballyronan.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>The following outlines the proposal to be brought to the attention of the Environment Committee:</p> <p><b>PROPOSED INTRODUCTION OF DISABLED PERSONS’ PARKING BAY – O’NEILL PARK, BALLYRONAN</b></p> <p>Correspondence was received from Dfl Roads dated 26 February 2024 to introduce a Disabled Persons Parking Bay at O’Neill Park, Ballyronan.</p> <p>A consultation letter and a location map of the aforementioned proposal are attached as appendices to this report.</p>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: None
	Human: Officer time in drafting reports
	Risk Management: The introduction of the aforementioned proposal at these locations will assist in the management of road safety issues.

<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: The introduction of the aforementioned proposal at these locations will assist DfI in the discharge of their statutory duty.
	Rural Needs Implications: The rural needs assessment would be conducted by DfI Roads.
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Letter from DFI Roads dated 26 February 2024; proposed Disabled Persons Parking Bay at O’Neill Park, Ballyronan.
6.2	Appendix 2– Map from DFI Roads dated 26 February 2024; proposed Disabled Persons Parking Bay at O’Neill Park, Ballyronan.





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Tel: 028 8225 4085

26 February 2024

Mr Adrian McCreesh  
Chief Executive  
Mid Ulster District Council  
Ballyronan Road  
Magherafelt  
BT45 6EN

Dear Mr McCreesh

**DISABLED PERSONS' PARKING BAY – O'NEILL PARK, BALLYRONAN**

DfI Roads is proposing to provide a disabled persons parking bay at O'Neill Park, Ballyronan, as detailed on the attached map.

Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton  
Network Development Section

Enc

# Proposed disabled parking bay - O'Neill Park, Ballyronan



26/02/2024, 14:28:06

**Minutes of Meeting of Environment Committee of Mid Ulster District Council held on Tuesday 13 February 2024 in Council Offices, Circular Road, Dungannon and by virtual means**

**Members Present**

Councillor Cuthbertson, Chair

Councillors J Burton\*, J Buchanan, Cahoon, Kelly, Groogan, Mallaghan, McAleer, McElvogue, McGuigan, McNamee, Quinn\*, Robinson, Varsani

**Officers in Attendance**

Mrs Campbell, Strategic Director of Environment (SD: Env)  
Mr McAdoo, Assistant Director of Environmental Services (AD: ES)\*\*  
Mr McNeill, Capital Development Manager (CDM)\*\*  
Mr Scullion, Assistant Director of Property Services (AD: PS)  
Miss Thompson, Committee and Member Services Officer

**Others in Attendance**

Councillor Monteith

\* Denotes members and members of the public present in remote attendance

\*\* Denotes Officers present by remote means

\*\*\* Denotes others present by remote means

The meeting commenced at 7.00 pm

*The Chair, Councillor Cuthbertson welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Cuthbertson in introducing the meeting detailed the operational arrangements for transacting the business of the committee in the chamber and by virtual means, by referring to Annex A to this minute.*

**E025/24 Notice of Recording**

Members noted that the meeting would be webcast for live and subsequent broadcast on the Council's You Tube site.

**E026/24 Apologies**

None.

## **E027/24      Declarations of Interest**

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

## **E028/24      Chair's Business**

The Chair, Councillor Cuthbertson stated that Councillors in the Dungannon area had recently received calls in relation to incident on Dungannon-Cookstown Road in which a horse was killed. The Councillor stated that leading up to this incident concerns had been raised by the public to PSNI, Council and other departments and asked officers to bring back a report in relation to Council responsibilities on collecting dead animals. Councillor Cuthbertson stated he realised there is some overlap with the Development Committee on this issue and asked that officers reporting to that Committee also bring forward report in relation to Council's role regarding animal welfare. The Councillor stated he was still receiving calls in relation to further horses on the lands on the Cookstown Road and that there is very little fencing keeping these horses in. Councillor Cuthbertson stated there is a road safety issue and that an accident could happen again and that there are also concerns regarding the welfare of the horses and asked that the reports be brought forward to the relevant Committees.

Councillor Robinson referred to calls he had received from Aughnacloy Playgroup who have had a number of issues with sewerage at their facility. The Councillor stated that this issue has been ongoing for some months with staff having to use toilets in the town rather than the playgroup and that the playgroup has also had to close early on a couple of occasions. Councillor Robinson stated it was his understanding that the playgroup is located within Council property and that responsibility lies with Council on this issue and asked for confirmation on this.

The Assistant Director of Property Services (AD: PS) stated he would come back to Councillor Robinson to confirm the situation.

## **Matters for Decision**

### **E029/24      Consultation on Reforming the Producer Responsibility System for Waste Electrical and Electronic Equipment (WEEE)**

The Assistant Director of Environmental Services (AD: ES) presented previously circulated report which sought approval for a consultation response on reforming the Producer Responsibility System for Waste Electrical and Electronic Equipment (WEEE).

Proposed by Councillor McGuigan  
Seconded by Councillor McNamee and

**Resolved** That it be recommended to Council to approve the proposed consultation response as outlined at appendix to report.

#### **E030/24 Bus Shelters Update**

The Capital Development Manager (CDM) presented previously circulated report which provided update on current bus shelter status.

Councillor McAleer proposed the report and asked for an update in relation to bus shelter for St Colmans Park, Moortown as this matter has been ongoing for a long time.

The CDM agreed with the Councillors comments that the request for this bus shelter has been in process for a long time and agreed to follow up on the matter.

The Assistant Director of Property Services stated that officers are as frustrated as the Councillor in relation to the back and forward with NIHE and Council's legal team and agreed to follow up on the matter.

Councillor Robinson seconded Councillor McAleer's proposal.

**Resolved** That it be recommended to Council that –

- Bus shelter applications listed under 3.7 in report are recommended for approval to installation this month.
- Bus shelter applications listed under 3.8 in report are recommended for rejection this month.

#### **E031/24 Street Naming and Property Numbering**

The Assistant Director of Property Services (AD: PS) presented previously circulated report which considered the naming of new streets within residential Housing Developments within Mid Ulster District Council.

Site off Roughan Road, Newmills, Dungannon

Proposed by Councillor McNamee  
Seconded by Councillor McAleer and

**Resolved** That it be recommended to Council to name development off Roughan Road, Newmills, Dungannon as The Rowan.

#### **E032/24 DfI Roads Proposal to Mid Ulster District Council – No waiting at any time restriction at Jockey Lane, Moy**

Members considered previously circulated report which sought agreement in relation to proposal to introduce no waiting at any time, loading and unloading at Jockey Lane, Moy.

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 proposal to introduce no waiting at any time, loading and unloading at Jockey Lane, Moy.

### **Matters for Information**

#### **E033/24 Environment Committee minutes of meeting held on 8 January 2024**

Members noted minutes of Environment Committee held on 8 January 2024.

#### **E034/24 Bin Ovation Update**

Members noted previously circulated report which provided update on usage and functionality of the Bin-Ovation App.

Councillor Cahoon referred to the different aspects of the Bin-Ovation App such as checking a bin collection day and reporting flytipping, litter and graffiti and asked if officers felt the subscription fee of £6k is value for money as there is good social media in relation to collection days and that the Council website also provides good information. Councillor Cahoon also highlighted that when you use the app to check a bin collection day it takes the user to the Council website.

The Assistant Director of Environmental Services (AD: ES) stated that in relation to value for money the report indicates there are over 10k users of the Bin-Ovation app and that therefore the cost per user is quite low. The AD: ES stated that he took on board the Councillors comments in relation to linkages to the Council website and that going forward officers will review the use of the app in line with Council's digital transformation strategy.

Councillor Burton referred to his previous request for more bins to be located in the Dungannon area and asked for an update on this. The Councillor also referred to dog fouling litter and whether this can be disposed of in street bins or whether a separate bin is required.

The Chair, Councillor Cuthbertson advised that dog fouling can be disposed of in any street bin.

#### **E035/24 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for July to September 2023**

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 2 of 2023/24 from July to September 2023.

**E036/24 Building Control Workload**

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

**E037/24 Entertainment Licensing Applications**

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

**E038/24 Dual Language Signage Surveys**

Members noted previously circulated report which advised of the result of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplate requests.

**E039/24 Dual Language Signage Requests**

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

*Live broadcast ended at 7.15 pm.*

**Local Government (NI) Act 2014 - Confidential Business**

Proposed by Councillor McNamee  
Seconded by Councillor McAleer 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 E040/24 to E048/24.

**Matters for Decision**

E040/24 Sustainable NI Membership 2024/25  
E041/24 Tender for 3G Sports Pitch Maintenance  
E042/24 Electricity Supplies - Contract Extension 2024/25  
E043/24 Tender report for the appointment of Vehicle Suppliers

**Matters for Information**

E044/24 Environment Committee Confidential Minutes of meeting held on 8 January 2024  
E045/24 Capital Framework – ICT Contracts Update  
E046/24 Capital Framework – IST Contracts Update

5 – Environment Committee (13.02.24)

E047/24 Disposal/Sale of Assets – Fleet and Plant  
E048/24 Dual Language Signage Survey Update

**E049/24 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 7.45 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



## Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the Council's [Policy & Resources/Environment/Development] Committee in the Chamber, [Dungannon/Magherafelt] and virtually.

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I let you know before this happens.

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening I will ask each member to confirm whether they are for or against the proposal or abstaining
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

Thank you and we will now move to the first item on the agenda



<b>Report on</b>	Tullyvar Joint Committee Update
<b>Date of Meeting</b>	12 March 2024
<b>Reporting Officer</b>	Mark McAdoo, Assistant Director - Environmental Services
<b>Contact Officer</b>	Karl McGowan, Waste & Sustainable Development Manager

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To provide members with an update on the business of the Tullyvar Joint Committee.
<b>2.0</b>	<b>Background</b>
2.1	Tullyvar Joint Committee is a formal Committee initially established in 1992 under the former constituent Councils of Dungannon & South Tyrone Borough Council and Omagh District Council under Section 19 of Local Government Act (NI) 1972. Five Councillor/representatives from Mid Ulster and Fermanagh & Omagh Councils now serve on the Joint Committee which is supported by senior Officers from each of the two Councils.
<b>3.0</b>	<b>Main Report</b>
3.1	A meeting of Tullyvar Joint Committee was held on 21st February 2024. A copy of the associated agenda and a copy of the latest Committee report/papers including minutes of the previous meeting held on 11th October 2023 are attached for members' information.
3.2	The next Joint Committee meeting is scheduled to take place on 11th September 2024.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: None
	Human: None
	Risk Management: None
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A

<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members are asked to note the content of this report and associated papers.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Latest papers for Tullyvar Joint Committee.



**Tullyvar Landfill Site Joint Committee Meeting**  
**Wednesday 14<sup>th</sup> February 2024, 10.30am**  
**Tullyvar (and via MS Teams)**

**A G E N D A**

1. Confirmation of the Minutes of the AGM Meeting on Wednesday 11<sup>th</sup> October 2023.
2. Confirmation of the Minutes of the Joint Committee Meeting on Wednesday 11<sup>th</sup> October 2023.
3. Matters arising from the Minutes.
4. Update from Assistant Director Environmental Services / Site Managers Report.
5. Date of next meeting to be agreed:
  - Suggested date Wednesday 11<sup>th</sup> September 2024.
6. AOB

**MINUTES OF TULLYVAR JOINT COMMITTEE AGM HELD ON WEDNESDAY 11<sup>TH</sup> OCTOBER 2023 AT 10.00AM AT TULLYVAR (AND VIA MS TEAMS)**

**PRESENT:**

**MID ULSTER:** Councillor Robinson and Councillor McConnell (in person).  
Councillor Gildernew and Councillor Varsani (virtual).

**FERMANAGH & OMAGH:** Councillor Rainey (in person).

**OFFICERS:** AM Campbell and J News (virtual).  
M McAdoo, K McGowan and J Scullion (in person).

**APOLOGIES:** Councillors Graham, Kelly and Thompson.  
A McCullagh and S McEvoy.

***Meeting commenced at 10.00am***

**1. ELECTION OF CHAIR**

Councillor Rainey elected.

Proposed by Councillor Robinson  
Seconded by Councillor McConnell

**2. ELECTION OF VICE-CHAIR**

Councillor Robinson elected.

Proposed by Councillor Rainey  
Seconded by Councillor McConnell

**3.0 ANNUAL FINANCIAL REVIEW**

The Site Manager presented the Annual Financial Report, copy previously circulated, reference being made to draft accounts for the 2022/23 financial year. It was noted that a total income of approximately £63,782 was received, the majority of which was the royalty payment for the sites electricity generation. This compared to a budget of £89,698 with the variation of £25,916 due to the reduction in income from electricity generation. Operational expenses (not including depreciation and provisions) for the year were approximately £162,073 compared to a budget of £184,748. This underspend of £22,675 was mainly attributed to reduced spending on

leachate removal and treatment. The Site Manager also detailed the Balance Sheet account providing a summary of assets and liabilities and cash on account.

Councillor McConnell requested more detail on the Heating & Light expenditure of £21,670. The Site Manager explained that leachate had to be pumped and aerated 24/7 using a 13.5 kw pump. Increased energy costs have been a factor in the expense, but that over time less aeration would be necessary.

J News queried if there was a change in contract with income being down 30%, or was it solely down to gas production? The Site Manager explained that since the site closed in 2018 there has been less gas produced, but the price per unit has increased, and therefore rate paid for the gas has also increased.

Councillor Robinson requested an overview of Tullyvar Landfill Site. A verbal overview was provided by the Site Manager.

#### **4.0 FREQUENCY OF AGM'S**

It was suggested that the Chair and Vice-Chair would be in place for the term of Council.

Proposed by Councillor Robinson  
Seconded by Councillor McConnell

It was agreed that the annual accounts be brought to Joint Committee Meeting every October.

#### **5.0 ANY OTHER BUSINESS**

No other Business.

***Meeting ended at 10.38am***

**MINUTES OF TULLYVAR JOINT COMMITTEE MEETING HELD ON WEDNESDAY  
11<sup>th</sup> OCTOBER 2023 AT 10.00M AT TULLYVAR (AND VIA MS TEAMS)**

**PRESENT:**

**MID ULSTER:** Councillor McConnell and Councillor Robinson (in person).  
Councillor Gildernew and Councillor Varsani (virtual).

**FERMANAGH & OMAGH:** Councillor Rainey (in person).

**OFFICERS:** M McAdoo, K McGowan and J Scullion (in person).  
J News (virtual).

**APOLOGIES:** Councillors Graham, Kelly and Thompson.  
A McCullagh and S McEvoy.

*Meeting commenced at 10.40am and was chaired by Councillor Rainey.*

**1. CONFIRMATION OF MINUTES – ORDINARY MEETING – WEDNESDAY  
29<sup>th</sup> MARCH 2023**

No members present at that were present at meeting on Wednesday 29<sup>th</sup> March 2023. The Site Manager vouched for minutes, everyone present were content with this.

**2. MATTERS ARISING FROM THE MINUTES**

The Site Manager provided an overview of the last meeting.  
No Matters Arising.

**3.0 UPDATE REPORT FROM ASSISTANT DIRECTOR ENVIRONMENTAL  
SERVICES / SITE MANAGERS REPORT**

The Site Manager's report, copy previously circulated, was considered, reference being made to the undernoted:

**3.1 Site Operational Update**

**3.1.1 Leachate Treatment**

It was confirmed that between March 2023 and September 2023 approximately 85 tonnes of leachate per week was discharged to Cookstown Sewage Treatment Works.



### **3.1.2 Annual NI Water compliance report**

The Annual NI Water compliance report for the first six months of 2023 was received in July and Tullyvar was deemed compliant.

### **3.1.3 Site Works**

Further minor site mothballing and landscaping works were carried out over the Summer. This work was grant aided from the Forest Expansion Scheme with a further £2,100 due to be received for Year 3 maintenance.

### **3.1.4 Electricity Generation**

A further year of electricity generation was completed at the end of May 2023 in which the site generated 1.64 GWHrs of electricity. The royalty payment of £61,155.55 was received from Renewable Power Systems, bringing the total income to date from landfill gas to approximately £1.52M.

### **3.2 Review of Financial Provisions**

Funding of the site's long-term environmental liabilities to be discussed at the next meeting. Management to prepare projections of the site's future spending in advance, it will be reviewed and discussed in conjunction with the 23/24 annual budget.

### **3.3 Approach by OPES MRF 2013 Ltd.**

The Council has received a proposal from SC Legal on behalf of OPES MRF Ltd, a UK supplier of integrated waste management and environmental services. They wish to acquire Tullyvar Landfill Site, along with the other two Mid Ulster Landfill Sites, Magherglass and Ballymacombs. The proposal is to purchase the site for a nominal amount of £1 and assume all current and future site liabilities. They further propose a royalty of £3 per tonne for all waste that goes into the site. Approval was requested to engage with SC Legal and provide the initial documents requested. Councillor Gildernew queried if the proposal would privatise Tullyvar, and if it had to be all three sites. The Site Manager explained that they had requested all three sites, but were open to discussion (Ballymacombs not owned by MUDC, Magherglass no planning permission or permit to operate). Councillor Robinson queried if it would do away with the recycling centre. The Site Manager confirmed that we would have to lease the ground back for the recycling centre. Councillor Gildernew expressed her concern at selling the site and felt that the Council had an environmental responsibility to look after the site, she advised that residents living close to the three sites would have concerns.

J News gave reassurance that the request is to seek permission to start conversations with SC Legal, and that it would most likely be a number of years before anything would happen. M McAdoo explained that it's just an exchange of information and that he was obliged to bring it to the Committee's attention.

### **3.4 Adoption of the Report**

The Site Manager's report was adopted.

Proposed by Councillor Robinson.  
Seconded by Councillor Rainey.

### **4.0 DATE OF NEXT MEETING**

It was agreed to convene the next meeting on **Wednesday 14<sup>th</sup> February 2024**. Venue to be confirmed.

### **6.0 ANY OTHER BUSINESS**

None.

# TULLYVAR JOINT COMMITTEE – 14<sup>th</sup> FEBRUARY 2024

## SITE MANAGER'S REPORT

### 1. Site Operational Update

Between October 2023 and January 2024 approx. 65 tonnes of leachate per week was discharged to Cookstown Sewage Treatment Works. The Annual NIWater compliance report for 2023 was received in January and Tullyvar was deemed compliant, the main results of which are detailed in the table below:

Parameter	Annual Average	Limit	Compliance Score
<b>Ammoniacal Nitrogen</b>	33 mg/l	400 mg/l	100%
<b>Chemical Oxygen Demand</b>	351 mg/l O <sub>2</sub>	2000 mg/l O <sub>2</sub>	100%
<b>Suspended Solids</b>	67 mg/l	500 mg/l	100%
<b>pH</b>	Min 4.91 / Max 9.15	Min 5 / Max 10	93%

Site operations for the period included repairs / alterations to the sites Integrated Constructed Wetlands. To rectify some issues caused by settlement of the site some sections of the wetland bunds were raised. This involved uncovering the existing bund geotextiles, the addition of new clay to raise formation levels, the installation of new Geosynthetic Clay Liner (GCL) and recovering with soil. Pictures of the works are shown below and overleaf:



Picture 1 – Uncovering of existing bund geotextiles.



Picture 2 – Placement of new Geosynthetic Clay Liner (GCL) on the raised bund.





Picture 3 – Completed bund with soil applied.



Picture 4 – Completed bund with soil applied.

Other works were carried out to clean around outlet and overflow pipes to ensure the clear flow of water through the 7 wetland ponds. The sites ICW has been performing well and has treated approx. 6,000m<sup>3</sup> of leachate over the past year saving approx. £55,000 in leachate haulage.

## **2. Financial Matters**

A budget has been prepared by Officers for the 2024/25 period, the projected operational expenditure for the coming financial year is £159,909, a decrease of approx. 6% to reflect the further winding down of site operations. Net costs when considering projected income is decreased by approx. 18%. The major costs in the next financial year are £28,829 for leachate haulage, salaries and wages of £17,431, environmental monitoring costs of £19,200, electricity at £30,000, and management charges of £11,000. There has been a significant increase in energy costs and a moderate increase in Rates but these have been offset from reduced leachate haulage, salaries and wages.

Site income for the year is estimated at £63,932 from the predicted electricity generation royalties. This gives a net expenditure for the year of £95,977 which will be funded from the sites reserves. In addition to this operational expenditure, a further £15,000 of capital expenditure is proposed to improve site security. This expenditure covers £13,000 for a secure shed to store site vehicles and £2,000 to upgrade the on-site CCTV system for remote monitoring.

The full budget and details first 6 months expenditure of the 23/24 financial year are detailed in Appendices 1 & 2. At the end of the first 6 months of the current financial year the site had £576,498.29 in its bank current account / reserves so additional funding from the two Councils will not be necessary for the foreseeable future.

### **3. Financial Projections**

During the preparation and audit of the sites 2022/2023 accounts it was felt that there should be discussion at the Joint Committee Meeting on funding of the sites long term environmental liabilities. To inform these discussions projections of the sites future spending and income have been prepared and can be found in Appendix 3. A number of scenarios were modelled as below:

1. Using the current gas projections & allowing for 6% per annum budget reductions, this would indicate that the sites cash reserves will be depleted in March 2029.
2. Using the current gas projections & allowing for 12% per annum budget reductions, this would indicate that the sites cash reserves will be depleted in April 2030.
3. Using the previous less generous 22/23 gas projections & allowing for 6% per annum budget reductions, this would indicate that the sites cash reserves will be depleted in November 2027.
4. Using the previous less generous 22/23 gas projections & allowing for 12% per annum budget reductions, this would indicate that the sites cash reserves will be depleted in March 2028.

Given that potential income from interest on the sites cash reserves has not been allowed for and potential reductions in leachate haulage and environmental monitoring in the future it is felt that Scenario 1 is a reasonable projection. This indicates that the 2 Councils would need to allow for a 50% share in the site operating costs in the 2030 / 31 financial year of approx. £45,000 each. These projections also do not take into consideration any potential income from Solar PV as discussed further in section 4. It is proposed to review these projections annually to ensure that any potential funding requirements by the 2 Councils are signposted well in advance.

### **4. Future Site Development**

The Committee was previously informed of the correspondence from SC Legal on behalf of OPES MRF 2013 Ltd. with a proposal to acquire Tullyvar Landfill Site. The proposal is for OPES MRF 2013 Ltd. to purchase the site for a nominal amount of £1 and assume all current and future site liabilities. They further propose a royalty of £3 per tonne for all waste that goes into the site over the weighbridge as monitored by monthly reports. They would be solely responsible for all costs associated with obtaining the relevant planning permissions and dealing with all permitting matters including the setting up of any required financial provisions need to establish the site as a usable landfill. They would also bear the costs of cell engineering including lining, installation of leachate systems and gas infrastructure as well as capping and restoration to include planting schemes together with all other relevant operating costs.

Approval was granted to engage with SC Legal and provide the initial documents requested i.e. site permits, ownership documents etc... for their review. These documents have been forwarded and OPES MRF 2013 Ltd. have expressed their desire to move forward subject to approval by both Councils. However, since this approach, the site has re-engaged WDR & RT Taggart to reassess the sites potential for the installation of Solar PV. WDR & RT Taggart had previously prepared a business case for a solar farm at Tullyvar in June 2019. This report was

presented to the Joint Committee on the 12<sup>th</sup> February 2020 where it was decided to re-evaluate the business case at a future date. At the time the project was found to not be viable, however, the reduction in the price of solar panels, new funding models and the requirements of the Climate Change Act (Northern Ireland) 2022 are new factors to be considered. It is recommended to await the findings of this Solar PV report before giving further consideration to the proposal by OPES MRF 2013 Ltd.

## **5. Hedgerow Planting Event**

A hedgerow planting event took place on the Thursday 30<sup>th</sup> November 2023 and brought together students from Aughnacloy Primary School, Richmond Primary School, St Malachy's Primary School and St Mary's Primary School. This cross-community event was focused on the areas of biodiversity and climate change and also aligned with our recycling education commitment to promote environmental responsibility and awareness. The event was attended by 94 pupils and 9 teachers, with active participation from various sections of the school community. Altogether 150 trees were planted during the event along with a small patch of daffodils.

In order to reinforce the educational component of the initiative, pupils were allocated a letter A-D when they arrived on-site, which in turn allocated them to 1 of 4 educational activity stations which they moved around in sequence. All visitors were provided with a Hi Vis vest, followed by a Health and Safety talk by the Site Manger. Workshops began with one group planting the tree whips and learning about the initial stages in tree growth. Another group were led by the Waste and Sustainability Officer and learned about recycling while playing recycling themed outdoor games. The Recycling Education Officers then guided students in making paper potters and planting daffodil bulbs. A fourth group carried out Tree ID lessons with the Biodiversity Officer to raise awareness about the importance of trees in mitigating climate change. The children learned valuable insights on the role of trees in carbon sequestration, improving air quality, and promoting biodiversity. Considering the success of the event it is planned to make this an annual event to extend the hedgerows around the site. Pictures from the event are presented in Appendix 4.

## Appendix 1 – Interim Financial Review

### 1. Income & Expenditure

Interim accounts for the first 6 months of the 2023/24 financial year have been prepared with the main points summarised below. Please note that some figures may be subject to minor changes before being submitted to auditors.

- Income for the first 6 months totalled £9,892, gained from interest on the sites cash reserves. A further £61,155.55 has since been received as a gas royalty payment from Renewable Power Systems.
- Operational expenses for the first 6 months totalled £97,636.60 compared to a budget of £99,035.00. Underspends were noted for leachate related expenses and chemicals with overspends in Rates, Heating & Light and Sampling. Expenditure at year end is expected to be in line with the budget. The top 5 expenditure items are listed below:

▪ Salaries & Wages	£16,981.00
▪ Environmental Monitoring	£12,462.53
▪ Heating & Light	£11,880.37
▪ Leachate Tankering & Treatment	£11,553.80
▪ Rates	£10,775.67

### 2. Balance Sheet

The balance sheet figures as of the 30<sup>th</sup> September 2023 are presented below:

Current Assets	-	£629,659.35
Current Liabilities	-	£97,563.39
Net Current Assets / Liabilities	-	£532,095.96

Other Items:

Cash on Account	-	£576,498.29
Closure & Aftercare Provision	-	£361,192.62



## Appendix 2 – 6 Month Accounts and Proposed 2024/25 Budget

Account Code	Expense Description	2023/24 6 Mts TD*	2023/24 Budget	2024/25 Budget
2176	SALES	0	0	0
2991	DEPOSIT A/C INTEREST	(9,892)	0	0
2501	GAS GENERATION INCOME	0	(52,620)	(63,932)
4990	MISC INCOME	0	0	0
	<b>1 Total</b>	<b>(9,892)</b>	<b>(52,620)</b>	<b>(63,932)</b>
2004	SALARIES & WAGES	16,981	33,886	17,431
2006	LEACHATE TREATMENT	11,554	37,884	28,829
2009 & 2117	MANAGEMENT CHARGE	5,500	11,000	11,000
2010	RATES	10,776	8,500	11,300
2011	INSURANCE	10,752	10,500	10,750
2012	HEAT & LIGHT	11,880	16,000	30,000
2018	REPAIRS & RENEWALS GENERAL	2,813	5,000	5,000
2021	REPAIRS VEHICLES	92	1,500	1,000
2024	BANK CHARGES	26	50	50
2029	TELEPHONE	0	300	300
2031	ADVERTISING	0	0	0
2030 & 2032	POST & STATIONERY	13	50	50
2033	COMPUTER SOFTWARE	0	0	0
2039	HIRE OF EQUIPMENT	1,488	4,800	3,600
2040	PROTECTIVE CLOTHING	0	300	300
2041	BLINDING MATERIALS	0	0	0
2035 & 2048	FEES & LEGAL FEES	8,136	9,000	9,000
2054	FUELS & OILS	2,994	6,000	6,000
2060	TRAVEL & SUBSISTENCE	0	1,000	1,000
2061 & 2145	TRAINING / CONFERENCES	0	0	0
2070	CHEMICALS	0	2,000	2,000
2072	WATER	70	500	500
2073	SITE ENGINEERING	2,100	2,500	2,500
2081	LANDFILL TAX ON BLINDING	0	0	0
2104	SAMPLES	12,463	19,200	19,200
2300	MISCELLANEOUS	0	100	100
8100	BAD DEBT WRITE-OFF/RECOVERED	0	0	0
8102	PROVISION FOR BAD DEBT	0	0	0
	<b>2 Total</b>	<b>97,637</b>	<b>170,070</b>	<b>159,909</b>
	<b>Grand Total</b>	<b>87,744</b>	<b>117,450</b>	<b>95,977</b>

**Notes:**

Contribution to Site Managers salary reduces from 50% to 25% to reflected reduced time spent on-site



## Appendix 3 – Financial Projections

Based on Current Gas Projections & 6% PA Budget Reductions

Year Commencing	Cash on Account	Budget	Income	Cash Position EoY
31/03/2023	£566,220	£170,000	£61,156	£457,376
31/03/2024	£457,376	£160,000	£63,932	£361,308
31/03/2025	£361,308	£150,500	£54,653	£265,461
31/03/2026	£265,461	£141,000	£44,373	£168,834
31/03/2027	£168,834	£132,500	£47,617	£83,951
31/03/2028	£83,951	£125,000	£33,135	-\$7,914

Cash Depleted Mar 2029

Based on Current Gas Projections & 12% PA Budget Reductions

Year Commencing	Cash on Account	Budget	Income	Cash Position EoY
31/03/2023	£566,220	£170,000	£61,156	£457,376
31/03/2024	£457,376	£160,000	£63,932	£361,308
31/03/2025	£361,308	£141,000	£54,653	£274,961
31/03/2026	£274,961	£124,000	£44,373	£195,334
31/03/2027	£195,334	£109,000	£47,617	£133,951
31/03/2028	£133,951	£96,000	£33,135	£71,086
01/03/2029	£71,086	£84,500	£16,473	£3,059

Cash Depleted Apr 2030

Based on 22/23 Gas Projections & 6% PA Budget Reductions

Year Commencing	Cash on Account	Budget	Income	Cash Position EoY
31/03/2023	£566,220	£170,000	£42,250	£438,470
31/03/2024	£438,470	£160,000	£39,559	£318,029
31/03/2025	£318,029	£150,500	£27,225	£194,754
31/03/2026	£194,754	£141,000	£14,623	£68,377
31/03/2027	£68,377	£132,000	£11,788	-\$51,835

Cash Depleted Nov 2027

Based on 22/23 Gas Projections & 12% PA Budget Reductions

Year Commencing	Cash on Account	Budget	Income	Cash Position EoY
31/03/2023	£566,220	£170,000	£42,250	£438,470
31/03/2024	£438,470	£160,000	£39,559	£318,029
31/03/2025	£318,029	£141,000	£27,225	£204,254
31/03/2026	£204,254	£124,000	£14,623	£94,877
31/03/2027	£94,877	£109,000	£11,788	-\$2,335

Cash Depleted Mar 2028

# Appendix 4 – Hedgerow Planting Pictures









<b>Report on</b>	Public/bank holiday working arrangements for 2024/25
<b>Date of Meeting</b>	12th March 2024
<b>Reporting Officer</b>	Mark McAdoo, Assistant Director - Environmental Services
<b>Contact Officer</b>	Mark McAdoo, Assistant Director - Environmental Services

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

<b>1.0</b>	<b>Purpose of Report</b>																																										
1.1	To update members on the proposed public/bank holiday working arrangements for Environmental Services department for the period 1 <sup>st</sup> April 2024 to 31 <sup>st</sup> March 2025.																																										
<b>2.0</b>	<b>Background</b>																																										
2.1	Environmental Services are required to provide an ongoing service on a number of designated public/bank holidays throughout the year including refuse/recycling collections and the operation of Recycling Centres and Waste Transfer Stations.																																										
<b>3.0</b>	<b>Main Report</b>																																										
3.1	<p>The proposed arrangements for public holiday working in 2024/25 are as follows:</p> <table border="1"> <thead> <tr> <th colspan="3"><b>Refuse Collection/Street Cleansing/Waste Transfer</b></th> </tr> <tr> <th><b>Holiday</b></th> <th><b>Date</b></th> <th><b>Arrangement</b></th> </tr> </thead> <tbody> <tr> <td>Easter Monday</td> <td>Monday 1 April 2024</td> <td>Normal Working</td> </tr> <tr> <td>Easter Tuesday</td> <td>Tuesday 2 April</td> <td>Normal Working</td> </tr> <tr> <td>Early May Bank Holiday</td> <td>Monday 6 May</td> <td>Normal Working</td> </tr> <tr> <td>Spring Bank Holiday</td> <td>Monday 27 May</td> <td>Normal Working</td> </tr> <tr> <td>July Bank Holiday 1</td> <td>Friday 12 July</td> <td>Saturday 13 July</td> </tr> <tr> <td>July Bank Holiday 2</td> <td>Monday 15 July</td> <td>Normal Working</td> </tr> <tr> <td>Summer Bank Holiday</td> <td>Monday 26 August</td> <td>Normal Working</td> </tr> <tr> <td>Christmas Day</td> <td>Wednesday 25 December</td> <td>Saturday 21 December</td> </tr> <tr> <td>Boxing Day</td> <td>Thursday 26 December</td> <td>Saturday 28 December</td> </tr> <tr> <td>Extra Statutory Holiday</td> <td>Friday 27 December</td> <td>Normal Working</td> </tr> <tr> <td>New Year's Day</td> <td>Wednesday 1 January 2025</td> <td>Saturday 4 January</td> </tr> <tr> <td>St Patrick's Day</td> <td>Monday 17 March</td> <td>Normal Working</td> </tr> </tbody> </table>	<b>Refuse Collection/Street Cleansing/Waste Transfer</b>			<b>Holiday</b>	<b>Date</b>	<b>Arrangement</b>	Easter Monday	Monday 1 April 2024	Normal Working	Easter Tuesday	Tuesday 2 April	Normal Working	Early May Bank Holiday	Monday 6 May	Normal Working	Spring Bank Holiday	Monday 27 May	Normal Working	July Bank Holiday 1	Friday 12 July	Saturday 13 July	July Bank Holiday 2	Monday 15 July	Normal Working	Summer Bank Holiday	Monday 26 August	Normal Working	Christmas Day	Wednesday 25 December	Saturday 21 December	Boxing Day	Thursday 26 December	Saturday 28 December	Extra Statutory Holiday	Friday 27 December	Normal Working	New Year's Day	Wednesday 1 January 2025	Saturday 4 January	St Patrick's Day	Monday 17 March	Normal Working
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	<b>Recycling Centres</b>		
	<b>Holiday</b>	<b>Date</b>	<b>Arrangement</b>
	Easter Monday	Monday 1 April 2024	Closed
	Easter Tuesday	Tuesday 2 April	Open
	Early May Bank Holiday	Monday 6 May	Closed
	Spring Bank Holiday	Monday 27 May	Closed
	July Bank Holiday 1	Friday 12 July	Closed
	July Bank Holiday 2	Monday 15 July	Open
	Summer Bank Holiday	Monday 26 August	Closed
	Christmas Day	Wednesday 25 December	Closed
	Boxing Day	Thursday 26 December	Closed
	Extra Statutory Holiday	Friday 27 December	Open
	New Year's Day	Wednesday 1 January 2025	Closed
	St Patrick's Day	Monday 17 March	Closed
<b>4.0</b>	<b>Other Considerations</b>		
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>		
	Financial: Any Saturday on which a refuse collection service is provided will be treated as a "substitute" Public Holiday with additional payments as per with national conditions.		
	Human: Employees have to request leave if they do not want to work a public/bank holiday. In addition to enhanced payment rates employees are entitled to appropriate TOIL.		
	Risk Management: N/A		
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>		
	Equality & Good Relations Implications: N/A		
	Rural Needs Implications: N/A		
<b>5.0</b>	<b>Recommendation(s)</b>		
5.1	Members are asked to note the content of this report.		
<b>6.0</b>	<b>Documents Attached &amp; References</b>		
6.1	None		

<b>Report on</b>	Bus Shelters Update
<b>Date of Meeting</b>	12 <sup>th</sup> March 2024
<b>Reporting Officer</b>	Johnny McNeill – Capital Development Manager
<b>Contact Officer</b>	Anne Mac Airt – Capital Development Officer

<b>Is this report restricted for confidential business?</b>  If 'Yes', confirm below the exempt information category relied upon	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update Members on the current bus shelter status.
<b>2.0</b>	<b>Background</b>
2.1	Council is empowered under the Local Government Miscellaneous Provisions (NI) Order 1985, with the consent of the department to erect and maintain on any road within the district of the council, shelters for the protection from the weather or persons waiting to enter public service vehicles. Bus shelters are erected following local representations. They are provided, particularly for those who must use public services who may have to stand out in the inclement weather.
2.2	Following the bus shelter collaborative workshop held in March 2020, the bus shelter process was discussed and agreed at the Council meeting held on the 27 <sup>th</sup> March 2020. Members are advised in a monthly report of progress made on the various applications that have been lodged with the department.
2.3	Due to the Covid-19 pandemic progress has been delayed with unavailability of staff and priority of workloads within the various departments involved in dealing with the shelter installation. MUDC / DfI Roads have met (through "Microsoft Teams") to discuss a selection of these projects and will continue to carry out similar meetings to progress shelter applications.
2.4	Members to note current Procedural guide approved by Council March 2021 (see appendix 1).
<b>3.0</b>	<b>Main Report</b>
3.1	The following information headings will be covered: <ul style="list-style-type: none"> <li>• New applications received in the past month (see 3.2)</li> <li>• Progress on stages 2-4 application process (see 3.3)</li> <li>• Request for Council to move from stage 5 (see 3.4)</li> <li>• Progress update on stages 6-9 (see 3.5)</li> </ul>

	<ul style="list-style-type: none"> <li>• Neighbour Notification summary and detailed analysis (see 3.6)</li> <li>• Projects recommended for approval (3.7)</li> <li>• Projects recommended for rejection (3.8)</li> <li>• Projects recommended for withdrawal (see 3.9)</li> <li>• Shelters passed to Property Services for installation (3.10)</li> <li>• Progress update on stages 10-11 (see 3.11)</li> <li>• Update on statutory response times in relation to agreement on time related responses for application (see 3.12)</li> <li>• Other issues (see 3.13)</li> </ul>																												
3.2	<p><b>New Applications received in the past month – 2Nr:</b></p> <ul style="list-style-type: none"> <li>• 2024-001 - Royal School Dungannon.</li> <li>• 2024-002 – Millview Manor, Coalisland Road, Dungannon.</li> </ul>																												
3.3	<p><b>Progress on stages 2-4 of the application process – see table 3 in Appendix 2.</b></p>																												
3.4	<p><b>Requests for Council to move from stage 5 of the application process – 0Nr applications to move from stage 5.</b></p>																												
3.5	<p><b>Progress update on stages 6-9 – Update on applications below have been discussed with a view to getting approval:</b></p> <table border="1"> <thead> <tr> <th>Reference</th> <th>DEA</th> <th>Bus Shelter Location</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>3.5.1</td> <td>2020-006</td> <td>Torrent</td> <td><b>St Colmans Pk, Moortown</b> With NIHE/MUDC Legals, awaiting final sign off.</td> </tr> <tr> <td>3.5.2</td> <td>2022-004</td> <td>Clogher Valley</td> <td><b>Derryfubble Road, Benburb</b> With NIHE for final sign off. NN issued.</td> </tr> <tr> <td>3.5.3</td> <td>2019-008</td> <td>Torrent</td> <td><b>Eglish View, Ballinderry</b> DFI Roads currently in negotiation with adjacent landowner to provide Land for new footpath link and Bus shelter provision under Active Travel scheme between Eglish View and Moss Road.</td> </tr> <tr> <td>3.5.4</td> <td>2023-014</td> <td>Clogher Valley</td> <td><b>Findermore Road / Layby, Clogher</b> DFI Roads visited site. Technical review and assessment required to inform proposal and costings. To be reviewed by DFI Roads and Translink.</td> </tr> <tr> <td>3.5.5</td> <td>2023-004</td> <td>Clogher Valley</td> <td><b>Moore Street, Aughnacloy</b> Currently being discussed with applicant.</td> </tr> <tr> <td>3.5.6</td> <td>2023-017</td> <td>Moyola</td> <td><b>Hillhead Road, Castledawson</b> Site visits with stakeholders has taken place. Further discussion underway with DFI Roads.</td> </tr> </tbody> </table>	Reference	DEA	Bus Shelter Location	Notes	3.5.1	2020-006	Torrent	<b>St Colmans Pk, Moortown</b> With NIHE/MUDC Legals, awaiting final sign off.	3.5.2	2022-004	Clogher Valley	<b>Derryfubble Road, Benburb</b> With NIHE for final sign off. NN issued.	3.5.3	2019-008	Torrent	<b>Eglish View, Ballinderry</b> DFI Roads currently in negotiation with adjacent landowner to provide Land for new footpath link and Bus shelter provision under Active Travel scheme between Eglish View and Moss Road.	3.5.4	2023-014	Clogher Valley	<b>Findermore Road / Layby, Clogher</b> DFI Roads visited site. Technical review and assessment required to inform proposal and costings. To be reviewed by DFI Roads and Translink.	3.5.5	2023-004	Clogher Valley	<b>Moore Street, Aughnacloy</b> Currently being discussed with applicant.	3.5.6	2023-017	Moyola	<b>Hillhead Road, Castledawson</b> Site visits with stakeholders has taken place. Further discussion underway with DFI Roads.
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3.5.7	<b>2023-018</b>	Carntogher	<b>Crew Road, Maghera</b>	Nearest Neighbour Notification issued 01/02/24.
3.6	<b>Summary of Neighbour Notifications - 0Nr Neighbour notification</b>			
3.7	<b>Projects recommended for Approval; - 0Nr application is recommended for approval this month:</b>			
3.8	<b>Projects recommended for rejection; - 0Nr application is recommended for rejection this month:</b>			
3.9	<b>Projects noted below are recommended for withdrawal – 0Nr application is being recommended for withdrawal.</b>			
3.9.1	An audit review of existing bus shelter applications is currently being undertaken by Officer to progress, close or withdraw outstanding applications.			
3.10	Members to Note the following shelters as listed below have obtained the necessary approvals but are still awaiting legal owner consent before being sent to Property Services for installation.			
3.10.1	<b>Bus Shelter Reference and Location</b>	<b>DEA</b>	<b>Notes</b>	
3.10.2	Ref. 2021-003 Reenaderry Road, Coalisland	Torrent	Subject to Landowner agreement.	
3.10.3	Ref. 2021-002 Coagh Road, Stewartstown	Torrent	Landowner withdrawn land offer. Final confirmation requested from applicant.	
3.10.4	Ref. 2019-008 Eglisish View, Ballinderry	Torrent	Subject to DFI Roads/Landowner approval	
3.10.5	Ref. 2020-006 St Colmans Park, Moortown	Torrent	Subject to Legal approval from NIHE	
3.10.6	Ref. 2019-002 Derryvale, Coalisland	Torrent	Subject to Landowner approval	
3.10.7	Ref. 2016-017 Inishrush Village	Moyola	Subject to Landowner approval	
3.10.7	Ref. 2023-006 Lineside, Coalisland	Torrent	Subject to Landowner approval	
	Members to Note the following Bus shelters as listed below have obtained the necessary approvals and been passed over to Property Services for installation			

and these are currently being programmed for installation within their current workload. Members seeking information on installation dates etc should direct their queries to **Property Services**.

Reference	DEA	Bus Shelter Location
2023-013	Dungannon	Moygashel Park, Dungannon
2023-015	Clogher Valley	Knockmany Road, Augher

3.10.8  
3.10.9

3.11

**Progress update on stages 10-11 – 0nr shelter installed since date of last meeting.**

3.12

**Progress on response times – Agreed response times within 30 days with statutory agencies.**

Statutory Agencies	Number requests sent	Reply <30 Days	Reply >30 Days
Translink	3	3	0
Education Authority	4	4	0
DfI Roads	2	1	1
NIHE	0	0	0

**Interagency Meeting:** Statutory update meeting to be held 14 March 2024, with DFI Roads, EA, NIHE, and Translink to discuss new Bus shelter locations, response times and any issues.

3.13

**Other issues: None**

**4.0**

**Other Considerations**

**4.1**

**Financial, Human Resources & Risk Implications**

Financial: Within budget for Technical Services and Property services to action provision / installation costs within their budget.

Human: N/A

Risk Management: Non-delivery will have adverse impact of users of public transport.

**4.2**

**Screening & Impact Assessments**

Equality & Good Relations Implications: N/A

Rural Needs Implications: N/A

<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members to note the content of the report on the progress made on bus shelters within the district.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – March 2021 - Procedural guide
6.2	Appendix 2 – Progress table with comments
6.3	Appendix 3 – Progress Table Summary



# Procedural Guide on the Provision of Bus Shelters



## 1.0 Bus Shelters – Mid Ulster District Council

Council is empowered under the Local Government Miscellaneous Provisions (NI) Order 1985, with the consent of the Department for Infrastructure (DfI) to erect and maintain on any road within the district of the council, shelters for the protection from the weather or persons waiting to enter public service vehicles. Bus shelters are erected following local representations. They are provided, particularly for those who have to use public services who may have to stand out in the inclement weather.

### 1.1 PROCEDURAL STATEMENT

Council will erect a bus shelter where there is shown to be a need, providing the location does not present a safety or nuisance problem and adequate funding is available. Relocation of bus shelters should only take place as a result of either road alignment or the bus companies relocating their bus stops. All other cases of relocation should be resisted as long as there is an identified need for the shelter. Any relocation as a result of retail business / property owner request will only be considered if an alternative suitable location (distance restrictions will be considered) can be accommodated AND the retail business / property owner covers all associated costs for relocated shelter.

If there is any reported anti-social behaviour over a 12 month period at the location of a new/existing shelter the shelter location will be reviewed by Council with an option to remove the shelter and make good the existing surfaces.

### 1.2 CRITERIA FOR THE ERECTION OF A BUS SHELTER

1. Usage must be a minimum of 6 passengers over a period of a day and applications will be considered on a first come, first served basis, with Translink NI / Education Authority confirming this information. Less than 6 passengers will only be considered by a Council/DEA approval process.
2. The location must be at a recognised bus stop.
3. Following validation, the Council will canvass, by post, all property addresses within 50m frontage to the bus stop (25m either side) on the erection of the shelter, including the type of shelter.
4. At least 51% of the addresses surveyed must have no objections to the shelter.

NOTE - for the purposes of assessment where 51% (rounded to the nearest whole number) of property addresses that respond indicate that they are not in favour of the erection of a shelter, then the results of the survey will be forwarded to the Environment Committee for information confirming that the shelter will not be approved or erected.)

## Appendix 1

5. There should be no Department for Infrastructure Roads objections on traffic grounds.
6. There must be sufficient budgetary provision available to provide the bus shelter.
7. All Survey results that do not meet the essential criteria to be reported to Council for consideration.
8. Once refused a request may not be considered for a further 12 month period from the original decision by Council.
9. Form TS/BSRF/01 to be completed and signed off by Head of Service.
10. Bus Shelter request to be approved by Environment Committee.

### 1.3 DESIGN OF BUS SHELTER

The Council endeavour to provide good quality, comfortable bus shelters purchased through the Procurement Department. Where appropriate they will endeavour to have bus shelters erected free of charge, other than services by Adshel.

1. All shelters within 30mph speed limits will have shelter in accordance with **Example A**, (as below).
2. All shelters outside 30mph speed limits will have shelter in accordance with **Example B**, (as below).

Council will consider in conservation areas the erection of shelters above this standard, but the cost of such shelters excluding erection and servicing costs shall not exceed £3000.00.



**Example A**, within 30mph speed limits, Glazed shelter.



**Example B**, outside 30mph speed limits, painted metal shelter.

## 1.4 REPLACEMENT OF BUS SHELTERS

Any defective shelters that require replacement as part of their life span to be replaced using location criteria and shelter design Examples A or B as noted above as part of the maintenance of the Council Estate .

## 1.5 PROVISION OF BUS SHELTERS – PROCESS

**Stage 1:** Send application form to person requesting Erection of Shelter.

**Stage 2:** Acknowledge receipt of request (in writing) – standard letter sent.

**Stage 3:** Carry out preliminary visit to investigate suitability of site.

**Stage 4:** Contact Translink / SELB / Private approved Coach Companies to confirm viability of erecting bus shelter i.e. recognised "Bus Stop", number and age of children, bus routes etc. 1<sup>st</sup> organisation to respond with numbers meeting the criteria i.e. 6 or more then proceed to next stage.

**Note** – shelters only provided at locations where it is confirmed a minimum of six people await / board buses.

Organisational Name	Contact Name	Contact Number	

**Stage 5:** Report to Environment Committee to seek Council approval/instruction.

**Stage 6:** Identify landowner e.g. Housing Executive, local farmer, etc. and obtain their written consent for erection of bus shelter and consult with adjoining properties (contact local Councillor and arrange site meeting if necessary). Elected members to be notified by email when letters are to be issued to neighbours for information purposes.

**Stage 7:** Send letters (with location maps) for approval/comments to DfI (Roads) / Water Service, PSNI, BT and NIE (arrange follow-up site meetings if necessary).

**Stage 8:** Sign and return DFI (Roads), Article 66, Consent/Schedule at least six days prior to erection of bus shelter.

**Stage 9:** Erect bus shelter – Example A or Example B (see 1.3).

**Stage 10:** Send request to GIS officer to have new asset plotted, and add to shelter register which is to be forwarded to Procurement Department, for insurance cover. Information to include erection/ maintenance/ ownership/ risk assessments / inspection regime / legal agreements between Council and the relevant landowners.

**Stage 11:** Report back to Council.



Date

Our Ref: MUDC/TS/BS/

The Occupier

Address 1

Address 2

Postcode

Dear Sir/Madam,

**Re: Application for Provision of Bus Shelter at [Enter Location]**

Mid Ulster District Council have received an application to erect a bus shelter at the above location and as noted in attached map (see Appendix 1).

The Council's Procedural Guide on the Provision of Bus Shelters outlines that validated applications are subject to neighbour notification. Those who meet the following criteria are eligible to register their preference on this matter:

- All property addresses within 50m frontage to the bus stop (25m either side) on the erection of the shelter, including the type of shelter

Our records indicate that this address is within 50m criteria and therefore subject to neighbour notification.

If approved Council would install Bus Shelter type **[Enter Bus Shelter Example A or B]** as detailed in Appendix 2.

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% (majority) of respondents must be in favour of the proposal.

Please read carefully the statements on the survey form attached. Tick your preferred option in the appropriate box, print your name and address and sign the document. The completed survey form(s) should be returned to this office by either:

- a. returning in Self Addressed Envelope provided, or
- b. emailing to [Technicalservices@midulstercouncil.org](mailto:Technicalservices@midulstercouncil.org)

Forms received after **[Enter Day and Date]** will not be considered.

Thank you for your time completing this survey.



If you have any queries on the above, please contact ( Officer Name ) in the Cookstown Office by email at ( ,,,,,,, ) or by telephone on 03000 132 132 Ext: 24400.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Raymond Lowry', enclosed in a thin black rectangular border.

Raymond Lowry  
**Head of Technical Services**

Encs.

**Cc DEA Councillors**



## PROVISION OF BUS SHELTER – SURVEY FORM

1. **I HAVE NO OBJECTIONS** to have a Bus Shelter erected at **[Enter Location]**

2. **I DO NOT WISH** to have a Bus Shelter erected at **[Enter Location]**

If you have ticked this box please give reason for objection

Reason for Objection:

Name: \_\_\_\_\_  
(CAPITALS)

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

The Results of this survey will be available to view on the MUDC website [www.midulstercouncil.org](http://www.midulstercouncil.org) under Council Meetings but should you wish to receive written correspondence detailing the outcome of the survey please tick this box.

### **Data Protection**

In accordance with Data Protection Legislation, Mid Ulster District Council has a duty to protect any data we hold. The information you provide on this survey form will be used for the purposes of processing your survey and will not be shared to any third party unless law or regulation compels such a disclosure. Information will be retained in accordance with the Council's Retention and Disposal Policy.

## Appendix 1

**[Insert Map of proposed Bus Shelter location]**

## Appendix 2

### BUS SHELTER TYPE

See below Example A - within 30mph speed limits, glazed shelter.



See below Example B - outside 30mph speed limits, painted metal shelter.



Table 1 – Applications awaiting formal application to be submitted (1 NR)				
No	Location	Stage	Status / Comment	Progress status
1	Royal School, Dungannon 2024-001	1	Awaiting completed application form	Private applicant.
Table 2 – New applications received since last Committee (1 NR)				
1	Millview Manor, Coalisland Road 2024-002	3	Application Form received	Site visit to be arranged.
Table 3 – STAGES 2-4 (2 NR)				
1	Cloverhill, Moy 2021-004	3	Signed Application received	17.11.23 - Anne contacted Councillor Monteith for decision on progressing application or withdrawing. To be discussed further in next Interagency meeting.
2	The Mills, Coalisland 2021-007	4	Signed Application received	DFI Roads visit 29/08/23, issue with current housing development entrance. Sightlines to be adjusted before shelter could be considered.
Table 4 – STAGES 5-8 (18 NR)				
No	Location	Stage	Status / Comment	Progress status
1	Tullyhogue Village 2016-021	6	Residents declined original location as will promote anti-social behaviour. Limited options for alternative sites that suit bus pick-ups.	No suitable site currently available within the village - 07.12.23 - Anne messaged Cllr Buchanan. Application to be revisited. 09.02.24 - site visit carried out, few possible locations identified. Carry out NNN.
2	Kingsisland Primary School 2016-009	6	Agreements received.	A Planning application lodged to extend the school - On hold subject to Planning decision. Anne met with Cllr Carney and School Principal to discuss. DFI Roads has agreed the location and approval from Fr. Fee has been granted. Principal of school in agreement. Check passenger numbers and proceed to NNN - Stage 6 previous Committee reports.
3	Magheracastle Road / Mountjoy Road, Brocagh 2016-003	6	Pending withdrawal notification from applicant as proposed site on wrong side of the road for pick-up	Site agreed, requests sent to Translink and EA for number confirmation. Reminders sent to both parties awaiting responses. 08.12.23 - Anne messaged Cllr Quinn. Application to be progressed. Discuss at Interagency meeting Dec.23 - site visit required. Awaiting DFI date to meet onsite.
4	Goland Road/ Armaghlughey Road, Ballygawley - 2016/015	6	Site and user numbers confirmed	Translink users confirmed - 10 nr. Location to be agreed with DFI Roads / Translink. Anne messaged Cllr Burton and forwarded to Cllr Robinson in January to determine whether or not to progress the application. Education Authority have confirmed 5-6 nr passengers.

## Bus Shelters Status Update

5	Churchtown Road, Lissan 2022-005	6	Additional Shelter Request.	Confirmed 10 nr passengers. 08.12.23 - Anne messaged Keith Buchanan who confirmed application to be progressed. Residents living in house No.5 confirmed verbally on 20/02/24 they would be fine with bus shelter going along fence but expressed concern about blocking of light entering their kitchen. To discuss with Property Services to see if one large bus shelter could be installed instead of two bus shelters side-by-side.
6	Annaghmore Road, Cookstown 2022-008	6	Signed Application Form	Site meeting held 21/09/2022. Confirmed 12 nr passenger numbers. 08.12.23 - Bus shelter proposed is on opposite side of road from direction of travel. Requires a site visit and further photos with enquiries made. Awaiting DFI date for onsite meeting.
7	Moore Street, Aughnacloy 2023-004	6	Signed Application received	Site visit 09/06/2023, user numbers requested, response, EA 20nr users. Re location following Sept Env committee meeting. Objection received to new location outside No.91. Alternative location identified, discussing with applicant.
8	Lineside, Coalisland 2023-006	7	Signed Application received	User numbers confirmed from Translink/EA- 20nr passengers. DFI site visit 03/10/23, approved location. No objections nearest neighbour received. Agreement to be signed between Council and owner for Cantilever (200mm sides) bus shelter feet and back to go behind green fence. Gone to Director for approval before sending onto Capital Planning team for actioning.
9	Pomeroy Road, Donaghmore 2023- 011	6	Signed Application received	Site meeting arranged with applicant for 29/09/2023. Translink do not use this stop, EA confirmed 27nr passengers. Gone out for nearest neighbour notifications. Objection received. Cllrs engaging with objector.
10	Annagher Road, Coalisland 2023-012	7	Signed Application received	Site meeting arranged with applicant for 29/09/2023. 15nr passengers confirmed Translink. DFI approved site. Gone out for nearest neighbour notifications, 2 replies - 2 objections. New location identified for bus stop and shelter following safety concern of current location. Cllrs engaging with residents. Awaiting DFI approval of layby.
11	Findermore road, Clogher 2023-014	6	Signed Application received.	Site meeting arranged with applicant for 02/10/2023. 12nr passengers confirmed Translink. 07/11/23 and 14/11/23 - met with DFI onsite and Councillors (14/11/23) to discuss layby and widening of. Topographical survey to be carried out to understand viability of proposal. Sketch of widening of layby to be done and sent to Translink and DFI for discussion / approval.
12	Crew Road, Maghera 2023-018	6	Awaiting application form to be submitted.	25nr passengers confirmed EA. Put forward to January's Committee to move from Stage 5. Going out for Nearest Neighbour - due 16th Feb.
13	Hillhead Road, Castledawson 2023- 017	6	Application received.	07.11.23 - site meeting took place to look at location. 12nr passengers confirmed Translink. To be discussed with DFI and Translink. Further site visit 11th January. All possibilities discussed. Current pick-up location would require footpath linkage to bus shelter. Discussions underway with DFI Roads. Nearest neighbour not impacted.
14	Reenaderry Road, Reenaderry 2021-003	6	Final Landowner agreement - Anne following up.	Anne spoke with Landowner Falls' Shop and Pub site who wasn't consulted until NNN was carried out. Not in agreement on his land - required on opposite side of the road. Parents currently use car park of shop / bar to wait with children until bus arrives and he has no problem with this. Translink - 20nrs passengers. Cllr Carney engaging with landowner.
15	St Colmans Park, Moortown 2020-006	7	Awaiting legal Consent - NIHE	Update required from NIHE / Council Legal Department.

16	Derryvale, Coalisland 2019-002	7	Awaiting landowner Consent	Update required on application legals.
17	Innishrush Village 2016-017	7	Awaiting landowner Consent	Update required on application legals.
18	Derryfubble Road, Benburb 2022-004	6	NIHE Site. Requires Legal agreement	Site visit held with DfI Roads. Valuation from NIHE received for MUDC approval. 40 nr Passengers. Going out for nearest neighbour notifications.

Table 5 – STAGE 9 (6 NR)

No	Location	Stage	Status / Comment	Progress status
1	Coagh Road, Stewartstown 2021-002	9	Landowner has declined to offer land for Bus shelter. Final confirmation required.	Awaiting confirmation from landowner. Anne following up - Cllr Jonathan Buchanan to speak with Landowner and confirm.
2	Eglis View, Ballinderry 2019-008	9	Application pending DFI Roads/Landowner meeting	Update required from DFI on status of application.
3	Moygashel Park, Dungannon 2023-013	9	Signed Application received.	Site meeting arranged with applicant for 02/10/2023. 25+nr passengers confirmed Translink. 07/11/23 DFI approved location. Nearest neighbour notifications issued. No objections. Recommended for approval. Passed to Property Services for installation.
4	Knockmany Road, Augher 2023-015	9	Signed Application received.	Site meeting arranged with applicant for 02/10/2023. 12nr passengers confirmed EA. DFI approved 07/11/23. Gone out for nearest neighbour notifications. No objections. Recommended for approval. Sent to Property Services for installation.
5	Church Street, Cookstown 2020-002	9	User numbers received.	Translink 20nr passengers. EA confirmed 10nr users. 04.12.23 - Anne went to location and took measurements and updated images. Also speaking with McGurks - no objections. Site estate agent for adjacent vacant site to be consulted on shelter location. No objections. Recommendation for approval for installation - Feb.24. Passed to Property Services for installation.
6	Primrose Hill, Clogher 2022-009	9	Signed Application received	6nr passengers confirmed EA. Put forward to January's Committee to move from Stage 5. Nearest neighbour not required as nobody impacted within 25m distance. DFI approved bus shelter location. Recommended for approval. Passed to Property Services.

Table 6 – Stage 10-11 - Bus Shelters Installed (4 NR)

No	Location	Stage	Status / Comment	Progress status
1	William Street/Beatrice Villas, Bellaghy 2022-001	10	None	Installed
2	Ballyronan Road, Magherafelt 2022-006	10	All confirmed	Installed
3	Dungannon Road, Cabragh 2023-005	10	All confirmed	Installed
4	Moydamlaght Road, Draperstown 2023-001	10	All confirmed	Installed

Table 7 – Applications to be Withdrawn/ Reviewed (11 NR)

No	Location	Stage	Status / Comment	Progress status
1	Mourne Avenue, Coalisland 2023-010	6	Signed Application received	Site meeting held with applicant on site 13/09/2023. 2nr confirmed from Translink. DFI approved location. Gone out for nearest neighbour notifications - 8 objections received.
2	Platers Hill, Church View, Coalisland 2023-007	6	Application received	Meeting held on site with applicant 13/09/2023. 6nr passengers confirmed from Translink. DFI have approved location 03/10/2023. Gone out for nearest neighbour notifications, 2 replies / 2 objections received. Withdraw.
3	Brough Road, Castledawson 2018-001	4	Signed Application received	Translink 20 nr passengers, EA do not use this route. Bus route has changed since first proposal. Request to withdraw this application as new location identified.
4	Mourne Crescent, Coalisland 2023-008	7	Application received	Meeting held on site with applicant on site 13/09/2023. 6nr passengers confirmed from Translink. DFI approved location 03/10/2023. Gone out for nearest neighbour notifications, 1 objection / 1 no objection received. Reject - no nearest neighbour in favour.
5	Newtownkelly, Coalisland 2023-016	5	Signed Application received	Site meeting took place 03/11/2023. Translink confirmed 20+nr passengers, EA do not use route. Request to progress to Stage 5. DFI did not approve owing to lack of footpath and room for bus shelter and objections raised from NNN.
6	Glendavagh Road, Crilly, Aughnacloy - 2016-013	6	Completed Application form received	Awaiting confirmation from applicant to see if proposed shelter is still required in this location. Reminder to be sent. 07.12.23 - Upon follow-up Cllr Burton approved to withdraw application.



7	Tirkane Road, Maghera 2016-019	3	Signed Application received	Site visit held, site identified for shelter. Translink do not use this stop. Awaiting EA response - tbc if bus shelter still required. Ring original applicant to see if still required. 07.12.23 - Anne spoke with Gabhan (original applicant) and he is speaking with Cllr McGuigan - to confirm. 13.12.23 - Cllr McGuigan confirmed to withdraw application.
8	Kinrush Road/Battery Road Junction, Moortown 2016-008	6	Original site limited space, alternative site to be confirmed	Original location deemed not acceptable although alternative location has now been identified and progress to install shelter to programmed. 07.12.23 - Anne followed up with Ronan McGinley. 13.12.23 - Cllr McAleer confirmed to withdraw application.
9	Annaghnamore Road, Clonoe 2021-001	3	Signed Application received	DfI Roads to visit site, to assess proposed location. 12 nr passenger confirmed EA Cllr McAleer confirmed to withdraw application.
10	Cullion Road, Desertmartin 2022-011	6	Signed Application received	User numbers requested from Translink and EA. Confirmed 6nr passengers from Translink. 07.12.23 - Anne rang Fiona - applicant to see if shelter still required. 13.12.23 - site visit required. Passed Dec.22 to move from stage 5. Anne did a further check on passenger numbers and only 4 currently picking up - move application for rejection.
11	Altaglushan / Reclaim Road, Galbally 2023- 009	6	Signed Application received	Site meeting arranged with applicant 30/09/2023. Translink do not use this stop, EA confirmed 8nr passengers. Gone out for nearest neighbour notifications. No response. Further site visit from DFI - not viable - recommended for rejection.

### Appendix 3 – Progress Table Summary, March 2024

TABLE	DESCRIPTION	NUMBERS
Table 1.	Applications awaiting formal application to be submitted	2Nr
Table 2.	New applications received from Last Committee Meeting	0Nr
Table 3.	<b>Stages 2-4,</b> <ul style="list-style-type: none"> <li>• <b>Stage 2,</b> Acknowledge receipt of request</li> <li>• <b>Stage 3,</b> Site Visit</li> <li>• <b>Stage 4,</b> Contact Translink/EA for user numbers</li> </ul>	2Nr
Table 4.	<b>Stages 5-8,</b> <ul style="list-style-type: none"> <li>• <b>Stage 5,</b> Report to Committee for approval</li> <li>• <b>Stage 6,</b> Identify landowner and Nearest Neighbour issued</li> <li>• <b>Stage 7,</b> Send letters for approval to DFI etc</li> <li>• <b>Stage 8,</b> Article 66 to be issued to DFI Roads</li> </ul>	18Nr
Table 5.	<b>Stage 9,</b> <ul style="list-style-type: none"> <li>• Awaiting Installation of Bus Shelter</li> </ul>	6Nr
Table 6.	<b>Stages 10/11, Installed shelters</b> <ul style="list-style-type: none"> <li>• <b>Stage 10,</b> Send to GIS officer</li> <li>• <b>Stage 11,</b> Report to Council</li> </ul>	4Nr

<b>Report on</b>	Building Control Workload
<b>Date of Meeting</b>	12 <sup>th</sup> March 2024
<b>Reporting Officer</b>	Terry Scullion, AD Property Services
<b>Contact Officer</b>	P J Fox, Building Control Development Manager

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

<b>1.0</b>	<b>Purpose of Report</b>		
1.1	To provide Members with an update on the workload analysis for Building Control across Mid-Ulster District Council.		
<b>2.0</b>	<b>Background</b>		
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>		
<b>3.0</b>	<b>Main Report</b>		
3.1	<b>Workload Analysis</b>	<b>January 2024</b>	<b>Accumulative 2023/24</b>
	Total number of Applications	<b>174</b>	<b>1669</b>
	Full plans applications received.	<b>59</b>	<b>540</b>
	Building Notices applications received	<b>80</b>	<b>940</b>
	Regularisation applications received.	<b>35</b>	<b>189</b>
	Estimated value of works submitted	<b>£11,311,349</b>	<b>£117,812,311</b>
	<b>616</b>	<b>6,576</b>	

	Number of inspections carried out by Building Control Officers		
	Commencements	<b>199</b>	<b>1,936</b>
	Domestic Dwellings	<b>45</b>	<b>487</b>
	Domestic Alterations and Extensions	<b>137</b>	<b>1247</b>
	Non-Domestic work	<b>17</b>	<b>202</b>
	Completions	<b>164</b>	<b>1,464</b>
	Domestic Dwellings	<b>45</b>	<b>460</b>
	Domestic Alterations and Extensions	<b>100</b>	<b>923</b>
	Non-Domestic work	<b>19</b>	<b>81</b>
	Property Certificates Received	<b>180</b>	<b>1775</b>
3.2	It should be noted from the Workload Analysis in 3.1, that the full range of applications are being received and administered in accordance with our procedures criteria.		
3.3	However, there is a reduction of approximately 15% in new applications received for the same period in year 2022/2023. There is also an 8.5% reduction in inspection requests for the same period.		
3.4	Property Certificate numbers are on par with same period in year 2022/2023.		
<b>4.0</b>	<b>Other Considerations</b>		
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>		
	Financial: Within Current Resources		
	Human: Within Current Resources		
	Risk Management: None		
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>		
	Equality & Good Relations Implications: None		

	Rural Needs Implications: None
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members are requested to note the content of this report.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – List of significant applications received by the Building Control Service



**BC1 Appendix 1**

**Significant Developments Report March 2024 Environment Committee**

<b>Applicant</b>	<b>Location of Development</b>	<b>Details of Development</b>	<b>Estimated value of development</b>
Ardboe Developments Ltd	Unit 2 Ardpatrick Business Park, Magherafelt.	Erection of Drive Through Restaurant/ Takeaway (Floor area 429m2) B.C. fee - £6,822.51	£1,394,751
Clanmill Developments	Off Garden Street, Magherafelt.	Erection of 18 Dwellings B.C. fee - £5,826	£1,193,792





<b>Report on</b>	Entertainment Licensing Applications
<b>Date of Meeting</b>	12 <sup>th</sup> March 2024
<b>Reporting Officer</b>	Terry Scullion, AD Property Services
<b>Contact Officer</b>	P J Fox, Building Control Development Manager, and Colm Currie, Senior Building Control Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update Members on Entertainment Licensing applications across Mid Ulster District Council.
<b>2.0</b>	<b>Background</b>
2.1	The Council has responsibility for licensing places of entertainment in accordance with The Local Government (Miscellaneous Provisions) (NI) Order 1985. Entertainment Licensing applications are received on a continued basis across the District. Statutory consultations are carried out with PSNI and NIFRS for each Entertainment Licence application (grant or renewal) submitted.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>As previously agreed a list of applications received (see Appendix 1) and for all grant/renewal of Entertainment Licences in Mid Ulster District Council which are attached (see Appendix 2). The number of applications received on a monthly basis will vary depending on the date of expiry of the current licence.</p> <p>Each application is accompanied by the following documentation:</p> <ol style="list-style-type: none"> <li>1 A current Fire Risk Assessment detailing the following: <ol style="list-style-type: none"> <li>(a) means of escape from premises</li> <li>(b) management responsibilities for day to day safety aspects</li> <li>(c) details of review on an annual basis</li> </ol> <p>The fire risk assessment submitted is audited by the inspecting officer.</p> </li> <li>2 Electrical certification is required for the following: <ol style="list-style-type: none"> <li>(a) General electrical installation</li> <li>(b) Emergency lighting system</li> <li>(c) Fire alarm system</li> </ol> </li> <li>3 Details of current public liability insurance for premises</li> </ol>

	4 Copy of public advertisement in local press
3.2	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.
3.3	<p>Areas which would be inspected are as follows:</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. All floor, wall, and ceiling coverings are in compliance and in good condition</li> <li>3. All firefighting equipment are correctly positioned and serviced as required.</li> <li>4. The general condition of the premises is satisfactory.</li> <li>5. All management documentation is in place.</li> </ol>
3.4	Entertainment licensing applications have continued to be processed where possible including statutory consultations with external Bodies as required by legislation.
3.5	Licences have been issued where inspections had been completed and all points requiring attention have been addressed.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: Within Current Resources
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members are requested to note the content of this report.

<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Schedule of applications received for the Grant/Renewal of Entertainment Licences for February 2024
6.2	Appendix 2 – Schedule of Entertainment Licence applications which have been granted/renewed for February 2024.



**Appendix 1–Schedule of applications received for the Grant/Renewal/Variation of Entertainment Licences February 2024**

<b>Name of Applicant</b>	<b>Name of Premises</b>	<b>Address of Premises</b>	<b>Type of Licence</b>	<b>Days and Hours proposed</b>	<b>Max Number of Patrons</b>
V Daly	The Ryandale Inn	16-18 The Square , Moy	Annual	Monday To Saturday From 11.00 To 01.00  Sunday From 11.00 00.00	1034
C McOscar	St Malachy's GAC	55 Brough Road , Castledawson	Annual	Monday To Thursday From 10.00 To 00.00  Friday To Saturday From 10.00 To 01.00  Sunday From 10.00 To 00.00	150
S Donnelly	Castlebay Community Centre	187a Mountjoy Road , Dungannon	Annual	Monday To Sunday From 12.00 To 02.00	250

<b>Name of Applicant</b>	<b>Name of Premises</b>	<b>Address of Premises</b>	<b>Type of Licence</b>	<b>Days and Hours proposed</b>	<b>Max Number of Patrons</b>
P Quinn	The Old Rectory	38 Trewmount Road , Dungannon	Annual	Monday To Saturday From 11.30 To 01.00  Sunday From 11.30 To 00.00	491
P H Forbes	Forbes Bar	139 Mullanahoe Road , Dungannon	Annual	Monday – Friday From 11.30 To 23.00  Saturday – Sunday From 11.30 To 01.00	100
C Gillis	Brackaville Owen Roes GFC	119a Brackaville Road , Coalisland	Annual	Friday From 18.00 To 00.30  Saturday From 12.00 To 00.00  Sunday From 12.00 To 00.00	100

<b>Name of Applicant</b>	<b>Name of Premises</b>	<b>Address of Premises</b>	<b>Type of Licence</b>	<b>Days and Hours proposed</b>	<b>Max Number of Patrons</b>
S Grogan	Gormley's Bar	3 Church Street , Ballygawley	Annual	Monday To Saturday From 11.30 To 01.30  Sunday From 12.30 To 00.30	80
P Johnson	St Trea's AOH Community Hub	185 Shore Road , Magherafelt	Annual	Monday To Sunday From 10.00 To 01.30	360
N McMullan	Castledawson Presbyterian Church Hall	61 Main Street , Castledawson	14 Unspecified Days	Monday To Saturday From 08.00 To 00.00	288
H Davidson	Bellaghy Presbyterian Church Hall	50 Main Street , Bellaghy	14 Unspecified Days	Monday To Friday From 09.00 To 01.00  Saturday To Sunday From 09.00 To 00.00	268
M Carolan	CRAIC Theatre	51 Dungannon Road , Coalisland	Annual	Monday To Sunday From 09.00 To 23.00	379

<b>Name of Applicant</b>	<b>Name of Premises</b>	<b>Address of Premises</b>	<b>Type of Licence</b>	<b>Days and Hours proposed</b>	<b>Max Number of Patrons</b>
K D R Chambers	Magherafelt Masonic Club	17 Hospital Road , Magherafelt	Annual	Monday To Thursday From 19.00 To 01.00  Friday From 18.00 To 01.00  Saturday From 11.00 To 00.00	110
E Quinn	The Tailor's House	50 Main Street , Ballygawley	Annual	Monday To Saturday From 11.30 To 01.00  Sunday From 12.00 To 23.30	155
R Flanigan	Rainey Old Boys' Rugby Football Club	7 Meadowbank Road , Magherafelt		Monday To Saturday From 17.00 To 01.00  Sunday From 17.00 To 00.00	280



Office Use  
From: 31/1/2024  
To: 23/02/2024

**Appendix 2 – Schedule of Entertainment Licence applications which have been Granted/Renewed in February 2024**

Name Of Applicant	Name Of Premises	Address Of Premises	Type Of Licence	Days And Hours Granted
J Lamont	Cookstown RBL	19 Burn Road Cookstown	Annual	Monday To Thursday From 11.30 To 23.00  Friday To Saturday From 11.30 To 01.00  Sunday From 11.30 To 23.00
I Burrows	Braeside Bar	221 Orritor Road, Cookstown	Annual	Monday To Sunday From 11.00 To 01.30
C McCausland	The Lower House	38 Main Street, Donaghmore	Annual	Monday To Thursday From 16.00 To 23.00

Name Of Applicant	Name Of Premises	Address Of Premises	Type Of Licence	Days And Hours Granted
				Friday From 16.00 To 00.00  Saturday From 12.00 To 01.00  Sunday From 12.00 To 23.00
O Mulligan	Mulligans	33 Chapel Street Cookstown	Annual	Monday To Thursday From 11.30 To 00.00  Friday To Saturday From 11.30 To 01.00  Sunday From 11.30 To 00.00
A Sleeth	Integrated College Dungannon	21 Gortmerron Link Road, Dungannon	Any 14 Unspecified Days	Monday To Sunday From 08.00 To 01.00

Name Of Applicant	Name Of Premises	Address Of Premises	Type Of Licence	Days And Hours Granted
F I Lavery	PB's Bar	1 Dungannon Street, Moy	Annual	Monday To Thursday From 11.30 To 23.00  Friday To Saturday From 11.30 To 01.00  Sunday From 12.30 To 00.00
Royal School Dungannon	Royal School	2 Ranfurly Road, Dungannon	Any 14 Unspecified Days	Monday To Sunday From 07.30 To 23.30
M & A M Doyle	The Hogan Stand	32a Moneyneany Road, Draperstown	Variation	Monday To Saturday From 11.00 To 01.00  Saturday From 12.30

Name Of Applicant	Name Of Premises	Address Of Premises	Type Of Licence	Days And Hours Granted
				To 00.00
E Bell	The Four Corners	1 Mullaghmoyle Road, Coalisland	Annual	Monday To Saturday From 11.00 To 01.00  Sunday From 11.00 To 01.00
S Thom	Royal Hotel	64-72 Coagh Street, Cookstown	Annual	Monday To Saturday From 11.00 To 01.00  Sunday From 11.00 To 00.00
R Loughran	The Millwheel Bar	60 Dunnamore Road, Cookstown	Annual	Monday To Saturday From 11.30 To 01.30  Sunday From 12.30 To 00.30

Name Of Applicant	Name Of Premises	Address Of Premises	Type Of Licence	Days And Hours Granted
F Hall	Royal British Legion	54B Scotch Street, Dungannon	Annual	Monday To Wednesday From 18.00 To 23.00  Thursday From 15.00 To 23.00  Friday From 17.00 To 23.00  Saturday From 12.00 To 01.30
N Coney	Ardboe Parish Centre	105 Mullanahoe Road, Dungannon	Annual	Monday To Sunday From 11.00 To 00.00

Name Of Applicant	Name Of Premises	Address Of Premises	Type Of Licence	Days And Hours Granted
J Armour	Dan's Bar	35 North Street, Stewartstown	Annual	Monday To Saturday From 11.30 To 01.00  Sunday From 12.30 To 23.30
P Scullion	Clubland and The Cherry Tree	21-23 Molesworth Street, Cookstown	Annual	Monday To Thursday From 12.00 To 02.00  Friday To Saturday From 19.00 To 02.00  Sunday From 12.00 To 23.00
D Devlin	Cavanakeeran Community Hub	38 Cavanakeeran Road, Pomeroy	Any 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
F Brunt	St John's Parish Halls	10 Murley Road, Fivemiletown	Any 14 Unspecified Days	Monday To Saturday From 09.00 To 23.00
L Bradley	The Back Door Bar	35 Main Street, Maghera	Annual	Monday To Saturday From 11.30 To 01.00  Sunday From 12.30 To 00.00



<b>Report on</b>	Dual Language Signage Surveys
<b>Date of Meeting</b>	12 March 2024
<b>Reporting Officer</b>	Terry Scullion, AD Property Services
<b>Contact Officer</b>	P J Fox, Building Control Development Manager, and Colm Currie, Senior Building Control Officer

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

<b>1.0</b>	<b>Purpose of Report</b>						
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.						
<b>2.0</b>	<b>Background</b>						
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 (See Appendix 1) as adopted 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 street/road 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.						
<b>3.0</b>	<b>Main Report</b>						
3.1	The Building Control Service within the Environment Directorate issued occupiers of the undernoted street, correspondence seeking their views on the request to erect a dual-language street nameplate.  Completed surveys were received by the return date and the outcome is as follows:						
3.2	<table border="1"> <tr> <td>Name of Street</td> <td>Cloghog Road, Coalisland</td> </tr> <tr> <td>Language Requested</td> <td>Irish</td> </tr> <tr> <td>Date Request Validated</td> <td>09/11/2023</td> </tr> </table>	Name of Street	Cloghog Road, Coalisland	Language Requested	Irish	Date Request Validated	09/11/2023
Name of Street	Cloghog Road, Coalisland						
Language Requested	Irish						
Date Request Validated	09/11/2023						

Survey Request Reported to Environment Committee	07/12/2023
Surveys Issued	18/01/2024
Surveys returned by	15/02/2024
Survey Letters Issued	75
Survey Letters Returned	21
Replies in Favour	20
Replies not in Favour	0
Invalid	1
Valid Returns	20
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 favor of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Cloghog Road, Coalisland will be erected.

Name of Street	Viewfort, Dungannon
Language Requested	Irish
Date Request Validated	09/11/2023
Survey Request Reported to Environment Committee	07/12/2023
Surveys Issued	18/01/2024
Surveys returned by	15/02/2024
Survey Letters Issued	53
Survey Letters Returned	35
Replies in Favour	29
Replies not in Favour	4
Invalid	2
Valid Returns	33
Percentage in Favour	88%

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 favor of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Viewfort, Dungannon will be erected.

Name of Street	Ballybeg Road, Dungannon
Language Requested	Irish
Date Request Validated	09/11/2023
Survey Request Reported to Environment Committee	07/12/2023
Surveys Issued	18/01/2024
Surveys returned by	15/02/2024
Survey Letters Issued	56

Survey Letters Returned	32
Replies in Favour	26
Replies not in Favour	0
Invalid	6
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 favor of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Ballybeg Road, Dungannon will be erected.

Name of Street	Ardnasaggart Terrace, Coalisland
Language Requested	Irish
Date Request Validated	09/11/2023
Survey Request Reported to Environment Committee	07/12/2023
Surveys Issued	18/01/2024
Surveys returned by	15/02/2024
Survey Letters Issued	20
Survey Letters Returned	2
Replies in Favour	2
Replies not in Favour	0
Invalid	0
Valid Returns	2
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 favor of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Ardnasaggart Terrace, Coalisland will be erected.

<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: None

<p><b>4.2</b></p>	<p><b>Screening &amp; Impact Assessments</b></p> <p>Equality &amp; Good Relations Implications: None</p> <p>Rural Needs Implications: None</p>
<p><b>5.0</b></p>	<p><b>Recommendation(s)</b></p>
<p>5.1</p> <p>5.2</p>	<p>That Members note the result of the survey for application of Dual Language Nameplates in Irish for the street as detailed below.</p> <p>Where more than 51 % of occupiers that respond indicated that they were in favour of the erection of a dual language signage, nameplates will be erected.</p> <ol style="list-style-type: none"> <li><b>1. Cloghog Road, Coalisland</b></li> <li><b>2. Viewfort, Dungannon</b></li> <li><b>3. Ballybeg Road, Dungannon</b></li> <li><b>4. Ardnasaggart Terrace, Coalisland</b></li> </ol>
<p><b>6.0</b></p>	<p><b>Documents Attached &amp; References</b></p>
<p>6.1</p> <p>6.2</p>	<p>Appendix 1 - Policy on Dual Language Nameplate Signage</p> <p>Appendix 2 - Dual Language Nameplate Translation for each Street/Road</p>



## Policy on Dual Language Nameplate Signage

Document Control			
<b>Policy Owner</b>	Director of Public Health & Infrastructure		
<b>Policy Author</b>	Director of Public Health & Infrastructure		
<b>Version</b>	Version 1		
<b>Consultation</b>	Senior Management Team	Yes / No	
	Trade Unions	Yes / No	
<b>Equality Screened by</b>	Principal Building Control Officer	<b>Date</b>	27/04/21
<b>Equality Impact Assessment</b>	N/A	<b>Date</b>	
<b>Good Relations</b>	N/A		
<b>Approved By</b>	Environment Committee	<b>Date</b>	11/05/21
<b>Adopted By</b>	Council	<b>Date</b>	27/05/21
<b>Review Date</b>		<b>By Whom</b>	
<b>Circulation</b>	Councillors, Staff		
<b>Document Linkages</b>			

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6.0	Roles & Responsibilities	
7.0	Impact Assessment <ul style="list-style-type: none"> <li>• Equality Screening &amp; Impact</li> <li>• Staff &amp; Financial Resources</li> </ul>	
8.0	Support & Advice	
9.0	Communication	
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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 4 years 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<sup>F6</sup>;
- (b) in section 38 of the Towns Improvement (Ireland) Act 1854<sup>F7</sup> 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<sup>F8</sup>;
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949<sup>F9</sup>; 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:** 11<sup>th</sup> September 2018 Environment Committee  
23<sup>rd</sup> September 2018 Full Council

### Mono-Lingual New Road / Street Signage

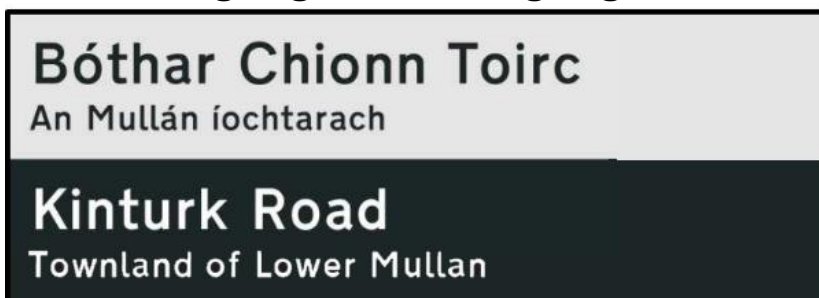


#### Example signage

##### 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](mailto:ann.mcaleer@midulstercouncil.org)





Cumhairle 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](mailto:willie.wilkinson@midulstercouncil.org)

Yours faithfully

W Wilkinson  
Head of Building Control

Enc

Cookstown Office  
Bun Buid  
Cookstown  
BT80 8DT

Dungannon Office  
Ulster St Road  
Dungannon  
BT17 6L0

Magherafelt Office  
Ballyronan Road  
Magherafelt  
BT45 6EN

Telephone 03000 132 132  
[info@midulstercouncil.org](mailto:info@midulstercouncil.org)  
[www.midulstercouncil.org](http://www.midulstercouncil.org)

19 February 2019

Our Ref:- MUDL0078

The Occupier (1)  
50 Ballyronan Road  
Townparks of Magherafelt  
Magherafelt  
BT45 6EN

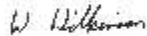
Ref: Application for Dual Language signs at Name of Street/Development

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](http://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 Nameplate Translation for each Street/Road

	<b>Current Name</b>	<b>Irish Translation</b>
<b>Road</b>	Cloghog Road, Dungannon	Bóthar na Clochóige
<b>Townland</b>	Magheramulkenny Cloghog	Machaire Mhaolchainnigh An Chlochóg

	<b>Current Name</b>	<b>Irish Translation</b>
<b>Road</b>	Viewfort, Dungannon	Ráth an Radhairc
<b>Townland</b>	Mullaghadun	Mullach an Dúin

	<b>Current Name</b>	<b>Irish Translation</b>
<b>Road</b>	Ballybeg Road, Dungannon	Bóthar an Bhaile Bhig
<b>Townland</b>	Aughamullan Ballybeg Clintycracken Magheralamfield	Achadh Uí Mhaoláin An Baile Beag Cluainte Craicinn Machaire Leamhchoille

	<b>Current Name</b>	<b>Irish Translation</b>
<b>Road</b>	Ardnasaggart Terrace, Coalisland	Ardán Ard na Sagart
<b>Townland</b>	Gortgonis	Gort an Ghamhna



<b>Report on</b>	Emergency Planning Update: DAERA MOU
<b>Date of Meeting</b>	12 <sup>th</sup> March 2024
<b>Reporting Officer</b>	Terry Scullion, AD Property Services
<b>Contact Officer</b>	Rory Donnelly, Corporate Health & Safety Manager

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update members on the review of Emergency Planning support arrangements between District Councils and the Department of Agriculture, Environment and Rural affairs regarding epizootic diseases.
<b>2.0</b>	<b>Background</b>
2.1	Article 29 of the Local Government (NI) Order 2005 provides District Councils with discretionary powers to make arrangements for reducing, controlling and mitigating, the effects of any emergency which may occur and to prepare plans to cooperate with other organisations. District Councils play a key role in co-ordinating planning and supporting certain aspects of the response and recovery should a civil emergency arise.
2.2	Prior to Local Government Reform in 2015 a number of protocols and memorandum of understandings were in place between Councils and other agencies to provide and receive support in an emergency situation.
2.3	The Memorandum of Understanding between the Department of Agriculture, Environment and Rural Affairs (DAERA) and each District Council regarding epizootic diseases documents has now been updated to aid consistency of approach by District Councils and partner organisations as detailed in section 6.1.
<b>3.0</b>	<b>Main Report</b>
3.1	The Memorandum of Understanding allows for, subject to availability at the time, the Council to agree to support DAERA with personnel, plant and equipment to assist the Department to undertake key tasks to manage the outbreak/incident. All costs for staff and ancillary costs incurred by the Council will be reimbursed by DAERA.
3.2	The MOU update has been considered by SMT and is for members information.

<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: No direct financial costs to consider
	Human: Officer time to manage the Emergency Planning protocols, continued engagement with the Regional Emergency Preparedness Group, and officer time if the MOU is triggered.
	Risk Management: Implementing the Memorandum of Understanding will assist in mitigating the effects of an emergency incident.
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None at this juncture
	Rural Needs Implications: None at this juncture
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	It is recommended that members note this Memorandum of Understanding with DAERA regarding epizootic diseases.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1: Memorandum of Understanding between the Department of Agriculture, Environment and Rural Affairs (DAERA) and each District Council regarding epizootic diseases

**MEMORANDUM OF UNDERSTANDING**

**Between**

**Department of Agriculture Environment and Rural Affairs (DAERA)**

**And**

**Council Name**

Version Number	2
Version Date	November 2023
Prepared and Issued by	DAERA CPED

## VERSION CONTROL

No	Issued/ Reviewed	Amendment	Initiated By	Reason for Change
1			DAERA	Initial issue of MOU
2	10/12/18	<p>Cover Page added, including version number table</p> <p>Page 1 – Version Control sheet added</p> <p>Page 2- at section 16 Emergency and Day to Day Contact Details, contact details amended</p> <p>Page 4 – at section 1.16 Insurance, the word “third” removed from line 2 – “third party” now “party”</p> <p>Page 5 – at section 1.4 Emergency Response, paragraph amended to include contact tel numbers</p>	<p>DAERA</p> <p>DAERA</p> <p>DAERA</p> <p>DAERA</p> <p>DAERA</p>	
3	2023	<p>Page 4 – at section 1 (the Provider of the service to be changed to ‘the District Council’. Also (Emergency) to be added</p> <p>Page 4 - section 2 changed to read The Service shall comprise (list non-exhaustive):</p> <p>(a) the provision of personnel by the District Council (such as industrial personnel and dog wardens) to DAERA to assist with the Emergency.</p> <p>(b) access to the use of certain plant and equipment items with operatives/drivers may also be required. and provided in accordance with Schedule A.</p> <p>Page 4 – at section 3 District Council Emergency Planning Officers Forum to be changed to Local Government Emergency Planning Officers Forum</p> <p>Page 4 – at section 4 assistance replace by the Service. ‘Of a major emergency’ replaced by ‘that an Emergency is declared by DAERA’</p> <p>Page 4 – at section 5 assistance replaced by ‘the Service’. In para c emergency assistance replaced by ‘the Service’</p> <p>Page 5 – at section 6 ‘assist with the emergency’ replaced by ‘carry out the Service’</p> <p>Page 5 – at section 6(a) ‘assist with the emergency’ replaced by ‘carry out the Service’</p> <p>Page 5 – at para 6(a) ‘ assist with the emergency’ replaced by ‘carry out the Service’</p>	<p>DAERA</p> <p>DAERA</p> <p>DAERA</p> <p>DAERA</p> <p>DAERA</p> <p>DAERA</p> <p>DAERA</p> <p>DAERA</p>	



	Page 5 – At para 12 a – with the District Council added	DAERA	
	Page 5 – at section 15 the word ‘Eastern’ removed – now reads Emergency Preparedness Group.	DAERA	
	<b>Annex A</b>		
	Page 7 – para 1.1, the word District added to line 3 before Council.	DAERA	
	Page 7 – para1.4. This should be followed up in writing to the relevant council officer detailing what has been agreed. Added at line 5	DAERA	
	Page 7 – at Para 1.7 amended to read ‘DAERA will also inform the Resilience Team on Call officer	DAERA	
	Page 7 – para 1.11 the word District added to line 4 before Council	DAERA	
	Page 8 – para 1.14 ‘in writing’ added to line 1	DAERA	
	Page 8 - at section 1.16 Insurance, the word “third” added to line 2 – “party” now “third party” *See above from 10/12/18	DAERA	
	Page 8 – para 1.20 the word ‘staff’ replaced by ‘personnel	DAERA	
	Page 11 – Schedule C Para 1 - the words. Veterinary Officer’ replaced by DAERA Veterinary Officer/Veterinary Inspector. Telephone numbers for DAERA Helpline during office hours, or the Veterinary Service Emergency Hotline out of hours also added	DAERA	
	Page 11 – Schedule C Para 7 - the words. Veterinary Officer’ replaced by DAERA Veterinary Officer/Veterinary Inspector.	DAERA	
	Page 13 – Derry and Strabane District replaced by Name		

**MEMORANDUM OF UNDERSTANDING**  
**Between**  
**Department of Agriculture, Environment and Rural Affairs (DAERA)**  
**And**  
**COUNCIL NAME**

1. This MOU between DAERA (the user of the Service) and COUNCIL NAME (the “**District Council**”) and the provider of the Service, sets out the terms for provision of emergency assistance where an emergency has been declared as a result of a confirmed outbreak of Epizootic Disease (“**Emergency**”). For the purposes of this MOU, Epizootic Disease means an epidemic of disease affecting animals including, but not restricted to, Foot and Mouth, Newcastle Disease, Avian Influenza, Swine Fever and Rabies.
2. The Service shall comprise (list non-exhaustive):
  - (a) the provision of personnel by the District Council (such as industrial personnel and dog wardens) to DAERA to assist with the Emergency.
  - (b) access to the use of certain plant and equipment items with operatives/drivers may also be required.

and provided in accordance with Schedule A.
3. This MoU will be reviewed via the Local Government Emergency Planning Officers Forum on behalf of the participating councils and any changes required shall be made in consultation with the Society of Local Authority Chief Executives (SOLACE) so as to ensure continuing consistency and agreement between the participating organisations.

**Purpose of this MOU**

4. The purpose of the MOU is to set out (in the following paragraphs and the attached schedules), the basis on which the District Council will provide the Service to DAERA in the event that an Emergency is declared by DAERA

It also sets out how DAERA will meet the District Council’s requirements (e.g. compliance with relevant procedures) for providing the Service.

5. Provision of the Service will depend upon:
  - a) there not being a simultaneous or anticipated emergency within the District Council’s own operational remit which would assume a higher priority and therefore limit or prevent the District Council’s ability to respond within the terms of this MOU;
  - b) the requirements of the District Council to meet its own operational commitments, for example, in relation to top priority seasonal workloads; and
  - c) the District Council attracting volunteers from within its own workforce to provide the Service to DAERA.

**Financial Arrangements**

6. DAERA will reimburse the District Council the cost of:
  - (a) staff redeployed to carry out the Service;
  - (b) ancillary costs in redeploying those staff;
  - (c) any other service provision associated costs, for example, plant/equipment loaned by the District Council or the provision of kennelling facilities; and
  - (d) any other incidental expenses.
7. The District Council will submit a claim/invoice to DAERA on a monthly basis detailing:

- (1) the numbers and grades of staff redeployed and associated costs of wages/salaries, travel and subsistence and other incidental expenses (the latter must be supported by receipts where appropriate); and
- (2) the cost of any other provision associated with the Emergency.

8. Both parties will be responsible for ensuring that their respective payments and receipts are accurately recorded and accounted for by adhering to the procedures laid down in Government Accounting Northern Ireland (GANI) and the NI Resource Accounting Manual (NIRAM) and by liaising closely with their respective finance divisions.

### **Legal Status**

9. Although this MOU has no legal effect, save for the requirement for DAERA to indemnify the Council as set out in paragraphs 1.16-1.17, both parties will act in accordance with the MOU.

### **Effective Date**

10. The MOU will come into effect on **13 July 2017** and will be open-ended.

### **Service Level Requirements for DAERA and the District Council**

11. Please see the Schedules to this MOU.

### **Review Arrangements**

12. These arrangements will apply:
  - a. Annex A of the MOU is subject to annual review. If necessary, DAERA will arrange a meeting with the District Council to discuss and agree any amendments that might be required by either party.
  - b. Should a requirement for a **significant** variation arise before the annual review is due, the party proposing the change will notify the other party in writing, giving a summary of the required change. DAERA will arrange a meeting to agree and formalise any amendment.
  - c. Any **minor** variations that arise before the annual review is due may be agreed by an exchange of emails between the signatories to the MOU or their representatives.
  - d. Any amendments agreed under paragraphs 12a – 12c are to be signed and dated by the signatories.

### **Additional Schedules**

13. If additional schedules detailing requirements are needed, these can be included under the terms of this MOU subject to the agreement of both parties.

### **Breach of MOU**

14. Any difficulties or complaints should be resolved initially through informal contact between the party's representatives. If this approach fails, then the matter will be considered by the signatories to the MOU; their decision will be final.

### **Emergency and Day to Day Contact Details**

15. Emergency contact details for DAERA and the District Council are contained in the Emergency Preparedness Group (EPG) Emergency Contacts Directory.

16. For day to day queries, the contact(s) for the District Council is shown in Annex A. The DAERA contact is

### **Termination of MOU**

17. This MOU may be terminated by either party giving notice in writing. As much notice as possible should be given.



**DAERA – Veterinary Service Animal Health Group (VSAHG)  
DAERA and District Council Requirements**

**Human Resources - Numbers of Personnel Required**

- 1.1 As it is impossible to determine numbers in advance of an emergency, the District Council will, by completing Annex A to this MOU, provide DAERA with an estimate of the maximum number of personnel from the District Council who could be released at short notice. This will enable DAERA to plan ahead for various types of scenario.
- 1.2 The District Council will review the estimate on a regular basis and advise DAERA of any significant change (either up or down).

**Plant, Vehicle, Equipment and Facilities Requirements**

- 1.3 Any such requirements are to be assessed and agreed in discussion with the District Council.

**Emergency Response**

- 1.4 In the event of an Emergency, DAERA will contact the District Council using the contact details shown in the EPG emergency contacts directory, giving notice of estimated personnel requirements including possible location(s), likely nature of duties, skills required and when assistance might be needed. This could be within as little as 24 hours. This should be followed up in writing to the relevant council officer detailing what has been agreed.
- 1.5 Specific additional information in relation to the response to Rabies is shown at Schedule C.
- 1.6 DAERA will immediately assume a state of alert and put in place procedures for re-deploying personnel. Support may be required from one or a number of district councils and those personnel employed by the District Council who work/live in an area closest to the outbreak will be approached first, with those in other areas being put on alert, ready for deployment should the disease spread.
- 1.7 DAERA will also inform the Resilience Team officer on call. Depending on the circumstances of the Emergency, multi-agency co-ordination may also be established following normal procedures.
- 1.8 The District Council will deploy the agreed number of personnel in work units of 5-6 people, headed up by a supervisor and teamed according to the skills requirements.
- 1.9 The work units will be self-sufficient; no meals or transport will be provided by DAERA. The District Council's subsistence rates valid at the time will apply.

**Health and Safety**

- 1.10 DAERA will ensure that it fully complies with the Health and Safety at Work (Northern Ireland) Order 1978 and associated regulations in protecting the health, safety and welfare of staff provided by the District Council.
- 1.11 DAERA will ensure that appropriate risk assessments are carried out prior to the deployment of District Council staff and that those employees are supplied with adequate instructions and/or training, including required standards, for the task(s) to

which they are assigned. An example of the types of work that District Council staff may be required to do is shown at Schedule B.

- 1.12** DAERA will provide bio-security information and advice on risk control measures to assure personnel, (some of whom may themselves be part-time farmers or rural based) that they are not spreading disease to their own or neighbouring farms.
- 1.13** Where possible, each work unit will also be self-sufficient with regard to PP&E, footwear, helmets, masks, water supply (if involved in cleansing and disinfecting), means of communication, (e.g. mobile phones) and any other items required for the task to which they are assigned.
- 1.14** The detail of DAERA's requirements in this respect will be agreed in writing with the District Council at the time, depending on the task and site involved.
- 1.15** The District Council will provide replacement supplies as necessary and may recover from DAERA any costs incurred over and above normal operating costs.

### **Insurance**

- 1.16** DAERA agrees to indemnify the District Council in respect of any claims arising from any loss, injury or damage suffered by DAERA or any third party as a result of the District Council providing assistance under this MOU unless, and to the extent that, such loss injury or damage arises from the negligence of the assisting Council or any of its employees or agents.
- 1.17** DAERA also agrees to indemnify the Council in respect of any loss or damage to plant or equipment provided by the District Council or other misdemeanour resulting in a loss of value other than normal wear and tear and in respect of any loss or damage claim expense injury or cost howsoever arising from the use or misuse of any such equipment.

### **Working Hours**

- 1.18** Personnel may be requested to work shifts of up to 12 hrs on/12 hrs off for the first few days of an Emergency and 8hr shifts thereafter.

### **Pay/Wages and Conditions**

- 1.19** Personnel re-deployed by the District Council will normally retain the existing grades, pay/wages scales and conditions of service of their parent organisation. This will also extend to overtime arrangements.

### **Staff Performance**

- 1.20** If the period of redeployment is significant, DAERA will, (if requested by the District Council), complete a short performance appraisal on the Personnel concerned.

### **Essential Purchases**

- 1.21** If an essential item is unavailable from within the District Council's own resources and cannot be supplied quickly enough/at all by DAERA the District Council may purchase locally in accordance with their own local purchasing arrangements and claim costs back from DAERA.
- 1.22** When reclaiming expenditure from DAERA, the District Council must make every effort to identify payments made to suppliers in such a way that the expenditure can be clearly linked with the type of supply and the premises (e.g. farm) which "benefited" from the expense. This is required to facilitate DAERA's claim for a % recovery of

eligible costs from the EU, which will be subject to audit. Further guidance on the use of identification coding may be issued to the District Council at the time.

### **Testing of MOU**

**1.23** This MOU may be tested by DAERA. In this event, the District Council will be given advance notice and will co-operate by responding as if the test were a genuine emergency.

**Industrial Labour – Generic Specimen Job Description for non DAERA Staff**

The following duties may take place at the borders of protection and surveillance zones, the land border, sea ports, airports and rendering plants except where indicated otherwise:

- **Cleanse and disinfect vehicles** (eg: lorries, cars, milk tankers, diggers, telehandlers etc) but **excluding** vehicles on premises where Avian Influenza (AI) is either suspected or confirmed (ie: **non-DAERA staff will not be required to work on such premises**).
- **Man road-blocks/check points** - at the edge of zones, at the exits and entrances to the Local Epizootic Disease Control Centre (LEDCC) for the purpose of vehicle cleansing and disinfection.
- **Porterage duties** - in setting up the LEDCC and Delivery Out Centres (DOCs).
- **Maintain a watch over animals** - which have been valued and are awaiting transportation for removal to slaughter - the animals would either be penned or in a field.
- **Building pyres** (using bales, pallets, coal etc), manual labour.
- **Drivers of vehicles** - such as vans, minibuses, tractors, small machinery operation - appropriate training would be provided for the latter, if necessary.
- **Minor building works** (assisting in setting up a cull-site or assisting in returning site to normal) e.g. fencing, hand digging etc.
- **Supervisors** - as well as undertaking labouring duties, Supervisors would also have responsibility for day to day supervision of their team, plus other duties as directed e.g.: liaising with the Site Operations Coordinator (SOC) (but **not** on AI infected premises) or Team Leaders, the public and all relevant record keeping.
- **Gate/Site security** – e.g. to maintain a watch/control over burial sites, pyres etc (non-AI).
- **Any other duties** - which fall into category of industrial labour required by DAERA at time of control of an epizootic disease incident but **excluding** work on an AI infected premises.

**Avian Influenza (AI) - additional exclusions for non DAERA staff (not covered above)**

Non DAERA staff will **not** be required to:

- work at the rendering plant (washing down lorries etc)
- participate in initial cleansing and disinfection (C&D) of infected premises
- become involved in the clear-up of accidental spillage of infected/potentially infected material due e.g. to a road traffic collision.



**Rabies Control – The Role of the District Council  
(extract from DAERA Rabies Contingency Plan)**

1. When DAERA receives a report of a suspect rabid animal a DAERA Veterinary Officer/Veterinary Inspector will carry out an investigation. DAERA will immediately advise the District Council in whose area the suspect animal was located. Where a Council Dog Warden suspects that a dog may be suffering from rabies they should contact the DAERA Helpline during office hours 0300 2007852, or the Veterinary Service Emergency Hotline out of hours 028 90525596.
2. DAERA will be responsible for the seizure, kennelling and investigation into any dog which is suspected to be suffering from rabies in accordance with the Disease of Animals (Northern Ireland) Order 1981, any associated regulations or any other relevant legislation. The suspect animal may be euthanised by DAERA, in such a way as to keep the brain intact for pathological examination. DAERA may request that a dog warden be made available to transport the carcass to the Agri-Food and Biosciences Institute, Stoney Road, Dundonald (AFBI). A DAERA officer will accompany the dog warden. Cleansing and disinfection of the transport will be carried out by DAERA. AFBI will arrange for onward transportation of the head to the National Reference Laboratory (NRL) in England.
3. The District Council should alert staff involved in dog control work that there is a rabies suspect in their District Council area. Other preparatory work at this stage may involve the preparation of dog shelters and pounds in order that an anticipated increase in demand can be accommodated.
4. If the animal is subsequently found not to be rabid DAERA will inform the District Council contact point and make the necessary arrangements to return the dog to its owner if it is has not been euthanized.
5. On receipt of a positive result from the NRL DAERA will advise the dog owner as soon as possible. It will also advise the District Council that there is a confirmed Rabies outbreak in Northern Ireland, and may activate multi-agency procedures. DAERA will publish a description of the infected area.
6. The District Council will employ all available trained manpower and dog catching equipment to ensure the rapid removal of stray dogs within the infected area. The strays shall be placed in Council dog pounds and shelters, or other accommodation provided by DAERA within the infected area. If an animal is showing signs suggestive of rabies infection, the dog wardens should not place themselves at risk by attempting to catch it, but should contact DAERA who will arrange for assistance.
7. Depending on the infected area the District Council may be asked to provide centres for voluntary euthanasia of pets brought in by anxious members of the public, the cost of which will be met by DAERA. Euthanasia will be carried out by DAERA Veterinary Officers/Veterinary Inspectors or by arrangement between DAERA and local veterinary practitioners at DAERA's expense.
8. The District Council may also be asked to make available facilities to be used as vaccination centres for pets. The cost of providing any such facilities shall be reimbursed by DAERA.

9. The District Council shall display posters along with maps of the infected area in locations under its control.

**Annex A**

**MEMORANDUM OF UNDERSTANDING (MOU)  
BETWEEN DAERA AND COUNCIL NAME**

1. **Name of Council:**
2. (a) Approximate number of industrial personnel who could be released in an emergency:
- (b) Approximate number of dog wardens who could be made available in an emergency:

3. **Day to day council contacts in relation to the MOU:**

Name:

Email:

Name:..... Tel:.....(office hrs)

Email:.....

4. **Examples of plant/equipment needed** – if there are other items/services you think would be useful and which you could provide, please add them to the list below.

<b>Type of item needed</b>	<b>Details/specification (where appropriate) of item(s) that could be made available</b>	<b>Number that could be made available</b>
Landrover/personnel carrier type vehicles & drivers		
Lorries & drivers		
Small tanker type vehicles & drivers (suitable for carrying water for use in cleansing & disinfection)		
Power washers & hoses		
50m Hoses c/w fittings		
Water storage tanks (to hold run-off)		
Portable space heaters		
Portable personnel shelters		
Portable toilets		
Portable generators		
Arc Lights		
Dog handling equipment e.g. vans, bite suits, poles gloves etc.		

**5. Examples of facilities needed:**

(a) Council kennelling facilities

Name	Address	Tel No	Council or privately owned?

(b) Other facilities

	Yes/No
Does the council have any facilities which may be available for voluntary euthanasia of animals or as vaccination centres for pets?	
If so, please enter the name and address of the premise(s) below:	

**JOINT AGREEMENT**

<p><b>Signed on behalf of DAERA (the User of the Service)</b></p>
<p><b>Signature:</b></p>   <p><b>Name:</b>  <b>Title:</b> Chief Veterinary Officer  <b>Date:</b></p>

<p><b>Signed on behalf of Council Name (the Provider of the Service)</b></p>
<p><b>Declaration:</b>          I hereby agree on behalf of the Council named above to assist DAERA in epizootic disease control by providing, (where possible, and under the terms and conditions of the MOU) the personnel, plant, equipment and facilities noted at paragraphs 2, 4 and 5 of Annex A.</p> <p><b>Signature:</b></p>   <p><b>Name:</b>  <b>Title:</b>  <b>Date:</b></p>

