



09 February 2021

Dear Councillor

You are invited to attend a meeting of the Environment Committee to be held in The Chamber, Dungannon and by virtual means Council Offices, Circular Road, Dungannon, BT71 6DT on Tuesday, 09 February 2021 at 19:00 to transact the business noted below.

In accordance with the spirit of the recent COVID restriction, Members are strongly encouraged to join virtually as the preferred option. Should you need to attend in person then provision will be made at the Council Offices, Dungannon. Please notify Democratic Services in advance if this is the case.

A link to join the meeting through the Council's remote meeting platform will follow.

Yours faithfully

Adrian McCreesh  
Chief Executive

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## AGENDA

### OPEN BUSINESS

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

### Matters for Decision

- |     |   |          |
|-----|---|----------|
| 4.  | DfI Roads Proposals to Mid Ulster District Council -<br>Proposed No Waiting at Any Time – Castle Villas,<br>Cookstown | 3 - 6    |
| 5.  | Winter Maintenance of the Council Estate  | 7 - 14   |
| 6.  | Food Standards Agency - Memorandum of Understanding<br>in relation to potential food fraud activities                 | 15 - 28  |
| 7.  | Community Resuscitation Update  | 29 - 46  |
| 8.  | Bus Shelters Procedural Guide   | 47 - 54  |
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| 10. | Environmental Plans, Principles and Governance for NI -<br>Discussion Document  | 69 - 118 |

#### Matters for Information

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13	Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for July to September 2020	137 - 142
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**Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public will be asked to withdraw from the meeting at this point.**

#### Matters for Decision

18. Contract for the Collection, Treatment and Recycling / Recovery of Residual Waste from 5 No. Recycling Centres
19. Report for the appointment of Vehicle Suppliers
20. Planting Sponsorship
21. Installation of Memorial Benches on Council Property
22. To seek approval of Service Level Agreement for Affordable Warmth
23. Houses in Multiple Occupation (HMO) survey

#### Matters for Information

24. Confidential Minutes of Environment Committee held on 12 January 2021
25. Capital Framework – ICT Contracts Update
26. Capital Framework – IST Contracts Update
27. Capital Projects – Scoping Contracts Update

<b>Report on</b>	Dfl Roads Proposals to Mid Ulster District Council - Proposed No Waiting at Any Time – Castle Villas, Cookstown
<b>Date of Meeting</b>	Tuesday 9 <sup>th</sup> February 2021
<b>Reporting Officer</b>	Andrew Cassells, Director of Environment & Property
<b>Contact Officer</b>	Andrew Cassells, Director of Environment & Property

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To seek agreement of Members in relation to proposals from Dfl Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals.
<b>2.0</b>	<b>Background</b>
2.1	Dfl Roads are consulting the Council with proposals to introduce measures designed to improve network safety, sustainability and efficiency to encourage safe and sustainable travel.
<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 No Waiting at Any Time – Castle Villas, Cookstown</b></p> <p>Dfl Roads are proposing to introduce a stretch of No Waiting at Any Time at Castle Villas, Cookstown.</p> <p>Consultation letter and 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

	<p>Risk Management:</p> <p>The introduction of the aforementioned proposal as this location will assist in the management of road safety issues.</p>
<b>4.2</b>	<p><b>Screening &amp; Impact Assessments</b></p>
	<p>Equality &amp; Good Relations Implications:</p> <p>The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their statutory duty.</p>
	<p>Rural Needs Implications:</p> <p>The rural needs assessment would be conducted by DfI Roads.</p>
<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	<p><b>Appendix 1</b></p> <p>Letter from DfI Roads dated 5<sup>th</sup> January 2021; Proposed No Waiting at Any Time, Castle Villas, Cookstown.</p>
6.2	<p><b>Appendix 2</b></p> <p>Drawing – Proposed No Waiting at Any Time, Castle Villas, Cookstown.</p>



Department for

**Infrastructure**

An Roinn

**Bonneagair**

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

## Network Development

Chief Executive  
Mid Ulster District Council  
Ballyronan  
Magherafelt  
BT45 6EN

County Hall  
Drumragh Avenue  
Omagh

Tel: 028 8225 4085

5 January 2021

Dear Mr McCreesh

### **PROPOSED INTRODUCTION OF NO WAITING AT ANY TIME – CASTLE VILLAS, COOKSTOWN**

DfI Roads is proposing to introduce a stretch of no waiting at any time, at Castle Villas, Cookstown as shown on the enclosed map.

PSNI have been consulted regarding the proposal.

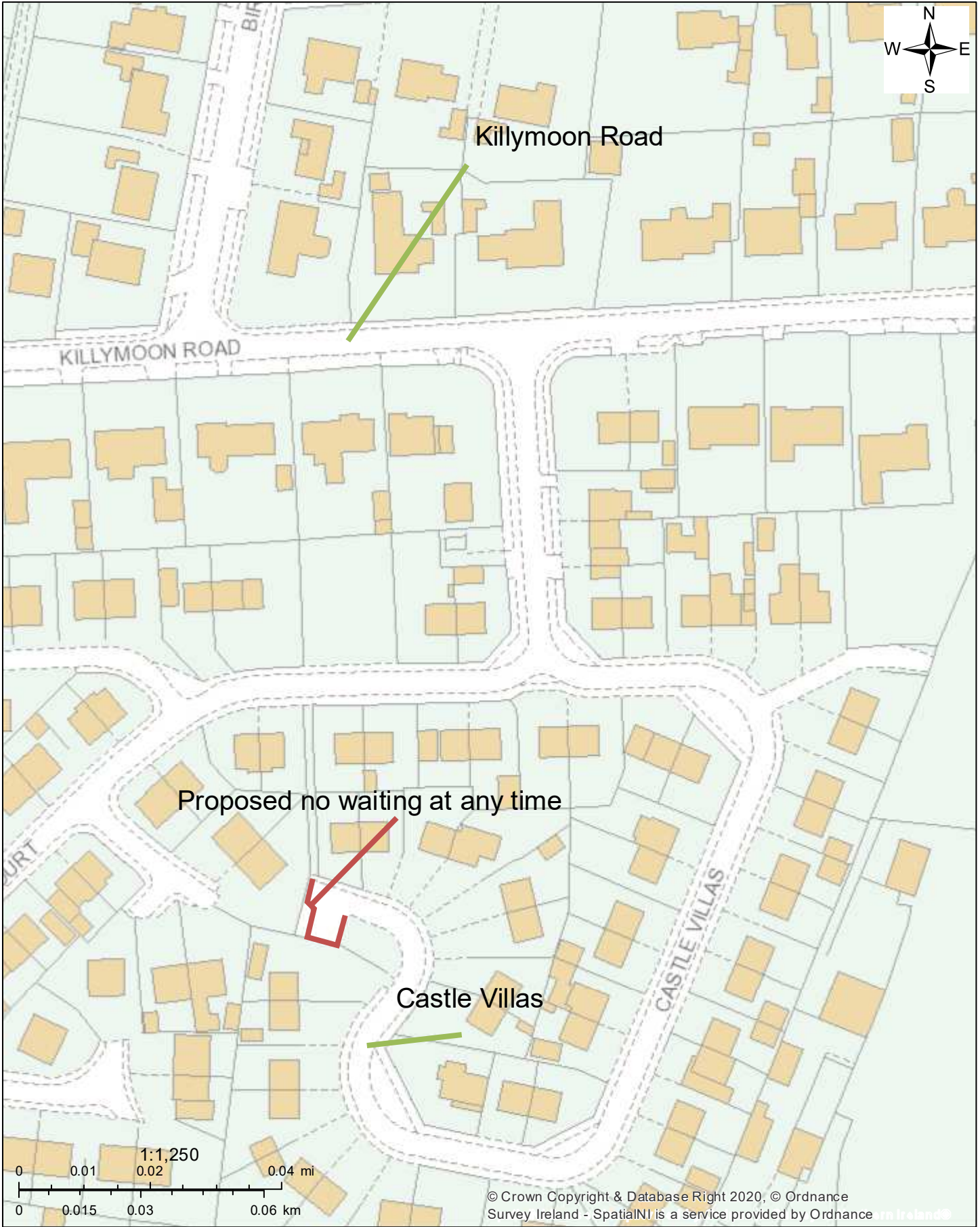
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton  
Network Development Section

Enc

Proposed no waiting at any time - Castle Villas, Cookstown



Tuesday 5 January 2021 14:51:36

<b>Report on</b>	Winter Maintenance of the Council Estate
<b>Date of Meeting</b>	9 February 2021
<b>Reporting Officer</b>	Andrew Cassells, Director of Environment & Property
<b>Contact Officer</b>	Andrew Cassells, Director of Environment & Property

<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 Consider the issues Surrounding Winter Maintenance of the Council Estate.
<b>2.0</b>	<b>Background</b>
2.1	The Council at its meeting of 28 January 2021 requested that the Director of Environment & Property bring forward a report to the next meeting of the Environment Committee such that Members could further consider the matter.
<b>3.0</b>	<b>Main Report</b>
3.1	As a consequence of the Covid-19 Pandemic and the resultant regulations which have led to the closure of the Council's indoor Leisure facilities a significant increase in outdoor recreation, within Council, owned or operated facilities, particularly with reference to walking has been noted across the Council Estate. In particular the matter is relevant to the various outdoor walkways and pathways as managed by the Director of leisure and Outdoor Recreation.
3.2	The attention of Members is drawn to the previous report as submitted to the October 2018 Meeting of the Environment Committee in relation to this matter and as attached to this report as Appendix 1.
3.3	It is important that the Council develops a robust Policy in relation to the deployment of its resources for the provision of winter maintenance treatments in order to ensure that it is both taking reasonably practicable steps in this regard and that it can demonstrate that it has in fact complied with its Policy as a defence against any claims for example in relation to personal injury.
3.4	In developing a Policy on the treatment of the various access areas within the Council Estate with relation to frost, ice and snow a number of factors need to be considered including but not limited to:

	<ol style="list-style-type: none"> <li>1. Statement of Service</li> <li>2. Response Times</li> <li>3. Period of Cover</li> <li>4. Targeted Treatment Times</li> <li>5. Target Standards</li> <li>6. Road, Path and Footway Hierarchy</li> <li>7. Weather Forecast Monitoring</li> <li>8. Decision Making in relation to Treatment Instigation</li> <li>9. Resourcing</li> <li>10. Plant and Vehicles</li> <li>11. Supervision and Operational issues including staffing and communications</li> <li>12. Salt Supplies</li> <li>13. Communications with the Public and Site Users</li> </ol>
3.5	Officer from Environment & Property and Leisure & Outdoor Recreation have begun the process of identifying the areas of Council Estate that would be affected by a more wide-ranging policy in particular with reference to the application of gritting to pathways and footways where the surfaces are suitable for such treatments; that is in relation to tarmac, bitmac and related similar surfaces. Work will continue to develop a robust Policy and associated operational procedures to support the Policy.
3.6	Officers will initially revert to the Environment Committee on the conclusion of this work for members to consider the Policy although its final approval and the implications of any additional resources will be a matter for the Policy and Resources Committee. Further reports will be brought forward in due course.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: There will be a financial implication in relation to plant, equipment, salt supplies and salaries and wages costs; particularly where any treatment is carried out outwith of normal operating hours; these costs may include standby and overtime payments. No allowances have been made in the Revenue Estimates for 2021/2022 at this juncture as the potential costs have yet to be identified in relation to what could be a weather and demand driven application of the Policy.
	Human: Officer time in developing and implementing the Policy and ensure records are maintained of any treatments.
	Risk Management: Clearly there is a risk to the travelling public at times of ice and snow and the Council should clearly develop and implement a reasonable and robust Policy in relation to the treatment of the Council Estate at times of ice and snow
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications:
	To be determined.



	Rural Needs Implications:  To be determined.
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members are asked to note the Contents of the Report and to receive further Reports in due course
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Report to the Environment Committee of 9 October 2018; Winter Maintenance of Council Estate in Snow and Ice.



<b>Report on</b>	Winter Maintenance of Council Estate in Snow and Ice
<b>Date of Meeting</b>	9 <sup>th</sup> October 2018
<b>Reporting Officer</b>	Terry Scullion - Head of Property Services
<b>Contact Officer</b>	Eunan Murray - Grounds and Cemeteries Manager

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

1.0	<b>Purpose of Report</b>																
1.1	This report is to provide an update to members on a managed approach to Winter Maintenance for the Council Estate during periods of Ice and Snow.																
2.0	<b>Background</b>																
2.1	Following the Council decision in February 2018 it was agreed to develop a Winter Maintenance policy for the Council Estate to include Off Street Car Parks.																
2.2	The winter period is considered to be from 1 <sup>st</sup> November to 31 <sup>st</sup> March. During this period Council currently uses its resources to ensure frontline operational facilities are treated on a prioritised basis that maintains business continuity and access to essential Council services. To date this has not included any winter maintenance during periods of ice or snow in any of the off street car parks.																
3.0	<b>Main Report</b>																
3.1	Rather than policy development it is considered more practical to apply a managed approach to the treatment of properties in the Council Estate in periods of Ice, snow or other unfavourable weather conditions.																
3.2	It is proposed that properties across the estate will be treated in the following order based on providing safe access to Council services, resources available, and the extent to which local weather conditions are unfavourable: <table><tr><th>Property Type</th><th>Which Service</th><th>What Areas</th><th>When</th></tr><tr><td>1. Council Depots</td><td>Property Services</td><td>Car Park areas, and essential access routes</td><td>As and when required from 0700 Monday to Friday</td></tr><tr><td>2. Council Offices</td><td>Property Services</td><td>Car Park areas, and essential access routes</td><td>As and when required from 0730 Monday to Friday</td></tr><tr><td>3. Cemeteries</td><td>Property Services</td><td>Car Park areas, and essential access routes for a burial</td><td>As and when required from 0800 to facilitate a burial only</td></tr></table>	Property Type	Which Service	What Areas	When	1. Council Depots	Property Services	Car Park areas, and essential access routes	As and when required from 0700 Monday to Friday	2. Council Offices	Property Services	Car Park areas, and essential access routes	As and when required from 0730 Monday to Friday	3. Cemeteries	Property Services	Car Park areas, and essential access routes for a burial	As and when required from 0800 to facilitate a burial only
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3. Cemeteries	Property Services	Car Park areas, and essential access routes for a burial	As and when required from 0800 to facilitate a burial only														

	4. Leisure Centres, Sports Arenas & Recycling Centres	Property Services to provide salt, salt bins and pedestrian spreaders. Treatment carried out by Service responsible for facility	Car Park areas, and essential access routes determined by Responsible Service	As and when required during hours of operation determined by Responsible Service
	5. Other frontline Properties	Property Services to provide salt, salt bins and pedestrian spreaders on request. Treatment carried out by Service responsible for facility	Essential areas determined by Responsible Service	As and when required during hours of operation determined by Responsible Service
	6. Off Street Car Parks	Property Services including provision of signage and self help bins	Car Park and footways in retail areas of the five main town centres	At same time as the TNI Winter Maintenance Agreement are triggered by TNI.
3.3	Property Services will treat property types in the estate from '1 to 3' above in ice and snow. Property types '4 to 6' will be provided grit bins, replenished on a regular basis for self help or application in icy conditions. Support will be provided for snow clearance to properties '4 and 5' during Depot Operational hours, and by request outside of these hours. All of which is subject to availability of resources and by agreement.			
3.4	In exceptional circumstances where treatment is required in unfavourable weather and no Council resources are available, efforts will be made to engage a third party to assist on a pay as you go basis. It may also be necessary for a temporary closure of part, or all of a Council property, depending on weather conditions. This would be similar to precautions applied across the Council estate on Wednesday 18 <sup>th</sup> September 2018 and since as a result of Storm Ali.			
3.5	Considering the limited resource available, and respecting the important roles the car parks play to provide access to local services, treatment would be limited to the settlements included in Council's Winter Maintenance Agreement with Transport NI. It should be noted the off street car parks are outwith of this agreement. However, the car parks in each of these towns would be treated when TNI trigger the agreement for the pre agreed Town Centre footways to be treated.			

<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	<p>Financial:</p> <p>A limited budget is available for snow and ice clearance of the estate during the winter period using in house resources. There is no budget in year to support a winter maintenance programme that includes regular weather monitoring and treatment of the off street car parks.</p>
	<p>Human:</p> <p>Staff time coordinating snow and ice clearance and liaising with facilities managers on same. Maintenance support response may have to be provided by a competent third party if in-house capacity is limited as a result of specific weather conditions.</p>
	<p>Risk Management:</p> <p>Council has responsibility for upkeep and maintenance of its property, and associated facilities used by public, staff and visitors; arrangements must be in place to mitigate risk. As a minimum this is currently controlled through fixed warning signage, asset inspection and defect repair.</p>
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	<p>Equality &amp; Good Relations Implications:</p> <p>None.</p>
	<p>Rural Needs Implications:</p> <p>A Rural Needs impact assessment is required to consider the impact across the Estate.</p>
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members are requested to note the content of this report and approve the managed approach to the treatment of properties in the Council Estate in periods of Ice, snow or other unfavourable weathers conditions during the winter period.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	None.



<b>Report on</b>	Food Standards Agency - Memorandum of Understanding in relation to potential food fraud activities
<b>Date of Meeting</b>	9 <sup>th</sup> February 2021
<b>Reporting Officer</b>	Fiona McClements, Head of Environmental Health

<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 inform Council of a request received from the Food Standards Agency for a Memorandum of Understanding (MOU) to be established and agreed, in relation to food fraud activities, between Local Authority teams in England, Wales and Northern Ireland and the Food Standards Agency's (FSA's) National Food Crime Unit (NFCU).
<b>2.0</b>	<b>Background</b>
2.1	This Memorandum of Understanding (MOU) agrees the relationship between Local Authority Food Teams, the Association of Chief Trading Standards Officers (ACTSO) and the National Food Crime Unit, which is part of the Food Safety Agency, referred to as "the parties" throughout the MOU. In Northern Ireland, there will be 11 separate MOU documents as opposed to one MOU to cover the region. District councils in Northern Ireland have food teams that jointly cover both food safety and food standards. These food teams are integral to front line delivery to enforce food safety and standards.
2.2	In 2015, the FSA set up the NFCU. Following the Kenworthy review in 2017, the NFCU was expanded in 2018. This included an uplift in its investigative capability and capacity. In respect of its investigation function, the purpose of the NFCU is to identify and investigate offences of food crime, particularly food fraud. The NFCUs enhanced 4P (Prevent, Protect, Pursue, and Prepare) capability now includes a Pursue strand that will enable it to lead on a limited number of food crime/fraud investigations.
2.3	The NFCU has the remit within the FSA for tackling serious fraud and related criminality within food supply chains. It will normally investigate offences appropriate for prosecution under the Fraud Act 2006 or as conspiracy to defraud under Common Law. The NFCU covers England, Wales and Northern Ireland, but not Scotland.
2.4	The NFCU will lead on a small number of the most serious and complex investigations each year, and they will have some capacity to support and co-ordinate investigations led by partners, where appropriate.

2.5	Food Teams are defined for the purposes of this MOU to be those teams within Local Authorities that enforce Food Safety and/or Food Standards related matters. In Northern Ireland, these teams will continue to have powers to take enforcement action in respect of The Food Safety (Northern Ireland) Order 1991 and Food Regulations offences including food fraud.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>This Memorandum of Understanding (MOU) sets out the high-level framework of how “the parties” will co-operate to assist one another and prevent duplication of work in relation to food crime. It is not intended to set out in detail precisely what work will be taken forward by any party, as that level of prescription is unlikely to lead to effective food regulation. Each case will need to be dealt with based on the facts of the individual case, resource implications, and the relevant legal and policy position of any affected party. The MOU covers the following areas:</p> <ul style="list-style-type: none"> <li>• Information sharing</li> <li>• Co-operation and Co-ordination</li> <li>• Enforcement and agreeing primacy</li> <li>• Instances where NFCU becomes aware of an issue and wishes to act</li> <li>• Instances where Food Teams become aware of an issue where the NFCU is likely to have an interest and/or the Food Team seeks support from the NFCU or to refer it to them</li> <li>• Review of Memorandum of Understanding</li> </ul>
3.2	More detail in each of the areas listed is contained within the full MOU. The MOU is attached to this report for consideration with respect to agreeing the establishment of a MOU between Mid Ulster District Council and the National Food Crime Unit.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/A
	Human: N/A
	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 Council note the content of this report, and agree the draft Memorandum of Understanding (MOU) in relation to potential food fraud activities.



<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – ‘Memorandum of Understanding (MOU), in relation to food fraud activities, between Local Authority Food Teams in England, Wales and Northern Ireland and the Food Standards Agency’s (FSA’s) National Food Crime Unit (NFCU).’





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## MEMORANDUM OF UNDERSTANDING (MOU) IN RELATION TO FOOD FRAUD ACTIVITIES

### BETWEEN

**Local Authority Food Teams in England, Wales and Northern  
Ireland and**

**The National Food Crime Unit (NFCU), part of the Food Standards  
Agency (FSA).**

#### 1. Purpose and Scope

**This Memorandum of Understanding agrees the relationship between Local Authority Food Teams, ACTSO and the National Food Crime Unit, part of the Food Safety Agency, referred to as “the parties” throughout this MOU.** It is impracticable to agree an MOU with each authority or group of authorities that captures their single or two tier model. By engaging with national food safety group leads and ACTSO, agreement of this MOU has been reached to promote collaborative working to help protect the public from food crime.

In Wales such food teams are represented by the Directors of Public Protection Wales (DPPW), a collective organisation representing officers heading up Welsh Local Authority Public Protection Services.

Food teams in England, Wales and Northern Ireland can have responsibility for both food safety and food standards or just one of those functions, reflecting the differing local government landscapes, and include Trading Standards and Environmental Health professionals. Regions across England operate two tier models in some areas. In Wales, there is a single tier approach to local

authority services. District councils in Northern Ireland have teams that jointly cover both food safety and standards.

**Responsibility across the three countries is tasked to Food Teams that are integral to front line delivery to enforce food safety and standards.**

In 2015 the FSA set up the NFCU. Following the Kenworthy review as reported in 2017, the NFCU expanded in 2018, and this included an uplift in its investigative capability and capacity. In respect of its investigation function, the purpose is to identify and investigate offences of food crime, particularly food fraud. The NFCU's enhanced 4P (Prevent, Protect, Pursue, and Prepare) capability now includes a Pursue strand that will enable it to lead on a limited number of food crime/fraud investigations.

The NFCU has the remit within the FSA for tackling serious fraud and related criminality within food supply chains. It will normally investigate offences appropriate for prosecution under the Fraud Act 2006 or as conspiracy to defraud under Common Law. The unit covers England, Wales and Northern Ireland, but not Scotland. NFCU will lead on a small number of the most serious and complex investigations each year, and they will have some capacity to support and co-ordinate investigations led by partners, where appropriate. In considering whether to lead, support or co-ordinate any investigation, the Head of the NFCU will consider:

- the strategic priorities of the NFCU as set out in its control strategy;
- the geographical scope and scale of the suspected offending;
- the nature and extent of the actual, potential or intended harm to the public, a food business operator and/or the confidence in the UK food industry.

The Head of the NFCU will also consider, where appropriate, any representations made by any partner that may be impacted by their decision. Such representations can be by conversation or email. There is no formal proposed mechanism for this.

The Association of Chief Trading Standards Officers (ACTSO) is the single membership organisation representing senior Trading Standards Managers from local authorities across England and Wales. ACTSO is focussed on providing effective leadership at the national level while supporting members to lead their services both locally and regionally. NFCU and National Food Group leads have worked together in agreeing this MOU.

Food Teams are defined for the purposes of this MOU to be those teams within Local Authorities that enforce Food Safety and/or Food Standards related matters. These teams will continue to have powers to take enforcement action in respect of Food Safety Act 1990 and Food Regulations offences including food fraud. The Food Safety Act 1990 and EU withdrawal legislation confer powers on the "food authority".

The Food Safety (Northern Ireland) Order 1991 is the comparative piece of legislation for enforcement and offences in Northern Ireland.

The Appendix 2 sets out details of responsibilities/powers of the relevant partners to this MoU.

This Memorandum of Understanding (MOU) sets out the high-level framework of how “the parties” will co-operate to assist one another and prevent duplication of work in relation to food crime. It is not intended to set out in detail precisely what work will be taken forward by any party, as that level of prescription is unlikely to lead to effective food regulation. Each case will need to be dealt with based on the facts of the individual case, resource implications, and the relevant legal and policy position of any affected party.

A referral process is proposed by which each party can expect consistency in how intelligence and early investigations of food fraud, as it escalates to food crime, will be received and assessed by the NFCU. Similarly, a referral process is required to enable dissemination of intelligence and information of potential investigation opportunities between the parties.

Any assessment and determination around adoption of investigations will inevitably include an assessment of capacity and capability. The capability of partners is acknowledged, notwithstanding some lines of enquiry (e.g. requesting evidence from foreign national partners through International letters of request, or assistance under Mutual Legal Assistance Treaty arrangements) may require specific support and assistance.

## **2. Information sharing**

2.1 The parties aim to co-operate by sharing information and intelligence where appropriate and where legally permissible. A general basis for information and intelligence sharing is to investigate and detect crime and protect the public (Data Protection Act 2018). Information will always be exchanged expeditiously and securely as per the below paragraphs. The dissemination of intelligence should always be timed to maximise its value in protecting the public. Such sharing should also aim to minimise risk, enable expeditious lines of enquiry to be identified, to clarify facts and recover evidence.

2.2 The communicating of information and intelligence between the parties will enable NFCU and LAs to analyse data and to identify both trends and other lines of enquiry that may support Food Teams. Additionally, such analysis will enrich the understanding of food crime across England, Wales and Northern Ireland.

2.3 Intelligence is recorded on the platforms as used by the relevant parties. Presently those platforms include Clue (NFCU) and IDB for Trading Standards teams. In the absence of having mutual access to each other's systems, then the intelligence will be shared by other appropriate means.

2.4 Specific information or enquiries requiring a direct response will generally be communicated by the NFCU to the relevant Food Team via a designated, secure email contact at the Food Team office, and from them to the NFCU via [foodcrime@food.gov.uk](mailto:foodcrime@food.gov.uk).

## OFFICIAL

In Northern Ireland correspondence between the NFCU and Food Teams is facilitated through the NFCU Belfast office using agreed local protocols.

2.5 Where possible, information available to any of the parties that is relevant to the responsibilities of the other parties will be shared where requested, and parties will aim to process information requests within 5 working days or as current capacity allows. In addition, if any of the parties considers that information it has gathered would be of material interest to the other parties, it will proactively offer such information to the other parties without a request.

2.6 It should be noted that presently the NFCU have limited statutory executive powers, being the same as apply to the Food Standards Agency. The current, and interim, expectation is that the NFCU will, in order to access wider executive powers, seek support from Home Office Police forces through ongoing discussion with the National Police Chief's Council, or will seek such support through the wider FSA core membership of the Government Agency Intelligence Network (GAIN). It is the aim of the NFCU to secure executive powers through primary legislation.

2.7 In the event of an investigation being adopted and tasked to an Investigations team by the NFCU as a result of a referral from a Food team and where executive powers are identified as necessary for that enquiry, then on the basis of that referral, the NFCU may apply to the Secretary of State for Health for the granting of specific powers under S.6 of the Food Safety Act 1990, and as related to that specific investigation only.

2.8 Where information is received from third parties, the ability to share such information between the parties to this MOU may in some instances be constrained by the terms of agreements with those third parties, or by other legal restrictions. However, the parties will seek to ensure that these instances are minimised. The default position will be to share unless the handling code at point of receiving the original intelligence from the disseminating source is such that it is clearly sensitive and not to be further shared without the authority of the originating organisation. Efforts will be made to secure consent to share the intelligence in those circumstances and this will also enable the development of better informed strategic and tactical assessments.

### **3. Co-operation and Co-ordination**

3.1 In all areas of work where there is a joint interest, the parties will endeavour to co-operate closely with each other. The parties will work to maintain oversight of this and to provide a forum for the parties to raise any concerns. Early identification, discussion and resolution of any issue is always the aim. There exist across England, Wales and Northern Ireland existing frameworks to co-ordinate, and these will continue. The Regional intelligence officers from the NFCU working with Food teams and relevant partners continue to develop the flow of information and intelligence around food crime with the aim of identifying appropriate interventions, escalation and

support to partners in dealing with the problem. This MOU seeks to compliment and advance those rather than in any way compete.

#### 4. Enforcement and agreeing primacy

4.1 Notification to each party of their food fraud investigations is desirable and recommended. It will enable support to be offered by way of intelligence checks. It will also enable identification of matters in respect of which the parties are likely to have, or are known to have, an interest. It will also seek to avoid taking regulatory or enforcement actions that are incompatible or even in conflict. This will enable prevention of the duplication of resources, investigating the same subjects in ignorance of partners' investigations, and provide clarity of direction and ownership.

4.2 There are likely to be two broad scenarios: firstly, where an issue is identified by the NFCU and they want to act against a subject or, secondly, where a Food Team identifies an issue and seeks support from the NFCU. These are dealt with below.

4.3 In terms of agreeing "primacy" in any case – this will be agreed between the parties on a case by case basis. This will depend on many factors. The indicators listed below are simply those that may weigh the decision one way or the other BUT no single one will be a defining factor. It will be the totality of the nature and scope of any cases, along with the capacity and capability of NFCU and partners.

4.4 Any case involving death will be referred to local police for investigation ownership (in line with the Work-Related Deaths Protocol) and they will determine any support required from the NFCU or Food Team.

<b><i>Indicators where NFCU may be best placed to lead</i></b>	<b><i>Indicators where the LA Food Team may be best placed to lead</i></b>
<ul style="list-style-type: none"> <li>• National and international investigations.</li> <li>• Ongoing or relevant and now past significant risk (including financial) to the public and/or UK plc</li> <li>• Clear intelligence of organised methodology in the planning, co-ordination and control of such criminal network as is identified to be involved in such criminality</li> <li>• Capacity and capability exist to undertake the investigation</li> </ul>	<ul style="list-style-type: none"> <li>• More limited geographical scope</li> <li>• Already significant investment into an investigation</li> <li>• Where there are links to other existing LA regulatory/fraud investigations (within or co-terminus)</li> <li>• Capacity and capability exist to undertake the investigation</li> </ul>

## **5. Instances where NFCU becomes aware of an issue and wishes to act**

5.1 The NFCU will contact the relevant Food Team at the earliest possible opportunity and both parties will share all relevant information to help ensure the most appropriate way forward.

5.2 In the absence of any operational justification for taking a different approach, the default position will be that the NFCU will not carry out any on-site visits to any business or person in any Food Team area and where the Food Team have responsibility for those premises, without first notifying the relevant Food Team or undertaking a joint visit.

5.3 Where the NFCU identify investigative opportunities that may exist or require an initial response outside of their remit as set out at the start of this document, then such information will be shared with the relevant Food Team to enable them to decide in respect of any required response.

5.4 Where there are already investigations ongoing by NFCU and one or more relevant Food Teams, then both sides will discuss how the case will be conducted and agree who will lead, support or co-ordinate. The decision should be recorded in writing (proportionate to the scale and nature of the case) which outlines the role of each party. This should, among other things, include the following:

- Who will take decisions on the case?
  - Who will institute proceedings?
  - What resources partners will provide?
  - Procedural issues such as CPIA disclosure, storage of exhibits, examination of digital devices etc.
  - How any confiscated assets will be dealt with?

## **6. Instances where Food Teams become aware of an issue where the NFCU is likely to have an interest and/or the Food Team seeks support from the NFCU or to refer it to them.**

6.1 Food Team officers are increasingly using the national "Management of Risk in Law Enforcement" (MORiLE) framework to assess investigations and match resource to demand. The same framework is used within the NFCU around assessing tasked investigations. This offers the opportunity for commonality going forward in respect of how referrals may be made and received.

6.2 A process for referral of such cases is currently being rolled out whereby the NFCU regional liaison officers (Appendix 1) should be the first contact point for Food Teams. This will enable the earliest assessment of the potential investigation to be made, as well as identifying through mutual discussion, support and other lines of enquiry that may be considered by the Food Team.



## OFFICIAL

6.3 Where the decision by the Head of the NFCU is to support or co-ordinate an investigation, then the best placed officer from the NFCU and Food Team will discuss how the case will be conducted and agree who will lead, co-ordinate, support.

6.4. Where the decision is to task within the NFCU a referred investigation as may have been received by a Food Team, then the tasked Lead Investigator from the NFCU and the similarly best placed officer from the Food Team will agree and record the transfer of any lead responsibility to the NFCU. The discussions of such matters should progress outside of the tasking mechanisms used by the respective parties where investigative considerations so necessitate.

6.5 In respect of 6.3 and 6.4, the decision should be recorded in writing (proportionate to the scale and nature of the case) which outlines the role of each party. This should, among other things, include the same considerations as at 5.4.

6.6 Matters of a more time critical nature should be brought to the attention of the NFCU expeditiously and without putting the public at any increased risk or losing evidence, either by contacting the NFCU Regional Liaison Officer (RLO) or contacting the NFCU Intelligence Bureau, via [foodcrime@food.gov.uk](mailto:foodcrime@food.gov.uk). In Northern Ireland contact will be via the NFCU Belfast office.

6.7 Nothing in this document should stop any officer from any of the parties taking the necessary steps to deal with any identified imminent risk of harm to the public involving food.

## **7. Review of Memorandum of Understanding**

The parties will meet regularly to review the effectiveness and efficiency of this MOU. In Wales this will be through the NFCU (Wales) Assurance Forum.

OFFICIAL

-----signatories to be identified from Food Safety Group leads -----

Signed

Dave Holland

Chair, DPPW

Date

Signed

Darren Davies

Head of NFCU, FSA.

Date

Wendy Martin

CEO, ACTSO

Date

Signed

Ian Andrews

Chair, Food Hygiene Focus Group (England)

Date

Signed

Northern Ireland

Date

## **Appendix 1 – Regional Contacts**

### **National Food Crime Unit – Regional Liaison Officers**

Ed McDonald – Northern Ireland – [Ed.Mcdonald@food.gov.uk](mailto:Ed.Mcdonald@food.gov.uk)

Nick Smith – West Midlands and North West regions [nick.smith@food.gov.uk](mailto:nick.smith@food.gov.uk)

Steve Rowe – East Midlands, Eastern regions [Steven.rowe@food.gov.uk](mailto:Steven.rowe@food.gov.uk)

Jane Rawling – Wales [Jane.Rawling@food.gov.uk](mailto:Jane.Rawling@food.gov.uk)

Will Simpson - South East and South West [Will.Simpson@food.gov.uk](mailto:Will.Simpson@food.gov.uk)

Please note that the Yorkshire and Humber and North East post is currently vacant

Steve Smith – Head of Outreach [Steve.smith@food.gov.uk](mailto:Steve.smith@food.gov.uk)

### **Trading Standards Regional Coordinators**

Gaynor Jackson – South East – [gaynor.jackson@surreycc.gov.uk](mailto:gaynor.jackson@surreycc.gov.uk)

Stephen Knight – London – [Stephen.knight@londontradingstandards.org.uk](mailto:Stephen.knight@londontradingstandards.org.uk)

Lisa Peters – South West – [lisa.peters@tssw.org.uk](mailto:lisa.peters@tssw.org.uk)

Dai Jones – Wales – [daijonesrc@outlook.com](mailto:daijonesrc@outlook.com)

Nick Harrison – West Midlands – [nickharrison@warwickshire.gov.uk](mailto:nickharrison@warwickshire.gov.uk)

Sandra Roberts – East Midlands – [sandra.roberts@lincolnshire.gov.uk](mailto:sandra.roberts@lincolnshire.gov.uk) Marie  
Meadows – East of England – [marie.meadows@suffolk.gov.uk](mailto:marie.meadows@suffolk.gov.uk)

Suzanne Simmons – Yorkshire and Humber – [yahtsg@wyjs.org.uk](mailto:yahtsg@wyjs.org.uk)

Nicola Pearson) – North East – [Nicola.pearson@durham.gov.uk](mailto:Nicola.pearson@durham.gov.uk)

Kate Pike – North West – [kpike@warrington.gov.uk](mailto:kpike@warrington.gov.uk)

### **Environmental Health Regional Coordinators**

Graham Perry – Wales - ([grahamperrywork@outlook.com](mailto:grahamperrywork@outlook.com))

Contact details correct as at 07/02/20

## **Appendix 2 Powers/responsibilities of relevant partners**

### **NFCU**

Due to currently limited statutory powers, the NFCU have arranged for the Police to provide support when asked with powers of arrest and search. The NFCU will continue to look to LAs for support in using their powers outlined below.

### **Local Authorities**

Food Team officers are authorised with the full range of powers as set out in law and the Food Law Code of Practise. These include, but not limited to:

- Power of entry and to take others into a premise
- Power to take samples and to submit these for analysis
- Power to inspect, detain or seize any records
- Power to seize or detain food
- Power to serve Detention Notices, Hygiene Improvement or Emergency Prohibition Notices
- Power to prohibit an activity or process

<b>Report on</b>	Community Resuscitation Update
<b>Date of Meeting</b>	9 <sup>th</sup> February 2021
<b>Reporting Officer</b>	Fiona McClements, Head of Environmental Health

<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 provide elected members with an update on the work of the Mid Ulster Community Resus Group including an update on the roll out of Automated External Defibrillators (AED) across MUDC owned properties.
<b>2.0</b>	<b>Background</b>
2.1	<p>The Community Resuscitation Strategy for Northern Ireland was launched in July 2014 with a vision to increase survival for those who suffer an out-of-hospital cardiac arrest, to the highest level that can be achieved across Northern Ireland. The objectives set out in the Strategy are to:</p> <ul style="list-style-type: none"> <li>• Raise public awareness of the importance of early recognition of an out-of-hospital cardiac arrest, and the importance of early intervention;</li> <li>• Encourage members of the public to intervene in the event of an out-of-hospital cardiac arrest;</li> <li>• Increase the availability of, and access to, appropriate and effective CPR training provision across Northern Ireland;</li> <li>• Achieve high uptake of CPR training;</li> <li>• Make the most efficient use of the resources available to support community resuscitation training;</li> <li>• Improve the availability of, and access to, the automated external defibrillators that are in place across Northern Ireland; and</li> <li>• Enhance the capacity of information systems to capture and provide key data on out-of-hospital cardiac arrest and patient outcomes.</li> </ul>
<b>3.0</b>	
3.1	A further meeting of the Mid Ulster Community Resus Group was chaired by Councils Environmental Health Service on 12 <sup>th</sup> November 2020 with various Council sections represented and representation from external partners including Sport NI, British Heart Foundation and Trust. Unfortunately for sickness absence reasons the Northern Ireland Ambulance Service, lead partner, were unable to attend this meeting but further discussions have taken place since the meeting.

3.2	The meeting heard that work continues to transfer and register Defibrillators in Northern Ireland from the database held by the Northern Ireland Ambulance Service (last updated February 2020 at the time of meeting) to a new registration portal 'The Circuit' hosted by the British Heart Foundation.
3.3	'The Circuit', went live in February 2020 and is a national defibrillator network. It is connected to every Ambulance Service in the UK and allows them to direct bystanders to the nearest defibrillator to help save lives. Although NHS Ambulance Services already have defibrillator databases for their area, 'The Circuit' will connect them together to provide a single national view.
3.4	Council AEDs previously registered with NIAS automatically transfer to the new service, 'The Circuit'. Following a letter of invite from NIAS in February 2020, each AED will need to claim that registration via 'The Circuit'. Further information is in this video: <a href="https://www.thecircuit.uk/">https://www.thecircuit.uk/</a>
3.5	Mid Ulster Corporate Health and Safety section have registered on 'The Circuit' and are progressing with claiming the 31 AEDs on circuit under Council management. This involves having a contact point associated with the AED for the provision of information to the AED 'guardians'.
3.6	Attendees at the Mid Ulster meeting confirmed that not all defibrillators known to be present in the Mid Ulster District Council area are currently registered with the Northern Ireland Ambulance Service. As such it is difficult to identify a baseline for AED provision within the Mid Ulster Community and therefore easily identify those settlements within the Mid Ulster District Council area without an AED provision.
3.7	The British Heart Foundation has confirmed that they propose a National media campaign in spring of 2021 to encourage registration of AEDs. BHF will share further launch plans when available and advise how local partners can help promote 'The Circuit'. MUDC could support the campaign by providing encouragement to all businesses and organisations with AEDs throughout the District to register and/or claim them with NIAS.
3.8	<p>With respect to the provision of AEDs on Mid Ulster District Council properties/ facilities the following recommendations were discussed:</p> <ul style="list-style-type: none"> <li>• Provision of AEDs at the following Council Civic Amenity sites - Coalisland, Tullyvar, Draperstown, Maghera, Fivemiletown and Ballymacombs Road (budget to be secured).</li> <li>• Relocation of the AED provided at the office of Magherafelt Recycling centre to an area close to the clocking in machine (budget to be secured).</li> <li>• Relocation of the AED at the Moneymore Recreation Centre to an area external to the building so as this AED can service both the Recreation Centre and the Recycling Centre (budget secured).</li> <li>• Provision of an AED in a wall mounted heated cabinet at Grant Ancestral Home and Gardiners hall (budget secured).</li> </ul>

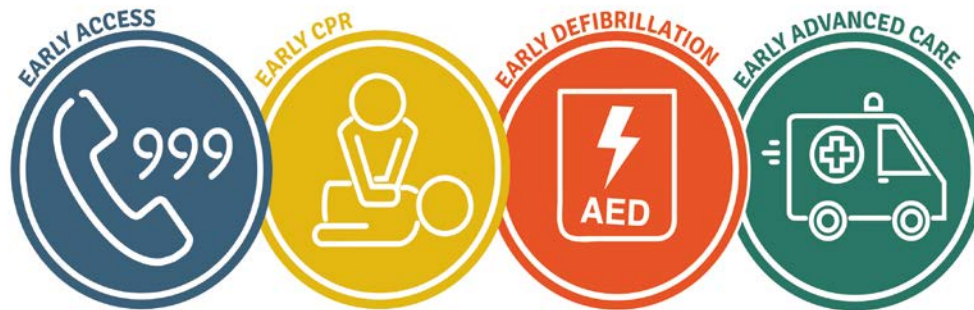
3.9	It is recommended to not provide an AED to the Drumcoo or Cookstown Recycling centres due to the close proximity of an existing AED nearby. The lack of an electrical supply makes the provision of an AED at the following Mid Ulster District Council rural locations difficult: Portglenone River Walkway, Drum Manor Forest Park Playground and Lough Fea Walk.
3.10	It is recommended that the AED provision in these three areas (Portglenone River Walkway, Drum Manor Forest Park Playground and Lough Fea Walk) is reviewed again following the receipt of publication of an updated NIAS/Circuit database.
3.11	If a gap in these areas is confirmed following a further review, Council may want to consider seeking to work in partnership with existing organisations at these locations in order to secure an AED provision as near as is reasonably practicable to these Council facilities.
3.12	It is further recommended that Mid Ulster support the forthcoming British Heart Foundation campaign sharing campaign messages and by providing encouragement to all businesses and organisations with AEDs throughout the District to register or claim them.
3.13	Outline of other work related to the Action Plan (Appendix 1) is as follows:
3.14	<b>Restart a Heart 2020</b> – Restart a Heart Day was a virtual experience this year, MUDC shared Resus Council posts via social media the week of Restart a Heart Day – this has had a total reach of 7464, with 172 engagements.
3.15	BHF, Sport NI and NIAS shared similar messages on their platforms.
3.16	<b>Education</b> – BHF currently trying to influence Education Minister to make CPR mandatory in school. BHF have been successful in England and Scotland. Wales and NI are similar, there is provision but it's not a mandatory element.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Purchase of 6 AEDs .
	Human: Staff time to maintain the units
	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	<p>That members note the content of this report and :</p> <ol style="list-style-type: none"> <li>1. Proceed with the installation of AEDs at Council sites as outlined at Section 3.8 and work with partner organisations in the provision of facilities at neighbouring locations at Portglenone , Drum Manor and Lough Fea walkways .</li> <li>2. Mid Ulster Council to support the British Heart Foundation to make CPR training mandatory in the school setting and assist local businesses and organisations with AEDs throughout the District to register them with NIAS .</li> </ol>
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Community Resus Action plan 2019-2023.
6.2	Appendix 2 – MUDC proposed AED installation table.



# Creating a Community of Lifesavers in Mid Ulster Council Area

## Community Resuscitation Group



## Action Plan 2019 – 2023

Draft Version 4.0

September 2019

## Background

The Community Resuscitation Strategy for Northern Ireland was launched in July 2014 with a vision to increase survival for those who suffer an out-of-hospital cardiac arrest, to the highest level that can be achieved across Northern Ireland.

The objectives set out in the Strategy are to:

1. raise public awareness of the importance of early recognition of an out-of-hospital cardiac arrest, and the importance of early intervention;
2. encourage members of the public to intervene in the event of an out-of-hospital cardiac arrest;
3. increase the availability of, and access to, appropriate and effective CPR training provision across Northern Ireland;
4. achieve high uptake of CPR training;
5. make the most efficient use of the resources available to support community resuscitation training
6. improve the availability of, and access to, the automated external defibrillators that are in place across Northern Ireland, and
7. enhance the capacity of information systems to capture and provide key data on out-of-hospital cardiac arrest and patient outcomes.

## Action Plan

This plan sets out the priority actions to be taken forward over the period 2019-2023 with an emphasis on CPR/AED and PAD related actions.

During 2019-2023, the Mid Ulster Council (MUC) Community Resuscitation working group will continue to work to identify, and develop the Community Resuscitation themes across MUC area ensuring that outcomes in terms of survival are maximised. This requires collaboration by all partners to avoid duplication of effort, pool resources and expertise. It is hoped that working collaboratively will enable a Community of Lifesavers to be created within the MUC area.

The action plan takes cognisance of other related regional strategies and action plans and is intended to work alongside these. These include:

- Making Life Better – A Whole System Framework for Public Health. 2013-2023
- EANI related strategies
- Council Community Plans

R = Red	Action/Project unlikely to be delivered. Requires immediate action.
A = Amber	Action/Project delayed/stalled. May require action.
G = Green	Moving forward, No immediate action required.

EDUCATION						
	Objective	Actions	Due date	Responsible	Progress	RAG status
E1	Baseline Schools registered to teach CPR Education	Scope the MUC Area for number of Primary, Post Primary, Special Schools and Learning Centres registered to teach CPR Education	March 2018	EANI NIAS BHF	Baseline area profile shows that <b>78 (64%)</b> of the 121 schools in MUC are registered within the Call Push Rescue or Heartstart Programme. This excludes Nursery and Pre-Schools.	
E2	Increase % of schools registered to teach CPR Education	Encourage schools who have not registered with either Call, Push, Rescue or Heartstart Programmes to teach CPR education to do so	June 2022	EANI NIAS BHF	In April 2018, 43 Primary schools were not participating in the Heartstart Programme. (7 are in the legacy NEELB area and 35 in the legacy SELB area). <b>All</b> Post Primary and Special Schools in the Council area are registered to teach Heartstart or Call Push Rescue. It is currently not a priority to recruit non-registered CPR schools due to resource requirements to provide the schools with manikins to teach.  <b>Hearstart teacher training has been suspended since March 2020 and will be reviewed in March 2021.</b>	
E3	Include CPR Education as a mandatory element within the NI Curriculum for both Primary and Post Primary Schools. Personal Development outcomes will include	Elected members, NIAS, EANI work jointly to address CPR education within the school curriculum	June 2022	EANI BHF MUC NIAS	BHF had been due to launch a public campaign on this in April 2021 which was to include motions at local government level across Northern Ireland. This was paused due to Covid-19 and school closures. There are plans to pick up the campaign again in 2021 and resources are being updated. Recent correspondence from the Education Minister to BHF made clear he had no plans	

	'demonstration of emergency first aid skills'				to make CPR training in schools mandatory.  Jan 2021- An MLA is progressing a Private Members Bill to make CPR mandatory in schools in NI	
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	COMMUNITY					
	Objective	Actions	Due date	Responsible	Progress	RAG Status
C1	Establish a baseline for members of the public (over 18yrs old) <u>willing &amp; able to provide CPR</u>	NIAS will work with Department of Health to develop questions for adults over 18 yrs as part of the NI Health Survey.	June 2021	MUC  NIAS	CPR and AED questions for members of the public have now been included in the NI Health and Wellbeing Survey which commenced Oct 2018 and will continue until April 2020. The results will be regional and not council specific so may require a council statistician to extrapolate the NI figures for Council area specific statistics.	
C2	Establish a baseline for members of the public (over 18yrs old) <u>trained in CPR</u> in the past 5 years	NIAS to agree questions to be asked to obtain the information required	June 2021	NIAS	CPR and AED questions for members of the public have now been included in the NI Health and Wellbeing Survey which commenced Oct 2018 and will continue until April 2020. The results will be regional and not council specific so may require a council statistician to extrapolate the NI figures for Council area specific statistics,	
C3	Establish a baseline for children aged 11-16yrs who are <u>willing and able to</u>	NIAS will work with Department of Health to develop questions for 11-16 yr olds as part of the NI Health Survey	June 2021	NIAS	CPR & AED questions have been finalised for children aged 11-16yrs and will be part of the Young People's Behaviour & Attitudes Survey commencing Oct 2019	

	provide CPR					
C4	Establish a baseline for children aged 11-16yrs who are <u>trained in CPR and the use of an AED</u> during their school years	NIAS will work with Department of Health to develop questions for 11-16 yr olds as part of the NI Health Survey	June 2021	NIAS	CPR & AED questions have been finalised for children aged 11-16yrs and will be part of the Young People's Behaviour & Attitudes Survey commencing Oct 2019.	
C5	Establish a model to build capacity for CPR training across Community & partner organisations within Mid Ulster Council Area.	MUC, NHSCT & SHSCT Community Development teams to signpost Community Groups to CPR training.  Partner organisations to consider ways for CPR training to be embedded in their routine business	June 2021	MUC  Sport NI  NIAS	SportNI & NIAS have negotiated a pilot which includes MUC area for Sporting organisations to receive CPR training.  <b><i>The Train the Trainer Project was due to commence in March 2020. 40 trainers would be trained to roll out CPR training to clubs in there council area including MUDC. Project on hold due to Covid 19. Sport NI has already purchased all equipment and tutor clothing required for the Project.</i></b>  <b><i>MUDC</i></b>	
C6	All residential addresses would have a house	Explore the potential of a campaign to have residents display their	June 2021	MUC	It is a legal requirement to display your house number. Potential to have an article in the council magazine regarding the importance of	

	number displayed.	house number, particularly in rural areas.			<p>having a house number displayed in an emergency.</p> <p>Council New Release on 25 June 2018:</p> <p><b>Is Your Number Up? Rural Homes Urged To Display House Numbers-</b> Rural residents are being urged to ensure their homes have a house number prominently displayed to help emergency services' response times.</p> <p>In March 2020 Sport NI rolled out a social media campaign to encourage sports clubs to visibly display there <b>facility postcode</b> around there facility in case of an emergency. A large numbers clubs have since completed this around there facilities.</p>	
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COMMUNITY FIRST RESPONDER SCHEMES						
	Objective	Actions	Due date	Responsible	Progress	RAG Status
F1	Assess need and feasibility for additional First Responder Groups in Mid Ulster Council area	<ul style="list-style-type: none"> <li>Review number of CFR schemes in the MUC area.</li> <li>Review radius covered by the current CFR Schemes</li> </ul>	March 2022	MUC NIAS CFR Schemes	<p>There are 4 CFR Schemes in the MUC area – Slaughtneil, Broughderg &amp; Armagh and Tyrone, Kileeshil and Galbally CFR Schemes. The 3 schemes accounts for approx. 80 volunteers.</p> <p>CFR schemes were suspended from March 2020 due to pandemic. Armagh and Tyrone, Kileeshil and Galbally, and Slaughtneil are live again from Dec 2020</p>	
F2	Work in partnership with NIAS to maintain and extend as appropriate the existing First responder schemes in the Mid Ulster Council area	<ul style="list-style-type: none"> <li>Discuss ways of communicating the role of CFR Volunteers with MUC residents.</li> <li>Discuss how these schemes can be best supported.</li> </ul>	June 2022	NIAS MUC CFR Schemes	<p>Information added to MUDC website on Community Live Saving  <a href="https://www.midulstercouncil.org/resident/health-wellbeing/community-life-saving">https://www.midulstercouncil.org/resident/health-wellbeing/community-life-saving</a></p> <p>Slaughtneil has been extended to cover Swatragh</p> <p>Consider the Council magazine to profile the CFR's and also the area they cover and the purpose of the Scheme.</p>	
F3	Obtain statistical information for ambulance response times within MUC area	<ul style="list-style-type: none"> <li>Provide annual statistics of ambulance response times across the MUC Area.</li> </ul>	Annually in Sept	NIAS MUC	<p>2018/19 NIAS stats are:</p> <p><b>27.2%</b> of Category A calls responded to within 8 mins. The target is 72.5% of Cat A calls should be responded to within 8 mins.</p>	



AED's/PAD						
	Objective	Actions	Due date	Responsible	Progress	RAG Status
	STATIC					
A1	All organisations across business, statutory, Community and Voluntary sectors who own an AED will register it with Northern Ireland Ambulance Service, ensure it is 'Emergency Ready' & consider making it publically available 24/7 where appropriate	Scope the locations and numbers of Council owned AEDs and register them with NIAS	June 2021	MUC	Who has responsibility for AEDs in the Council facility?  Are all council owned AED's registered?  MUDC AED procedure developed and approved	
		Map the number of staff CPR & AED trained across all Council locations	Dec 2021	MUC		
		Encourage organisations and businesses across the Borough to register their AED with NIAS	June 2022	NIAS MUC SportNI	Information page on MUDC website  Partners to raise awareness and publicise Defibrillator campaign to encourage defib guardians to register on "The Circuit" 2021  An MLA is progressing a Private Members bill to have AEDs made mandatory in public buildings  Consider Tobacco Control Officers advising businesses of registration if	

					there is an AED on the premises and NIFRS officers advising businesses as part of fire risk assessments.	
		Baseline number of AEDs in the MUC area	March 2019	NIAS	September 2018 – 120 registered September 2019 – 162 registered January 2021- 179 registered	
		All partners to have access to the AED Guidance document and awareness of how to register AEDs on the NIAS website	Dec 2019	All partners	AED Guidance and the AED map link has been made available to all partners. AED map link on MUDC website	
		Identify gaps of AED provision across MUDC to enable prioritisation of resource.	Dec 2021	All partners	Requests for AEDs will be assessed using the NIAS interactive map to ensure an equal spread across the District.	
		Mid Ulster Council to consider the development of an AED policy/guidelines for Council owned AEDs.	June 2020	MUC NIAS	NIAS are in the process of developing a template which all councils will be able to adapt to their needs  Jan 2021- MUDC have adapted the NIAS template and have an approved procedure in place	

	<b>Business</b>					
	<b>Objective</b>	<b>Actions</b>	<b>Due date</b>	<b>Responsible</b>	<b>Progress</b>	<b>RAG Status</b>
B1	Businesses within the MUC area will consider supporting the Chain of Survival concept for local communities and schools	<p>Explore the potential of the following with businesses:</p> <ul style="list-style-type: none"> <li>Sponsoring an Advert on a Community AED to help fund the purchase of it</li> <li>Sponsor AEDs for Community First Responder Schemes</li> <li>Sponsor CPR training equipment for Schools wishing to teach CPR</li> </ul>	June 2022	<p>MUC</p> <p>NIAS</p> <p>Chamber of commerce</p> <p>Business in the Community</p>	<p>Further discussions are required as how this can be progressed.</p> <p>Consider inviting Chamber of Commerce representative to Future meeting of Comm Resus group.</p> <p>Consider communication to businesses via Council's Economic development e-shot</p>	

	<b>COMMUNICATION</b>					
	<b>Objective</b>	<b>Actions</b>	<b>Due date</b>	<b>Responsible</b>	<b>Progress</b>	<b>RAG Status</b>
M1	Communicate effectively the collaboration with	Develop a Communication plan	June 2021	MUC		

	all partners in Building a Community of Lifesavers in MUC area	<p>Develop key messages for all Communication channels</p> <p>Identify survivor stories</p> <p>Present on the Community Resuscitation Action Plan to Elected Members</p> <p>Discuss the language used regarding defibrillators and CPR</p>	Ongoing	<p>All partners</p> <p>NIAS</p>	<p>Partners raised awareness through Website and social media channels. Focused messaging in October 2020 to coincide with restart a Heart Day</p> <p>December 2019- Stephanie Leckey Community Resuscitation Lead (NIAS ) delivered presentation to MUDC Environment Committee</p>	
M2	Restart a Heart week will be actively promoted and CPR awareness activities carried out.	All partners will play an active part in the promotion and delivery of CPR Awareness on World Restart a Heart week (16 <sup>th</sup> October)	April 2023	All partner organisations	<p>During October 2019 free CPR awareness sessions for the public held in Maghera Leisure Centre, Cookstown Leisure Centre and the Torrent Centre, Donaghmore.  <a href="https://www.midulstercouncil.org/news/news-archive/news-items-2019/october-2019/hundreds-more-join-mid-ulster's-community-of-life">https://www.midulstercouncil.org/news/news-archive/news-items-2019/october-2019/hundreds-more-join-mid-ulster's-community-of-life</a></p> <p>October 2020- Different approach used due to pandemic, virtual messages shared via social media.</p> <p>MUDC shared messages from Resus Council social media posts during Restart a Heart week- had a total reach of 7464, with</p>	

					172 engagements.  BHF, Sport NI and NIAS all shared messages via their platforms during this week	
M3	To explore a mechanism of support for those affected by an Out of Hospital Cardiac Arrest	Adopt research evidence regarding emotional support for those who attempt CPR and those who survive an Out of Hospital Cardiac Arrest	December 2022	Northern Ireland Ambulance Service  All partners		

## Appendix 2

Location	Expected date of Installation	Budget source
Council Civic Amenity Site Coalisland	6-8 weeks from Order of the AED	tbc
Council Civic Amenity Site Tullyvar	6-8 weeks from Order of the AED	tbc
Council Civic Amenity Site Draperstown	6-8 weeks from Order of the AED	tbc
Council Civic Amenity Site Maghera	6-8 weeks from Order of the AED	tbc
Council Civic Amenity Site Fivemiletown	6-8 weeks from Order of the AED	tbc
Council Civic Amenity Site Ballymacombs Road	6-8 weeks from Order of the AED	tbc
Grant Ancestral Home	6-8 weeks from Order of the AED	Tourism and Events Section
Gardiners Hall	6-8 weeks from Order of the AED	Community Development Section
Moneymore recreation Centre more	3-4 weeks	Leisure and Outdoors Recreation
Magherafelt recycling centre	3-4 weeks	tbc

<b>Report on</b>	Bus Shelters Procedural Guide
<b>Date of Meeting</b>	9th February 2021
<b>Reporting Officer</b>	Raymond Lowry, Head of Technical 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 consider further the Councils Procedural guide for installations of Bus Shelters within the District.
<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 have to use public services who may have to stand out in the inclement weather.
2.2.	Members will note that the previous Procedural guide was presented to Env Committee in May 2015 and during this period members have sought it should be reviewed and necessary revisions made that will improve the delivery of Shelter applications in the District
2.3	To progress this review it was agreed to hold a series of Members workshops to discuss all aspects of the process.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>Members will note that two workshops were held virtually on Tuesday 24<sup>th</sup> November 2020 and 11<sup>th</sup> January 2021 with elected members to review the existing Bus Shelter procedural guide / policy. It was agreed as follows;</p> <ul style="list-style-type: none"> <li>• All applications that presently do not meet the current criteria are to be put "On Hold" until procedure guide has been reviewed and approved by Council.</li> <li>• Report on a Draft Procedural Guide to be brought to next available Environment Committee for members for consideration.</li> </ul>

3.2	<p>The review of the Bus Shelter procedural guide set out to cover the following headings:</p> <ol style="list-style-type: none"> <li>1. Essential criteria for acceptance of shelter</li> <li>2. Stakeholder engagement response times</li> <li>3. Consultation process with adjoining properties</li> <li>4. Anti-social Activities.</li> <li>5. Bus Shelter Design</li> <li>6. Removal of Shelters</li> </ol>
3.3	Following the members workshops documents have been revised and included in the Appendices of this report as “drafts” for consideration / comments
3.4	The workshops enabled members to express their views and make appropriate suggestions for consideration in the review process. Officers have reflected on the comments and have now revised the procedures to reflect the necessary improvements in the procedural guidance.
3.5	Members to note that this report covers the installation of shelters and does not cover the ongoing maintenance of the existing shelter stock already installed throughout the District.
<b>4.0</b>	<b>Other Considerations</b>
4.1	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Within budget for Technical Services and Property services to action provision / installation costs within their budget.
	Risk Management: N/A
4.2	<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 to note the content of this report and approve the revised Bus Shelter Procedural Guide.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Bus Shelter Procedural Guide - Draft
6.2	Appendix 2 – Neighbour Survey correspondence - Draft
6.3	Appendix 3 – Bus Shelters Procedural Stages - Draft



# Procedural Guide on the Provision of Bus Shelters



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

## 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 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 a new/existing shelter experiences any reported anti-social behaviour over a 12 month period shall have it 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 addresses 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.)
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 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.



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

Date

Our Ref: MUDC/TS/BS/

The Occupier

Address 1

Address 2

Postcode

Dear Sir/Madam

**Re: Application for Provision of Bus Shelter**

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

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 have to use public services who may have to stand out in the inclement weather.

The Council's Procedural Guide (**see attached Appendix 1**) on the Provision of Bus Shelters outlines that applications that meet the criteria are then subject to neighbour notification. If approved Council would install Shelter type noted in **Option A or B** (*delete as appropriate*) as detailed in this Appendix.

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

In accordance with these arrangements I would be grateful if all completed survey form(s) as attached be completed. The completed survey form(s) should be returned to this office by either

- a. in addressed envelope provided by **day and date**, or
  - b. by email to [Raymond.lowry@midulstercouncil.org](mailto:Raymond.lowry@midulstercouncil.org) or
  - c. scanning or photo image of your completed form and sending it by txt to 07887827106
  - d. telephone 03000 132 132 and contact Technical Services Department
- 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% (majority) respondents must be in favour of the proposal.

If you have any queries on the above, please contact Raymond Lowry in the Cookstown Office by email at [Raymond.Lowry@midulstercouncil.org](mailto:Raymond.Lowry@midulstercouncil.org) or by telephone on 03000 132 132 Ext: 24400.

Yours faithfully

Raymond Lowry  
Head of Technical Services  
Enc

Cc DEA Councillors

Date

Our Ref: MUDC/



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

The Occupier

Address 1

Address 2

Postcode

Dear Sir/Madam

**Re: Application for Provision of Bus Shelter**

Please read the following statements below carefully. Tick your preferred option in the appropriate box, print your name and address and sign the document. This letter should then be returned in the addressed envelope provided by **day and date**.

Thank you for your time completing this survey.

Yours faithfully

Raymond Lowry  
**Head of Technical Services**

**Options**

1. **I have no objections** to have a Bus Shelter erected at    *address*

☐

2. **I DO NOT WISH** to have a Bus Shelter erected at    *address*

☐

If you have ticked this box please give reason for objection

Reason for Objection \_\_\_\_\_

I

Name:

(CAPITALS)

Address:

Signature:

The Results of this survey will be available to view on [presented on 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.

## **MID ULSTER DISTRICT COUNCIL PROCEDURE FOR ERECTION OF BUS SHELTERS**



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

- Stage 1** Send application form to person requesting Erection of Shelter (Application Form)
- 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.

<b>Organisational Name</b>	<b>Contact Name</b>	<b>Contact Number</b>	

- 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 the following: - 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 - Option A or Option B
- 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



<b>Report on</b>	Bus Shelters Update
<b>Date of Meeting</b>	9th February 2021
<b>Reporting Officer</b>	Raymond Lowry (Head of Technical 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 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 have to 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	<p>Members to note that an update workshop was held virtually on Monday 11<sup>th</sup> January 2021 at 12:30pm with elected members to review the existing Bus Shelter procedural guide / policy. It was agreed as follows;</p> <ul style="list-style-type: none"> <li>• All applications that presently do not meet the current criteria are to be put "On Hold" until procedure guide has been reviewed and approved by Council.</li> <li>• Report to be brought to February Environment Committee for members to approve the proposed new procedural guide (see Bus Shelter-Draft Guide).</li> </ul>

<b>3.0</b>	<b>Main Report</b>
3.1	<p>The following information headings will be covered:</p> <ul style="list-style-type: none"> <li>• New applications made 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> <li>• Progress update on stages 10-11 (see 3.6)</li> <li>• Update on statutory response times in relation to agreement on time related responses for application (see 3.7)</li> <li>• Other issues (see 3.8/3.9)</li> </ul>
3.2	<p><b>New Applications made in the past month – 0Nr</b></p> <ul style="list-style-type: none"> <li>• No new applications made in the past month.</li> </ul>
3.3	<p><b>Progress on stages 2-4 of the application process – see table in Appendix 1.</b></p>
3.4	<p><b>Requests for Council to move from stage 5 of the application process – 0Nr</b></p> <ul style="list-style-type: none"> <li>• No applications to move to stage 5 of the application process this month.</li> </ul>
3.5	<p><b>Progress update on stages 6-9 – the applications below have been discussed with a view to getting approval:</b></p> <ul style="list-style-type: none"> <li>• Currently Neighbour notifications for applications ‘on hold’, until agreement is reached on possible procedural changes as discussed with members during workshop held on the 23 November 2020. The followings shelters are “on hold” for community consultation until new procedural guide has been agreed. <ol style="list-style-type: none"> <li>1. Main Street, Benburb</li> <li>2. Tullyhogue village</li> <li>3. St Colmans Park, Moortown</li> <li>4. Cappagh village</li> <li>5. Whitebridge, Ballygawley</li> </ol> </li> </ul>
3.6	<p><b>Projects that have had neighbourhood notification stage-</b> carried out and would appear to fall outside the current criteria and are therefore noted as “ON HOLD” are listed below</p> <ul style="list-style-type: none"> <li>• Innishrush Village</li> <li>• Annaghnaboe Road, Clonoe</li> <li>• Bellaghy ( 2 no )</li> <li>• Knockloughrim Village</li> <li>• Meenagh Park, Coalisland</li> <li>• Eglish View, Ballinderry</li> </ul> <p>Members to note these projects will be revisited after approval of the revised procedural guide with fresh neighbour notification issued to all applications.</p>



3.7 **Projects noted below are recommended for approval:**

- No Applications are currently being recommended for approval

3.8 Members to Note the following shelters as listed in Table 1 have been passed to Property Services for installation and currently being programmed for installation.

**Table 1**

<b>Shelter Location</b>	<b>Current Status</b>	<b>Date-Passed to Property services</b>
Main Street, Culnady	Approved	17/12/2020
Killeenan Road, Cookstown	Approved	17/12/2020
Washingbay Road, Moor Road, Clonoe	Approved	17/12/2020
Brackaville, Coalisland	Approved	17/12/2020
Stewartstown	Approved	21/10/2020
Glebe Court, Dungannon	Approved	13/10/2020
Thornhill Road/Agharan Road, Pomeroy	Approved	17/12/2020
Drumullan village	Replacement shelter with one side removed to allow safe access from existng footpath	21/10/2020
Moygashel Village	Approved	17/12/2020

3.9 **Progress update on stages 10-11**

Shelters installed since date of last meeting:

- Kildrum, Galbally
- Base installed at Glebe Court, Castlecaulfield

3.10	<p><b>Progress on response times</b> – Agreed response times within 30 days with statutory agencies.</p> <table><tr><th>Statutory Agencies</th><th>Number requests sent</th><th>Reply &lt;30 Days</th><th>Reply &gt;30 Days</th></tr><tr><td>Translink</td><td>2</td><td>1</td><td>1</td></tr><tr><td>Education Authority</td><td>3</td><td>2</td><td>2</td></tr><tr><td>Dfi Roads</td><td>0</td><td>0</td><td>0</td></tr><tr><td>NIHE</td><td>1</td><td>0</td><td>0</td></tr></table> <p><b>Translink,</b> <b>Responses Outstanding</b> 1. Mountjoy road, Brocagh</p> <p><b>Education Authority,</b> <b>Responses Outstanding</b> 1. Brough Road, Castledawson 2. Mountjoy Road, Brocagh</p> <p><b>NIHE</b> <b>Responses Outstanding</b> 1. Innishrush Village</p> <ul style="list-style-type: none"><li>• <b>Interagency Meeting;</b> Statutory update meeting held 20 January 2021 with DFI Roads, Education Authority, NIHE and Translink, to discuss new Bus shelter locations, response times and any other issues. These will take place on a monthly basis to progress bus shelter requests.</li><li>• Site visits to be held with DFI roads, EA and Tranlink for Derryvale, Coalisland, Jordan Engineering, Benburb and Glendavagh road, Aughnacloy. Date to be confirmed.</li></ul>	Statutory Agencies	Number requests sent	Reply <30 Days	Reply >30 Days	Translink	2	1	1	Education Authority	3	2	2	Dfi Roads	0	0	0	NIHE	1	0	0
Statutory Agencies	Number requests sent	Reply <30 Days	Reply >30 Days																		
Translink	2	1	1																		
Education Authority	3	2	2																		
Dfi Roads	0	0	0																		
NIHE	1	0	0																		
3.11	<p><b>Other issues:</b></p> <p>As advised at the October Environment Committee meeting, the current shelter application for Tirkane Road has been removed from the register due to its unsatisfactory location, and Technical Services will review alternative locations for a new shelter and report back to the next available Committee.</p>																				
4.0	<p><b>Other Considerations</b></p>																				
4.1	<p><b>Financial, Human Resources &amp; Risk Implications</b></p> <p>Financial: Within budget for Technical Services and Property services to action provision / installation costs within their budget.</p>																				

	Risk Management: Non-delivery will have adverse impact of users of public transport.
4.2	<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 to note the content of the report on the progress made on bus shelters within the district.
5.2	Members approval is requested to put "On Hold" the following from the Bus Shelter Register until new Bus Shelter Procedures are agreed: <ul style="list-style-type: none"> <li>• Main Street, Benburb</li> <li>• Tullyhogue village</li> <li>• St Colmans Park, Moortown</li> <li>• Cappagh village</li> <li>• Whitebridge, Ballygawley</li> </ul>
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Progress table with comments
6.2	Appendix 2 – Procedure guide for erection of Bus Shelters
6.3	Appendix 3 – Policy on the Provision of Bus Shelters
6.4	Appendix 4 – Photographs of installed shelters



Table 1 – Applications awaiting formal application to be submitted (0nr)				
No	Location	Stage	Status / Comment	Progress status
0	N/A	N/A	N/A	All forms received for applications
Table 2 – New applications received since last Committee (0nr)				
0	N/A	N/A	N/A	No new applications received this month
Table 3 – STAGES 2-4, (3nr)				
1	Derryvale, Coalisland	3	Proposed location has been declined by Translink. Alternative sites being sought.	Site visit to be confirmed with EA, DFI roads and Translink to agree site. EA to provide user numbers.
2	Jordan Engineering, Benburb	4	Meeting to be organised with Cllr Burton on site to agree location	User numbers confirmed. Site visit to be confirmed with EA, DFI roads and Translink to agree site.
3	Brough Road, Castledawson (Private Application) - 2018/001	3	Application Form returned .	User numbers requested by Translink/EA . Translink Have reported 4nr passengers, EA to confirm numbers. Following recent interagency meeting EA to respond with user numbers
Table 4 – STAGES 5-8, (17 NR)				
No	Location	Stage	Status / Comment	Progress status
1	Tullyhogue Village	6	Residents declined original location as will promote anti-social behaviour. Limited options for alternative sites that suit bus pick-ups.	New site identified within village. Site meeting took place with applicant and Translink. Travel directions and pick up confirmation have been requested from EA and Translink for new location
2	St Colmans Park, Moortown	6	Met applicant on site 9 October 2020, site agreed.	NIHE confirmed that they are the registered owner. Discussions ongoing for lands transfer/purchase
3	Cappagh Village	6	Existing shelter in dangerous location, no footpath. Community request to have children lifted in the village. Limited turning space for buses in village.	Site meeting held on 01 December, new location has been agreed for the shelter. Local community group have discussed with adjacent neighbours who appear in favour of the proposed location. Landowner investigation underway.
4	Whitebridge, Ballygawley	6	New request for shelter	Private Landowner identify. Site agreed with DFI Roads and EA. Neighbour notification to be issued for location
5	Glendavagh Road, Crilly, Aughnacloy - 2016/013	6	Application Form filled in during meeting with Cllr Burton	Cllr Burton to discuss with land-owners. Land on both sides of road either slopes up or down from road. Erection of new shelter will require a lot of excavation/fill. Translink confirmed 0nr users, EA confirmed 6nr users. Site visit to be confirmed with EA and DFI roads for site location.
6	Church street , Cookstown	6	Site meeting held with applicant, user number requests issued to Translink and EA	User numbers requested from Translink and EA. Translink responded to say they lift 20nr passengers. EA confirmed 10nr users. Site estate agent for adjacent vacant site to be consulted on shelter location.
7	Kinrush Road/Battery Road Junction, Moortown	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. TS programmed to discuss with DFI roads at next meeting and progress to instruct to install shelter.

8	Bellaghy, Overends layby	8	Proposed site at Overends Layby adjacent to recent EI scheme paved area.	Discussed with DfI roads and alternative 2no locations have been agreed. Translink to confirmed locations . Community engagement to complete to ensure all residents are in agreement to new shelter locations. <b>Translink and DFI roads have confirmed they are content to move their stops and subject to reseedent engagement these can progress. Nearest neighbour consultation returned did not meet required criteria. (shelter currently on hold) .</b>
9	Main Street, Bellaghy	8	Existing shelter removed, at chemist. Proposed new sites have been identified at Seamus Heaney HomePlace.	Discussed with DfI roads and alternative 2no locations have been agreed. Translink to confirmed locations . Community engagement to complete to ensure all residents are in agreement to new shelter locations. <b>Translink and DFI roads have confirmed they are content to move their stops and subject to reseedent engagement these can progress. Nearest neighbour consultation returned did not meet required criteria. (shelter currently on hold) .</b>
10	Knockloughrim Village	8	Landowner unknown for proposed site. Further investigations underway to determine landowner.	<b>Parks department have agreed location within their site, Neighbour consultation, closed 20 October 2020. Nearest neighbour consultation returned, did not meet required criteria. (Shelter currently on hold)</b>
11	Kingsisland Primary School	6	Final confirmation from primary school required to progress.	<b>Meeting to be held with school on exact location of shelter, location drawing circulated to school and church for final approval for shelter location.</b>
12	Inishrush Village	8	Landowner clarified as NIHE.	NIHE to approve location for new shelter. Programme for delivery, subject to permission and legal agreements/ lands transfer from NIHE. Further update and community engagement to be confirmed. <b>NIHE to consider if lands to be transferred to MUDC. Neighbour notification issued, closes 6 November 2020. Nearest neighbour consultation returned did not meet required criteria. (shelter currently on hold)</b>
13	Magheracastle Road / Mountjoy Road, Brocagh	6	Pending withdrawal notification from applicant as proposed site on wrong side of the road for pick-up.	Report at next Council Site meeting held 3 August, site agreed, requests sent to Translink and EA for number confirmation. <b>Reminders sent to both parties awaiting responses</b>
14	Killeen Crossroads	6	Translink to provide alternative pick-up avoiding dangerous road crossing to Coole Road.	translink now relocated their stop / pick up location and new shelter can be provided at this location. Discussion with DfI Roads and community engagement to be held to close out formal process and instruction to given to install shelter.
15	Main street, Benburb	6	Site meeting held with Cllr Molloy, user number requests issued to Translink and EA	<b>User numbers requested from Translink and EA. Translink confirmed 25 passenger numbers. EA confirmed they lift no passengers at this stop. Landowner to be identified.</b>
16	Annaghoboe Road/ Washingbay Road Junction, Clonoe - 2017/006	8	Awaiting Application Form to be returned. Landowner approval required for siting of new shelter on Washingbay Road.	Landowner approval refused. Alternative site to be agreed. Programme to be confirmed when site identified. If new location cannot be agreed a paper will be brought back to Council to have the application withdrawn. <b>Meeting with Translink 10th September and approval has been agreed for new site. Neighbour notification closes 30 October 2020. Nearest neighbour consultation returned did not meet required criteria. (shelter currently on hold) ..</b>
17	Orand Road/ Armaghlughey Road, Ballygawley - 2016/015	6	Application Form completed.	<b>Translink users confirmed, 10nr. Location to be agreed with DFI roads./ Translink. Neighbour notification to be issued</b>

Table 5 – STAGE 9, (9NR),				
No	Location	Stage	Status / Comment	Progress status
1	Drumullan	9	Translink and Education Authority to confirm user numbers to progress.	Existing shelter to be replaced with new shelter ( minus one end piece ) the removal of end piece will facility access from existing footpath thus meaning users will not have to egress onto public road to access the shelter. Progress - <b>Property services instructed to proceed with replacement shelter</b>
2	Stewartstown	9	Translink to provide Clear Channel shelter at this location. Available budget for Translink causing delay.	<b>Dfl roads have agreed land ownership. This has been passed to Property Services for installation. Site visit to be arranged for exact location with Translink and DFI raoads</b>
3	Glebe Court, Castlecaulfield	9	Relocation of existing shelter, land ownership to be confirmed for new site.	Site location has been identified and discussed with Dfl Roads and subject to confirmation of land ownership and resident consultration then this shelter provision will proceed. <b>Meeting with Translink 10th September . Passed to Property Services for installation. Concrete base installed.</b>
4	Thornhill Road, Pomeroy	9	Request received from Keith Buchanan, Numbers to be confirmed with EA and Translink	<b>User numbers and suitability confirmed by Translink. Consultation with DFI roads required and neighbour notification complete 100% in favour. This shelter has been passed to Property services</b>
5	Credit Union, Moygashel	9	Site meeting between MUDC, Translink and Cllr Cuthbertson on 28-02-2020	<b>Request sent to Translink to re-assess the passenger numbers in this location as requested by applicant. Neighbour notification approved shelter. Passed to property Services for installation.</b>
6	Clonoe Crossroads	9	Relocation of existing shelter as too close to junction. Land search in progress to find alternative suitable site.	Discussion with Dfl have indicated a suitable location can be accommodated and subject to community engagement should be able to install. Dfl Roads to check pedestrian crossing points in the locality. <b>Relocation agreed with Translink 11 September 2020, from Dormans Bar, 30m to housing entrance. Neighbour notification issued. and returned with approval for the bus shelter to proceed. Passed to property services for installation.</b>
7	Killeenan Road/Camlough Road/ Loughdoo Road	9	Proposal to locate shelter in Kildress GAC, awaiting confirmation from Education Authority for pick up from the new location.	<b>Shelter location agreed with EA. Neighbour notification carried out, 100% positive return. Shelter passed to Property services for installation.</b>
8	Culnady Village	9	Site approved in centre of village, located on DFI Roads lands.	<b>Site agreed on DFI Roads lands in centre of village. Dfl Roads have confirmed ownership and approved shelter locationon shelter installtion. Shelter passed to Property services for installation.</b>

9	Brackaville, Four Seasons Bar, Coalisland	9	Limited space on existing footpaths. Translink deemed unsafe. New site required for shelter.	Discussions with DfI Roads have indicated that potential location can be facilitated pending community engagement. Translink have approved location subject to neighbour agreement to removal of hedging. Applicant to approach resident for permission. Nearest neighbour consultation did meet required criteria. Shelter passed to Property services for installation.
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**Table 5 – Stage 9 - Bus Shelters Installed (3nr)**

No	Location	Stage	Status / Comment	Progress status
1	143 Omagh road, Ballygawley	9	Existing Bus stop/layby, report to committee required	Installed.
2	Millview/Dunnamore Road, Dunnamore	9	Location agreed, site, DFI Roads compliant for new location.	Installed.
3	Kildrum Estate, Galbally	9	New shelter provision at entrance to housing development.	Installed.

**Table 7 – Applications to be re visited (2Nr)**

No	Location	Stage	Status / Comment	Progress status
1	Coole Road	Revisit application following Jan meeting	Re-open application	discussion with DfI Roads to be held in light of new agreed process principals. Report at next Council Meeting
2	Duffs Corner, Ardboe	Revisit application following Jan meeting	Re-open application	discussion with DfI Roads to be held in light of new agreed process principals. Report at next Council Meeting. Applicant to review and confirm if shelter is required in proposed location. If not this will be brought to committee with recommendation to be removed from the register



## **MID ULSTER DISTRICT COUNCIL**

### **PROCEDURE FOR ERECTION OF BUS SHELTERS**

#### **Stage 1**

Send application form to person requesting Erection of Shelter (Application Form)

#### **Stage 2**

Acknowledge request (in writing) – standard letter sent

#### **Stage 3**

Carry out preliminary visit to investigate suitability of site

#### **Stage 4**

Contact Translink and SELB to confirm viability of erecting bus shelter i.e. recognised "Bus Stop", number and age of children, bus routes, etc.

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

<b>Organisational Name</b>	<b>Contact Name</b>	<b>Contact Number</b>	

#### **Stage 5**

Report to 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)

#### **Stage 7**

Send letters (with location maps) for approval/comments to the following: -  
Transport NI/Water Service PSNI, BT and NIE  
(Arrange follow-up site meetings if necessary)

#### **Stage 8**

Sign and return DRD Consent/Schedule at least six days prior to erection of bus shelter

#### **Stage 9**

Erect bus shelter

#### **Stage 10**

Send request to GIS officer to have new asset plotted.

#### **Stage 11**

Report back to Council

# Policy 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 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 POLICY 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.

### 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 confirming this information.
2. The location must be a recognised bus stop.
3. Owners of property immediately adjacent to the bus stop will be consulted on the erection of the shelter, including the type of shelter.
4. At least two thirds of home owners/tenants in the vicinity (50 m radius) must have no objections to the shelter.
5. There should be no Transport NI/PSNI traffic branch objections on traffic grounds.
6. There must be sufficient budgetary provision available to provide the bus shelter.
7. Once refused a request may not be considered for a further 12 month period from the original decision.
8. Form TS/BSRF/01 to be completed and signed off by Head of Service.
9. 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 Procurement Department. Where appropriate they will endeavour to have bus shelters erected free of charge, other than services by Adshel. 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.

## APPENDIX 4- INSTALLED SHELTERS



Newly installed shelter at Kildrum, Galbally



Installation 26 January 2021



<b>Report on</b>	Environmental Plans, Principles and Governance for NI - Discussion Document
<b>Date of Meeting</b>	9 <sup>th</sup> February 2021
<b>Reporting Officer</b>	Mark Kelso - Director Public Health & Infrastructure

<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 advise members on the consultation document entitled "Environmental Plans, Principles and Governance for Northern Ireland" Public Discussion Document and associated draft response.
<b>2.0</b>	<b>Background</b>
2.1	The Department of Agriculture, Environment & Rural Affairs (DAERA) is seeking views on a number of environmental governance issues that arise due to UK withdrawal from the EU. The Department of Agriculture, Environment and Rural Affairs (DAERA) is the designated lead department for Outcome 2 within the draft Programme for Government (PfG) for 2016 – 2021 which was published in May 2016. Outcome 2 is "We live and work sustainably – protecting the environment." Within the document it is recognised that the environment is all-encompassing and can contribute to many, if not all, of the PfG outcomes.
<b>3.0</b>	<b>Main Report</b>
3.1	Prior to EU exit, environmental plans, principles and governance within NI formed part of the EU's arrangements. The UK Government has highlighted its commitment to maintaining and improving environmental standards after the UK leaves the EU and has enacted a raft of legislation to maintain the operability of existing environmental legislation in Northern Ireland after withdrawal. EU legislation identified in the Protocol will continue to apply directly. This legislation did not cover the environmental principles and governance aspects of EU arrangements.
	<b>Environmental Principles</b>
3.2	Environmental principles are a specific set of principles, which have been used to guide and shape modern environmental law.  Four core environmental principles underpin the development of EU environmental policy, and are commonly defined as:

3.3	<p>(a) <b>Precautionary principle.</b> Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing cost-effective measures to prevent environmental degradation;</p> <p>(b) <b>Polluter Pays principle.</b> The polluter should bear the cost of pollution control and remediation;</p> <p>(c) <b>Prevention principle.</b> Preventative action should be taken to avoid environmental damage; and</p> <p>(d) <b>The principle that environmental damage should be rectified at source.</b></p>
3.4	<p>Whilst these principles are central to government policy, NI Assembly had not needed to set them down in one place, or define their role in policy-making or delivery as they have been able to rely on EU law. With the introduction of Brexit there is a need to consider a new framework of environmental principles to guide policy-making going forward. As a result, it has been proposed that environmental principles, and governance should be included in an Environment Bill, along with the requirement for environmental improvement plans.</p>
3.5	<p>DAERA, as the lead Department, has been working with the UK government to provide the option for Northern Ireland Ministers to underpin environmental regulation and policy-making in Northern Ireland by including provisions in the Environment Bill which would :</p> <p>(a) Set out <b>principles defined on a statutory basis</b>, and a duty to produce a policy statement which the Northern Ireland Departments will then be required to take into account when devising policy;</p> <p>(b) Establish the <b>Office for Environmental Protection (OEP)</b> as Northern Ireland's independent environmental oversight body to replace a role currently performed by the European Commission; and</p> <p>(c) Require DAERA to prepare <b>environmental improvement plans</b>.</p>
3.6	<p>The consultation document also refers to the adoption of a Green Growth approach, essentially a roadmap to achieving net zero carbon by 2050, protecting and enhancing our environment and sustainably growing our economy.</p> <p>"This roadmap includes a co-designed <b>Green Growth Strategy</b>, a framework of policies to achieve its objectives, and the establishment of an inter-ministerial group to help embed Green Growth within future Government policies. "</p> <p><b>Environmental Governance in Northern Ireland: Office for Environmental Protection</b></p>
3.7	<p>This explores the functions, of a new, independent, statutory environmental body to hold government to account on environmental matters. The role that the new body fulfils will also take account of any future relationship negotiated with the EU on environmental matters. In the Bill this body is named the Office for Environmental Protection (OEP) .</p> <p>The Office for Environmental Protection will: (a) provide independent scrutiny and advice on the development and implementation of environmental law and policy; (b) investigate environmental complaints from members of the public; and (c) oversee</p>

	the delivery of environmental law by public authorities and take steps to bring about compliance where needed.
3.8	<p>An environmental oversight body is required to replace the governance functions of the European Commission. It is proposed that The OEP will be a non-departmental public body, receiving and investigating complaints and performing enforcement, advisory and monitoring functions in relation to the environment for England and Northern Ireland.</p> <p>In Northern Ireland it is proposed to put in place appropriate interim arrangements to handle complaints from 1 January until the OEP begins operating - which is of course subject to NI Assembly approval. Beyond complaints it will also remain possible to employ existing mechanisms and for people to raise concerns through Departmental processes, the Ombudsman or via the established judicial review process. Northern Ireland will be required to pay a proportionate contribution to the funding provided to the OEP to enable it to carry out its functions – the amount and mechanism of the funding has not yet been set out.</p> <p><b>The OEP and the Ireland / NI Protocol</b></p>
3.9	The Protocol covers around 20 pieces of EU legislation which enables them to continue to be applicable in NI after the end of the transition period. In NI these will have to be updated as the EU updates its legislation in these areas and the EU's mechanisms for enforcing them through the Commission and CJEU via the infraction process will continue.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Not yet known
	Human: N/a
	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	That Members note the content of the report and consider the draft response points identified at Appendix 2 .together with any matters which they may wish to raise .
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Environmental Plans, Principles and Governance for Northern Ireland Public Discussion Document.
6.2	Appendix 2 – Stakeholder Response Template.





# Environmental Plans, Principles and Governance for Northern Ireland

## Public Discussion Document



10 December 2020

*Sustainability at the heart of a living, working, active landscape valued by everyone*



Department of  
**Agriculture, Environment  
and Rural Affairs**

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

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The Covid-19 pandemic has forced us all to live and work differently, to think differently and to behave differently. There is much still to be done in terms of managing the crisis, and a large part of that must be about managing the recovery over the coming months. The environment will be a central element contributing to that recovery.

I am keen to ensure that as we work towards the restoration of our economy we use our planning for recovery from the effects of the pandemic, alongside the United Kingdom's departure from the EU, as an opportunity to look afresh at how we tackle climate change, protect the environment and build a sustainable economy in the coming decades.

This discussion paper seeks your views on environmental plans, principles and governance after the ending of the EU withdrawal transition period. This is the framework for environmental policies which support green growth. The environmental improvement plans in particular will be central to a co-designed Green Growth Strategy and Delivery Framework which aims to transform our society to net zero by 2050, protect and enhance our environment and sustainably grow our economy by embedding a Green Growth approach in future government policies and business strategies. Achieving this requires effective environmental governance. The measures covered in this consultation will provide that.

I would encourage you to consider this document carefully and take an active role in shaping our approach to environmental plans, principles and governance.

**Edwin Poots MLA**  
**Minister of Agriculture, Environment and Rural Affairs**

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## PURPOSE OF THE DISCUSSION DOCUMENT

The purpose of this document is to highlight that oversight of, and accountability for, the environment will change after the end of the EU withdrawal transition period. We are seeking your views on environmental plans, principles and governance.

The Environment Bill introduced to Parliament on 30 January 2020 gives NI Ministers the option to:

- extend the jurisdiction of an Office for Environmental Protection (OEP) to Northern Ireland;
- embed environmental principles into policy decisions of NI Departments; and
- prepare and publish environmental improvement plans.

The Assembly has agreed that consent for the UK Parliament to legislate in these devolved areas should be granted.

However, if you do not feel these are the most appropriate mechanisms or organisational structures for good environmental governance then we welcome your comments and opinions on other options.

Given that decisions on future environmental plans, principles and governance arrangements for Northern Ireland are devolved this is your opportunity to provide views on how these functions are addressed locally. Your comments and suggestions will inform Ministers' decisions on implementation.

## 1. Strategic Context in Northern Ireland

The draft Programme for Government (PfG) for the 2016 – 2021 Assembly mandate was published in May 2016. The Department of Agriculture, Environment and Rural Affairs (DAERA) is the designated lead department for Outcome 2: ***We live and work sustainably – protecting the environment***

The environment is all-encompassing and can contribute to many, if not all, of the PfG outcomes.

*“Ultimately, health and prosperity depend on our natural environment. Achieving economic growth at the cost of its degradation through over-exploitation or pollution is not sustainable.”* (Draft Programme for Government Framework 2016 - 21, p.19).

At a Departmental level, DAERA’s vision is: ***Sustainability at the heart of a living, working, active landscape, valued by everyone.***

To help realise that vision, the DAERA Minister recently announced the adoption of a Green Growth approach, essentially a roadmap to achieving net zero carbon by 2050, protecting and enhancing our environment and sustainably growing our economy.

This roadmap includes a co-designed Green Growth Strategy, a framework of policies to achieve its objectives, and the establishment of an inter-ministerial group to help embed Green Growth within future Government policies. It is envisaged that Northern Ireland’s strategy for environmental improvement will be a core element of the Executive’s overarching Green Growth Strategy and Delivery Framework.

The New Decade, New Approach (NDNA) agreement also makes a number of commitments relating to the Environment. These commitments were later debated and supported by the NI Assembly. The Minister has confirmed that, subject to Executive agreement, DAERA will progress a Climate Change Bill with the aim of introducing the Bill to the Assembly within this mandate.

He has also written to the independent expert UK Committee on Climate Change (CCC), for advice on what would be our equitable contribution to the UK’s net zero emissions target. This is to ensure targets are credible and evidence based. The CCC has now responded to the Minister’s request and the information is currently being reviewed.

The UK's membership of the EU provided the framework for most environmental policy and legislation in Northern Ireland. This includes important aspects of environmental principles, planning and governance embedded in EU Treaties. Until the end of December 2020 the European Commission and the Court of Justice of the European Union (CJEU) will exercise an oversight role which includes the environment.

The UK and EU have been discussing the implementation of the Ireland/Northern Ireland Protocol (the Protocol) as part of the UK's withdrawal from the EU. Legislation covering a number of environmental areas is specifically referenced in Annex 2 to the Protocol and has been implemented through a number of statutory instruments.

## 1.1 Environmental Principles in the EU

Environmental principles are a specific set of principles which have been used to guide and shape modern environmental law.

Four core environmental principles are enshrined in Article 191(2) of Treaty on the Functioning of the European Union (2007) (TFEU). The four principles underpin the development of EU environmental policy, and are commonly defined as:

- (a) Precautionary principle. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing cost-effective measures to prevent environmental degradation;
- (b) Polluter Pays principle. The polluter should bear the cost of pollution control and remediation;
- (c) Prevention principle. Preventative action should be taken to avoid environmental damage; and
- (d) The principle that environmental damage should be rectified at source.

A fifth, the integration principle, which requires environmental protection measures to be integrated into all EU policies and activities is also included in Article 11 of TFEU<sup>1</sup>.

These EU environmental principles have to be read and implemented in the context of wider principles of EU law, including the fundamental rights of individuals,

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<sup>1</sup> The Environment Bill: <https://publications.parliament.uk/pa/bills/cbill/58-01/0009/20009.pdf> contains these five principles



proportionality and legal certainty. For example, the principle of proportionality is important in interpreting how the environmental principles interact with economic and social objectives.

Whilst these principles are central to government policy, at a national level we do not currently set them down in one place, or define their role in policy-making or delivery. So, after the end of the transition period, if we are to maintain the current position we need to have a new framework in domestic law. It will remain government's responsibility to set policy within the framework of these principles.

## 1.2 EU Environmental Planning and Information

The European Environment Agency (EEA) is an agency of the European Union which provides independent information on environmental matters. For those involved in developing, adopting, implementing and evaluating environmental policy the EEA is a key source of information. The business community, academia, civil society and the public are all able to use the information provided by the EEA.

The EEA currently has 33 member countries and six other cooperating countries. Through collaborative joint working, the EEA countries are responsible for bringing together national networks involving many institutions (about 350 in all), typically comprising national environment agencies or environment ministries.

The EU's Environmental Action Programme, currently in its 7<sup>th</sup> iteration, covering the period to 2020, guides EU environmental policy. Its long term vision and key objectives are:

*"In 2050, we live well, within the planet's ecological limits. Our prosperity and healthy environment stem from an innovative, circular economy where nothing is wasted and where natural resources are managed sustainably, and biodiversity is protected, valued and restored in ways that enhance our society's resilience. Our low-carbon growth has long been decoupled from resource use, setting the pace for a safe and sustainable global society."*

It identifies three key objectives:

- (a) to protect, conserve and enhance the Union's natural capital;

- (b) to turn the Union into a resource-efficient, green, and competitive low-carbon economy; and
- (c) to safeguard the Union's citizens from environment-related pressures and risks to health and wellbeing.

The Commission also carries out the Environmental Implementation Review (EIR)<sup>2</sup>, which is a tool to improve implementation of EU environmental law and policy. The second EIR was adopted in April 2019 and fits in with a series of activities aimed at improving the implementation of environmental legislation.<sup>3</sup>

Whilst the UK's future relationship with the EU may shape requirements for monitoring, measuring and reporting in the longer term, much of the information currently reported at international level, including to the EU, is also essential at local level to guide and inform our policy development. After the end of the transition period this information will still be gathered and reported to comply with international agreements and to meet domestic needs and requirements. Public bodies will continue to have monitoring and reporting duties.

### **1.3 Governance by the European Commission**

Under current EU environmental governance arrangements, the European Commission monitors the implementation of EU environmental law and has the option of commencing infraction proceedings. Where necessary, the Commission brings cases to enforce environmental law in the CJEU. The CJEU provides rulings on the interpretation of EU environmental law to ensure it is applied correctly by Member States,

If a Member State fails to comply with a judgement of the CJEU, it is open to the Commission to take further action against that Member State. If the matter is referred back to the CJEU, and it is found that the Member State has not complied with the initial judgement, the Court may impose a fine on the Member State, in the form of a lump sum or penalty payment or both.

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<sup>2</sup> [https://ec.europa.eu/environment/eir/index\\_en.htm](https://ec.europa.eu/environment/eir/index_en.htm)

<sup>3</sup> [https://ec.europa.eu/environment/legal/implementation\\_en.htm](https://ec.europa.eu/environment/legal/implementation_en.htm)



## 1.4 Leaving the EU

At the end of the transition period (depending on what agreements are in place between the UK and EU at that time) we will leave these arrangements. However, many environmental requirements reflect enduring international obligations to which the UK is a signatory. As the EU often acted as an intermediary in implementing the effects of International treaties, like the Basel Convention on waste movement, many arrangements will continue in place. The UK Government has highlighted its commitment to maintaining and improving environmental standards after the UK leaves the EU and has enacted a raft of legislation to maintain the operability of existing environmental legislation in Northern Ireland after withdrawal. EU legislation identified in the Protocol will continue to apply directly.

This legislation did not cover the environmental principles and governance aspects of EU arrangements. As a result, in 2018, the Secretary of State for Environment, Food and Rural Affairs proposed that environmental principles, and governance should be included in an Environment Bill, along with environmental improvement plans.

## 2. Environment Bill

Following consultation in England, the Secretary of State published the draft Environment (Principles and Governance) Bill in December 2018.

When publishing the Bill, the Secretary of State stated in the accompanying policy paper<sup>4</sup> that he was content to co-design proposals for environmental governance and principles with the devolved administrations to ensure they would work more widely across the UK. Wales and Scotland have decided to make their own arrangements on environmental principles and governance but are participating in other elements of the Bill. Wales and Scotland issued public consultations on governance arrangements in 2019. The Welsh Government<sup>5</sup> and Scottish Government<sup>6</sup> have both published responses made to their consultations on environmental principles and governance

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<sup>4</sup> <https://www.gov.uk/government/publications/draft-environment-principles-and-governance-bill-2018/environment-bill-policy-paper>

<sup>5</sup> <https://gov.wales/environmental-principles-and-governance-wales-post-european-union-exit>

<sup>6</sup> <https://www.gov.scot/publications/analysis-responses-consultation-environmental-principles-governance/>

and the Scottish Government has included relevant provisions in its recently introduced UK Withdrawal from the European Union (Continuity) (Scotland) Bill<sup>7</sup>.

The environment is (largely) a devolved matter in Northern Ireland and, normally, our environmental legislation would be enacted through the Northern Ireland Assembly. However, DAERA, as the lead Department, took the opportunity to work with the UK Government to provide the option for Northern Ireland Ministers to underpin environmental regulation and policy-making in Northern Ireland (as is the case in the current EU regime), by including provisions in the Environment Bill which:

- (a) set out principles defined on a statutory basis, and a duty to produce a policy statement which the Northern Ireland Departments will then be required to take into account when devising policy;
- (b) establish the Office for Environmental Protection (OEP) as Northern Ireland's independent environmental oversight body to replace a role currently performed by the European Commission; and
- (c) require DAERA to prepare environmental improvement plans.

The Bill also included clauses related to resources and waste management; chemicals; air quality; sustainable water resources; and measures for restoring and enhancing nature and green spaces. Not all of these provisions extend to NI and, in any case, this discussion document deals only with the provisions for Northern Ireland relating to environmental plans, principles and governance.

The Environment Bill<sup>8</sup> was introduced to Parliament on 15 October 2019 and received cross-party support at second reading on 28 October. The Bill fell on the dissolution of Parliament prior to the last general election, with a very similar Bill being introduced to the new Parliament on 30 January 2020. Like the original Bill it contains provisions on environmental plans, principles and governance (and other matters) which extend to Northern Ireland. It is important to note that commencement of all of the provisions of the Bill that relate to the matters discussed in this document requires the approval of the Assembly and some may also require the agreement of the Executive.

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<sup>7</sup> [UK Withdrawal from the European Union \(Continuity\) \(Scotland\) Bill](#)

<sup>8</sup> <https://publications.parliament.uk/pa/bills/cbill/2019-2019/0003/20003.pdf>

As the Bill progresses through Parliament it will be subject to amendments. These will be considered by the DAERA Minister on a case by case basis and decisions made on their extension to Northern Ireland, taking account of issues such as consistency with other jurisdictions, effectiveness and specific local requirements.

Due to delays caused by the Covid-19 crisis Royal Assent for the Bill will not be granted until spring 2021 at the earliest.

The rest of this document sets out the proposals in the Bill for environmental plans, principles and governance and seeks your opinions on these provisions. If you do not believe these provisions should be implemented we would welcome your views on alternatives.

## **2.1 Legislative Consent**

There is a long-standing convention that, while the UK Parliament has a constitutional right to make, repeal or change any legislation, where that legislation relates to devolved matters the consent of the relevant devolved legislature should be sought.

As almost all of the provisions of the Bill applying to Northern Ireland do relate to devolved matters it was necessary to seek the consent of the Assembly.

A Legislative Consent Memorandum was laid at the Assembly on 19 March 2020, triggering a process whereby the Committee on Agriculture, Environment and Rural Affairs gathers evidence from the Department and other stakeholders and produces a report in advance of the Legislative Consent Motion being debated. Due to the constraints of measures introduced to address the Covid crisis it was not possible to publish the Committee's report<sup>9</sup> until 18 June.

While the Committee did not take a position on the Legislative Consent Motion, its report did make a number of recommendations, including: the introduction of a sunset clause; a specific NI non-regression clause; a greater emphasis on the oversight and scrutiny role of the NI Assembly in aspects of the Bill such as the OEP; the establishment of an Independent Environmental Protection Agency as soon as possible; and a future NI Environment Bill.

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<sup>9</sup> [Report on the Legislative Consent Memorandum on the UK Government Environment Bill](#)

The Legislative Consent Motion was debated on 30 June and passed without formal division. Should any subsequent amendments be made to the Bill as it progresses through Parliament that are outside the scope of the original motion, a further motion would need to be tabled and debated by the Assembly.

### **3. Environmental Principles**

As a Member State of the EU, UK environmental regulation and policy making has been underpinned by a set of environmental principles that have been used to guide and shape environmental law. Environmental principles are embedded in a range of international agreements and have been implemented through the EU Treaties.

As outlined in section 1.1 above, the Bill<sup>10</sup> contains a list of five environmental principles currently enshrined in the Treaty on the Functioning of the European Union:

- (a) the principle that environmental protection should be integrated into the making of policies,
- (b) the principle of preventative action to avert environmental damage,
- (c) the precautionary principle, so far as relating to the environment,
- (d) the principle that environmental damage should as a priority be rectified at source, and
- (e) the polluter pays principle.

Whilst these principles are central to government policy, at a national level we have not needed to set them down in one place, or define their role in policy-making or delivery, as we have instead been able to rely on EU law. So, as we approach the end of the transition period, we need to consider a new framework of environmental principles to guide policy-making. It will remain government's responsibility to set policy within the framework of these principles.

The Bill requires the Defra Secretary of State to publish a policy statement setting out how the principles should be interpreted and applied by UK Ministers when making policy.

The broad meaning of the individual environmental principles is as follows:

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<sup>10</sup> <https://publications.parliament.uk/pa/bills/cbill/58-01/0009/20009.pdf>

- (a) The principle that environmental protection must be integrated into the making of policy: *Environmental protection must be embedded in the making of policies;*
- (b) The principle of preventative action to avert environmental damage: *Preventive action should be taken to avert environmental damage;*
- (c) The precautionary principle so far as relating to the environment: *Where there are threats of serious irreversible environmental damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation;*
- (d) The principle that environmental damage should as a priority be rectified at source: *Environmental damage should as a priority be rectified by targeting its original cause and taking preventive action at source;* and
- (e) Polluter pays principle: *The costs of pollution control and remediation should be borne by those who cause pollution rather than the community at large.*

If equivalent provisions are brought into operation in Northern Ireland, DAERA will also be required to publish a policy statement on principles. DAERA will carry out a public consultation – including with all Northern Ireland departments – on the draft statement and any draft and final statements will be laid before the Assembly. All Northern Ireland departments – and Ministers of the Crown when making policy in respect of Northern Ireland – will then have a duty to have due regard to the policy statement on environment principles in their policy-making process.

Further direction on these environmental principles will be set out in the policy statement.

**Question 1:** Should Northern Ireland continue to be guided by these environmental principles in the long term?

If so, would you agree with the mechanism for a policy statement of Environmental Principles as outlined above?

#### 4. Environmental Improvement Plans

The Bill provides for requirements to: (a) prepare; (b) review and revise; and (c) renew Environmental Improvement Plans (EIPs). Annual reports on progress must also be prepared, laid and published. There is also a provision requiring arrangements to be made to obtain relevant data and publish (and lay) a statement relating to the types of data to be obtained for the purposes of monitoring. If relevant provisions specific to Northern Ireland are approved by the Assembly, similar arrangements will apply here.

A key difference here compared to England is that we do not, as yet, have a document that would serve as an EIP. The Bill's provisions for England were drafted with the UK Government's environment plan, [\*'A Green Future: Our 25 Year Plan to Improve the Environment'\*](#), available to perform that function. While that document was published (in January 2018) under the UK Government banner, it should be noted that the vast majority of the content applies only to England, and not the whole of the UK.

A strategic approach is required to develop a coherent and effective set of interventions to deliver improvements in the quality of the environment and thereby improve the health and well-being of our citizens, create opportunities to develop our economy and play our part in protecting the global environment for decades to come.

The Department launched a public discussion document on ideas for a strategic approach on 18 September 2019 and this closed on 5 February 2020, with around 2500 responses received. The analysis of the responses is available on the DAERA website and will help inform the development of our first Environmental Strategy, which, subject to the consent of the NI Assembly, will be designated NI's first Environmental Improvement Plan.

The DAERA Minister has announced his intention to take a 'Green Growth' approach to tackle our climate change and environmental challenges and to help with recovery from the Covid-19 pandemic (statement to the Assembly on 23 June 2020<sup>[1]</sup>).

The aim of Green Growth is: To transform our society to net zero by 2050, protect and enhance our environment and sustainably grow our economy. This is supported by objectives to:

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<sup>[1]</sup> [Official Report \(Hansard\) 23 June 2020](#)

- (a) transform Northern Ireland society to net zero carbon by 2050;
- (b) improve and protect the quality of our land, seas, air, water and biodiversity;  
and
- (c) grow a strong and sustainable economy through greater productivity, innovation and capacity.

The Green Growth framework consists of two elements: (1) an overarching strategy which extends to 2050 but which includes immediate, medium and long term actions; and (2) a series of foundation programmes to create momentum and deliver the change necessary to achieve the outcomes. Some programmes, like 'Forests for our Future', are already in motion and other foundation programmes will be established in tandem with the strategy.

Northern Ireland's strategy for environmental improvement will sit at the heart of the Executive's overarching Green Growth Strategy and Delivery Framework underpinning environmental protection and improvement and climate action for decades to come.

Another key difference between the Bill's provisions for England and Northern Ireland is with regard to statutory targets. The Bill only contains provisions for statutory targets in England – this is because relevant environmental targets must flow from the Green Growth and Environment Strategies and as a result could not be included in the Bill at this stage. If it is considered necessary to place environmental targets on a statutory footing it would be necessary to introduce new primary legislation to the Assembly.

**Question 2:** How do you feel alignment of the Environment and Green Growth Strategies can be best achieved?

## 5. Environmental Governance in Northern Ireland

This discussion document explores the functions, as outlined in the Environment Bill, of a new, independent, statutory environmental body to hold government to account on environmental matters. The role that the new body fulfils will also take account of any future relationship negotiated with the EU on environmental matters. In the Bill this body is named the Office for Environmental Protection (OEP). The OEP has attracted most attention of the matters dealt with on the face of the Bill and hence its discussion takes up the greatest part of this document.

The OEP will:

- (a) provide independent scrutiny and advice on the development and implementation of environmental law and policy;
- (b) investigate environmental complaints from members of the public; and
- (c) oversee the delivery of environmental law by public authorities and take steps to bring about compliance where needed.

The principal environmental regulator in Northern Ireland is the Northern Ireland Environment Agency (NIEA), which is an executive agency within DAERA. It is, and will remain, responsible for environmental regulation. Where necessary the agency takes enforcement action to ensure our environmental standards are met. This is **not** the job that the new governance body will be doing. It will operate at an oversight level to ensure that government and regulators are doing their job.

An environmental oversight body is required to replace the governance functions of the European Commission and **not** the NIEA (see Section 6 below).

The following sections set out proposals in the Environment Bill for the extension of the OEP's jurisdiction to Northern Ireland.

## 6. Interaction with the Northern Ireland Environment Agency

As noted earlier, the NIEA is the environmental regulation body for Northern Ireland. NIEA will remain as the principal environmental regulator in Northern Ireland.

The OEP will replace the independent environmental oversight (so the body could not also regulate) which we already have via the European Commission. The OEP will



contribute to the protection and improvement of the natural environment in the absence of oversight by the EU.

**Question 3:** Should the OEP be implemented in Northern Ireland?

If no, how would you envisage we maintain existing systems of environmental governance?

**Please note- If you have indicated that you do believe there should be an alternative governance body for Northern Ireland then your answers to the remaining questions will be read on that basis.**

## **7. Interactions with other Oversight Bodies**

The proposed OEP and the Northern Ireland Public Service Ombudsman (NIPSO) could potentially deal with complaints against public authorities in Northern Ireland, albeit generally in quite different contexts, which would minimise likely overlaps. However, in order to deal with any possible overlap, as well as establishing practical arrangements for cooperation between the bodies, it is envisaged that a memorandum of understanding or agreement will be necessary. This will allow the best use of public resources. Measures are included in the Bill to address these types of issues. For example, the OEP will be obliged to set out how it intends to avoid any overlap between the exercise of its investigatory functions and those of NIPSO in its strategy. There are also likely to be some cases which will involve Northern Ireland and one or more of the other UK administrations. Arrangements for collaboration and information sharing between the OEP and any devolved environmental governance body will be required and the Bill makes provision for this.

There may be instances where it will be necessary for NIPSO or other oversight bodies to share information with the OEP. Steps are being taken to clarify this issue with NIPSO and Defra.

**Question 4:** Are there other public bodies with whom the OEP should establish particular arrangements and why?

## 8. Establishing the OEP in Northern Ireland

The OEP will be a non-departmental public body, receiving and investigating complaints and performing enforcement, advisory and monitoring functions in relation to the environment for England and Northern Ireland.

### 8.1 Interim Arrangements

In England the aim is for the OEP to be operational as soon as possible after the end of the transition period for withdrawal from the EU to minimise any governance gap when we lose the oversight of the European Commission. Due to delays caused by the Covid-19 crisis it is likely that the OEP will not be operational in England until 1 July 2021 at the earliest and, consequently, interim arrangements are being put in place to handle complaints that may fall under the OEP's remit.

In Northern Ireland it is proposed to put in place appropriate interim arrangements to handle complaints from 1 January until the OEP begins operating - which is of course subject to NI Assembly approval. Beyond complaints it will also remain possible to employ existing mechanisms and for people to raise concerns through Departmental processes, the Ombudsman or via the established judicial review process.

**Question 5:** Do you have any comments on interim arrangements for Northern Ireland?

If suggesting an alternative to the OEP how would you address the longer development and implementation period that would result in a lengthier governance gap?

### 8.2 Appointments and Remuneration

The OEP will consist of: a non-executive Chair; a non-executive board member representing the interests of Northern Ireland; between two and five other non-executive members; a Chief Executive (who is to be the Accounting Officer of the body); and between one and three other executive members. The make-up of the Board will ensure a balance of non-executive and executive members. Setting the maximum size of the Board at eleven members enables the body to have a strategic focus while ensuring that the required expertise can be fully represented.

If the OEP is implemented in Northern Ireland, the following arrangements will apply.

- (a) the first Chair will be appointed by the Secretary of State for the Environment, Food and Rural Affairs (SoS) and jointly with DAERA thereafter;
- (b) one non-executive member will be appointed by DAERA (after consulting the SoS and the Chair) to represent Northern Ireland interests on the Board;
- (c) the other non-executive members will be appointed by the SoS after consulting DAERA and the Chair;
- (d) the executive members will be appointed by the OEP other than the first Chief Executive who will be appointed by the Chair. Before appointing a Chief Executive the Secretary of State and DAERA must be consulted.

Due to delays to the Bill's Parliamentary progress caused by the Covid crisis, it will not now be possible to establish a fully operational OEP by 1st January 2021. There is, however, a provision in the Bill that will allow for the appointment of an interim CEO to permit the OEP to operate at a statutory minimum level until such time as the Chair and other board members can be appointed.

Responsibility for matters of remuneration, allowances and compensation for all members will lie with the Defra Secretary of State. DAERA will be consulted on these matters at the appointments stage.

**Question 6:** Are you satisfied with the arrangement for Northern Ireland representation on the Board of the OEP?

Or

If you have indicated that you believe there should be an alternative governance body, how do think it should be structured?

### 8.3 Funding

Northern Ireland will be required to pay a proportionate contribution to the funding provided to the OEP to enable it to carry out its functions – the amount and mechanism of the funding is not set out on the face of the Bill.

**Question 7:** How do you think the OEP or an alternative should be funded in Northern Ireland?

If an alternative, how would you justify the potential for additional costs that would be involved in establishing a bespoke Northern Ireland approach?

## 9. Practical Arrangements and Extent

The Environment Bill provides for the OEP to be Northern Ireland's environmental governance oversight body just as it provides for the OEP to perform that function in England. The extension of the OEP does not mean that a body designed for one jurisdiction (England in this case) is covering Northern Ireland. All UK jurisdictions need to address the environmental oversight gap left by the UK's departure from the EU. Wales and Scotland have chosen to take their own course. By using the OEP as Northern Ireland's environmental governance body, we are likely to be able to save money and effort as well as contributing to a more consistent approach to environmental governance across the UK. Bespoke solutions are always likely to be more expensive.

Implementation of the OEP in Northern Ireland will require decisions about whether there should be a distinct presence here and how this might be resourced. It should be borne in mind that any Northern Ireland presence for the OEP is likely to add to costs.

**Question 8:** Should there be a permanent office in Northern Ireland and how should it be staffed?

**Question 9:** What other practical arrangements should be addressed in advance of setting up the OEP or an alternative in Northern Ireland?

## **10. Functions of the OEP**

The OEP will carry out a number of monitoring, advisory and enforcement functions:

### **Monitoring**

The OEP will have powers to monitor the implementation of environmental law in England and Northern Ireland. This will include the production and publication of reports to be laid before the Assembly.

The OEP will also be given powers to monitor progress in improving the natural environment in accordance with any environmental improvement plans put in place by DAERA. In England the UK Government's 25 Year Environment Plan will be its first EIP. In Northern Ireland we do not yet have an EIP document. The OEP's monitoring function in relation to EIPs will not, therefore, come into operation until required in Northern Ireland. DAERA is, however, committed to developing an Environmental Improvement Plan as a central element of the Green Growth Strategy and Delivery Framework.

### **Advisory**

The OEP will have powers to provide UK departments, DAERA and other Northern Ireland Departments, with written advice on any proposed changes to environmental law, either at the request of a Department or on its own initiative. A Department will also be able to request advice on any other matter relating to the natural environment.

### **Enforcement**

The OEP will have powers to investigate alleged failures by public authorities to comply with environmental law that have been brought to its attention through complaints or other sources of information.

Where the OEP suspects there has been a failure to comply with environmental law, it will have powers to serve an information notice on a public authority. Following that, if it is satisfied that there has been a breach, it will be able to issue a decision notice setting out the steps it considers the authority should take in relation to the failure. These notices will not be legally-binding.

Where cases are not resolved through informal action or at the information and decision notice stages, the OEP will be able to apply for a judicial review in Northern Ireland. This differs from the proposed approach in England where the OEP will be able to make a referral to a bespoke enforcement mechanism (known as an environmental review).

The OEP will also be able to make an application for judicial review without issuing a decision notice if there has been a serious failure to comply with environmental law and an urgent application for judicial review is necessary to prevent or mitigate serious damage to the natural environment or to human health.

Environmental law is defined in the Bill as something that mainly concerns environmental protection. In the context of this part of the Bill, this means protecting the natural environment<sup>11</sup> and people from the effects of human activity on it as well as maintaining, restoring or enhancing the natural environment. The test of whether legislation is 'mainly' concerned with environmental protection is applied at individual provision level and not the whole Act, Regulation, Order etc. The only matters explicitly excluded from the definition of Northern Ireland environmental law are disclosure of, or access to, information, and taxation, spending or the allocation of resources within government. There is also provision in the Bill for DAERA to clarify the definition of 'environmental law' through regulations. It will be for the OEP to assess whether or not it considers a legislative provision to fall under the definition on a case by case basis when determining whether or not it has legal powers to act in that area. In most cases, it is expected that the answer to this question will be clear, and agreed by all parties. However, there may be cases of uncertainty or disagreement and, in these instances, it may be for the courts to decide whether a specific provision falls within the definition or not.

**Question 10:** Are you satisfied that the OEP or an alternative should carry out the described functions in Northern Ireland?

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<sup>11</sup> 'natural environment' is defined in the Bill as:

- (a) plants, wild animals and other living organisms,
- (b) their habitats,
- (c) land (except buildings or other structures), air and water, and the natural systems, cycles and processes through which they interact.

## 11. Transboundary Issues

Northern Ireland is the only part of the UK which shares a land border with another EU member state. On this basis special consideration was given to transboundary issues. The Bill makes provision to allow the OEP to share information with certain bodies outside the UK that have functions in connection with the protection of the natural environment. This would enable the OEP, if it considered it appropriate or necessary, to share information with, for example, the European Commission in relation to transboundary issues. Any arrangements would take account of current North/South governance.

**Question 11:** What bodies should the OEP or an alternative be working with on transboundary issues?

If an alternative, what arrangements should that body have for working with the OEP?

## 12. The OEP and the Ireland/NI Protocol

A number of issues have been raised about the relationship between the OEP and the Protocol and whether the former will have an adverse or contradictory impact on the latter.

The OEP's remit will cover environmental law. In terms of individual pieces of legislation in NI, this covers hundreds of regulations, orders and acts on issues such as drinking water, waste water, air quality, environmental impact assessment, biodiversity, noise, habitats, marine planning and so on.

The Protocol covers around 20 pieces of EU legislation making them continue to be directly applicable in NI after the end of the transition period. In NI these will have to be updated as the EU updates its legislation in these areas and the EU's mechanisms for enforcing them through the Commission and CJEU via the infraction process will continue.

The introduction of the OEP will not affect, detract from or undermine these obligations which arise from the Agreement on the UK's withdrawal from the EU and the subsequent EU Withdrawal Act 2020 which gives that Agreement force in domestic

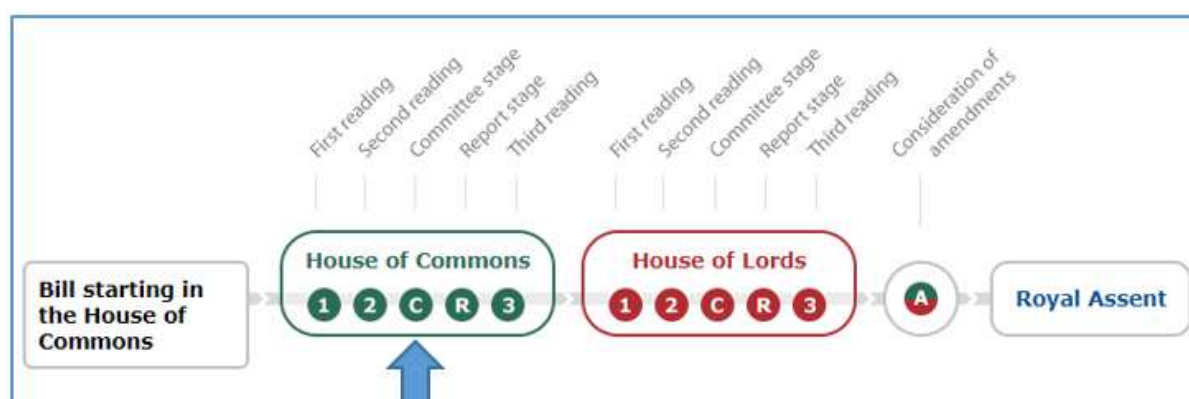
law. Similarly the OEP's functions will not conflict with retained EU law which has been preserved under the Withdrawal Act 2018 and now forms part of the UK's domestic law. The same is the case for any domestic environmental law, which, in a number of areas, implements international treaties and conventions.

It is the case that many environmental obligations arising from international agreements are enforced through domestic law whereas EU law has supranational enforcement mechanisms. These will persist in the case of provisions contained in the Protocol and the OEP will need to take account of this overlap just as it will with other oversight bodies such as the Ombudsman. In the case of the Protocol the regulations and directives listed have been included principally to protect the single market including matters such as the safety standards of goods placed on the market rather than for reasons of domestic environmental protection, which will be the OEP's focus.

### 13. Next Steps

The current Environment Bill was introduced to Parliament on 30 January this year and passed second reading<sup>12</sup> unopposed on 26 February. Committee Stage<sup>13</sup> commenced on 10 March but was then suspended on 19 March due to Covid restrictions. The Committee's scrutiny of the Bill concluded on 26 November 2020 and will shortly move to Report Stage. This discussion document will run concurrently with the progress of the Bill.

Figure – Progress of the Bill<sup>14</sup>



<sup>12</sup> [House of Commons Hansard 26 February 2020](#)

<sup>13</sup> [Public Bill Committee](#)

<sup>14</sup> <https://services.parliament.uk/Bills/2019-21/environment/stages.html>



As previously mentioned, all of the Northern Ireland provisions of the Bill relating to environmental plans, principles and governance are subject to decisions by Ministers and the approval of the Assembly as to whether they are brought into operation. On that basis any responses and views will be used to help inform the DAERA Minister, in relation to those decisions.

All of the inputs we receive will be considered and analysed in the context of an open and inclusive discussion on the future of our environmental plans, principles and governance.

#### **14. How to Respond**

This engagement exercise uses the [Citizen Space Hub](#)<sup>15</sup>, as the primary means of response, in order to make it as accessible as possible.

However, you may download a response template from the [DAERA consultation website](#) and reply by e-mail or hard copy respectively to:

[environment.bill@daera-ni.gov.uk](mailto:environment.bill@daera-ni.gov.uk)

Or

Environmental Principles and Governance Discussion  
Department of Agriculture, Environment & Rural Affairs  
Environmental Policy Division  
2<sup>nd</sup> Floor  
Klondyke Building  
1, Cromac Avenue  
Gasworks Business Park  
Belfast  
BT7 2JA

Early responses are encouraged but all responses should arrive no later than **5pm on 26 February 2021**. Before you submit your responses please read the “Freedom of Information Act 2000 - Confidentiality of Consultation Responses” section below,

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<sup>15</sup> <https://consultations.nidirect.gov.uk/daera-neq/environmental-plans-principles-and-governance-ni>

which gives guidance on the legal position. If you require any further information, contact Alice Bradley on 028 90569317 or by e-mail at: [environment.bill@daera-ni.gov.uk](mailto:environment.bill@daera-ni.gov.uk)

## **15. Freedom of Information Act 2000 – Confidentiality of Consultations**

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can refuse to disclose information only in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority (the Department in this case). This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances.

The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- (a) the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- (b) the Department should not agree to hold information received from third parties 'in confidence' which is not confidential in nature;
- (c) acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses, please contact the Information Commissioner's Office:

Tel: (028) 9027 8757

Email: [ni@ico.org.uk](mailto:ni@ico.org.uk)

Website: <https://ico.org.uk/>

## ANNEX A - SUMMARY OF QUESTIONS

No.	Question
1.	<p>Should Northern Ireland continue to be guided by these environmental principles in the long term?</p> <p>If so would you agree with the mechanism for a policy statement of Environmental Principles as outlined above?</p>
2.	<p>How do you feel alignment of the Environment and Green Growth Strategies can be best achieved?</p>
3.	<p>Should the OEP be implemented in Northern Ireland?</p> <p>If no, how would you envisage we maintain existing systems of environmental governance?</p> <p><b>Please note- If you have indicated that you do believe there should be an alternative governance body for Northern Ireland then your answers to the remaining questions will be read on that basis.</b></p>
4.	<p>Are there other public bodies with whom the OEP should establish particular arrangements and why?</p>
5.	<p>Do you have any comments on interim arrangements for Northern Ireland?</p> <p>If suggesting an alternative to the OEP how would you address the longer development and implementation period that would result in a lengthier governance gap?</p>

No.	Question
6.	<p>Are you satisfied with the arrangement for Northern Ireland representation on the Board of the OEP?</p> <p>Or</p> <p>If you have indicated that you believe there should be an alternative governance body, how do you think it should be structured?</p>
7.	<p>How do you think the OEP or an alternative should be funded in Northern Ireland?</p> <p>If an alternative, how would you justify the additional costs that would be involved in establishing a bespoke Northern Ireland approach?</p>
8.	<p>Should there be a permanent office in Northern Ireland and how should it be staffed?</p>
9.	<p>What other practical arrangements should be addressed in advance of setting up the OEP or an alternative in Northern Ireland?</p>
10.	<p>Are you satisfied that the OEP or an alternative should carry out the described functions in Northern Ireland?</p>
11.	<p>What bodies should the OEP or an alternative be working with on transboundary issues?</p> <p>If an alternative, what arrangements should that body have for working with the OEP?</p>

# Environmental Plans, Principles and Governance for Northern Ireland

## Public Discussion Document

### Stakeholder Response Template



10 December 2020

*Sustainability at the heart of a living, working, active landscape valued by everyone*



Department of  
**Agriculture, Environment  
and Rural Affairs**

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



**INVESTORS  
IN PEOPLE**

## How to Respond

This template replicates the questions posed in the online survey on the Environmental Plans, Principles and Governance for Northern Ireland Public Discussion Document found at:

<https://www.daera-ni.gov.uk/consultations/environmental-principles-and-governance>.

The full text of the consultation can be found on the Department's website by following the link above or by contacting us to request a hard copy. It is recommended that you should read the full consultation document before completing your response, whether you choose to use this template or the Citizen Space Hub.

If you wish to use this template for your response, please reply by e-mail or hard copy respectively to:

[environment.bill@daera-ni.gov.uk](mailto:environment.bill@daera-ni.gov.uk)

*or*

Environment Bill Team

Department of Agriculture, Environment and Rural Affairs

Environmental Policy Division

2nd Floor

Klondyke Building

1 Cromac Avenue

Gasworks Business Park

Belfast BT7 2JA

Early responses are encouraged but all responses should arrive no later than **5pm on Friday 26 February 2021**. Before you submit your responses please read

the “Freedom of Information Act 2000 - Confidentiality of Consultation Responses” section below, which gives guidance on the legal position.

### **Freedom of Information Act 2000 – Confidentiality of Consultations**

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can refuse to disclose information only in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

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This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances.

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- the Department should not agree to hold information received from third parties 'in confidence' which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

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Tel: (028) 9027 8757

Email: [ni@ico.org.uk](mailto:ni@ico.org.uk)

Website: <https://ico.org.uk/>

## ABOUT YOU

**Name (required)**

**E-mail address (if responding electronically)**

**Address (if responding by post)**

**Organisation (if applicable)**

Please note that the text boxes used throughout this template will expand to accommodate your response – there is no character limit.

## **ENVIRONMENTAL PRINCIPLES**

**Q1: Should Northern Ireland continue to be guided by these environmental principles in the long term?**

**Yes**     ☒

**No**     ☐

**If so, would you agree with the mechanism for a policy statement of Environmental Principles as outlined above?**

**Yes**     ☒

**No**     ☐

**Additional comments**

## **ENVIRONMENTAL IMPROVEMENT PLANS**

### **Q2: How do you feel alignment of the Environment and Green Growth Strategies can be best achieved?**

The Minister for Agriculture , Environment and Rural Affairs launched the Green Growth Recovery Road Map in June 2020. In his comments the Minister referenced that developing and defending our natural assets is key to creating a resilient economy and a healthy environment and should be at the heart of future government policy and business strategy. Our economy will change substantially over the next 30 years largely driven by technological advances and the UK government's commitment to achieve Net Zero Carbon by 2050. In taking this forward we will require a generational shift in how we approach our economy and our environment to create jobs, reduce carbon, enhance profitability, lower waste, and increase efficiency to protect our climate and environment for future generations . The road map includes a co-designed Green Growth Strategy and a framework of policies to achieve these objectives with the establishment of an inter-ministerial group to help embed Green Growth in all future government policies. The delivery framework will consist of a range of programmes which together will contribute to the targets and outcomes for Green Growth , one example of which is the programme for increasing the number of trees planted and increasing access to sustainable woodlands e.g. Forests for our Future . Mid Ulster Council fully support the strategic direction as outlined and look forward to further engagement in the drafting and development of the various work streams in progressing towards Net Zero Carbon by 2050 .

## **ENVIRONMENTAL GOVERNANCE IN NORTHERN IRELAND**

**Q3: Should the OEP be implemented in Northern Ireland?**

Yes ☐

No ☐

**If no, how would you envisage we maintain existing systems of environmental governance?**

### **Additional comments**

It is understood that at present Wales and Scotland have chosen to go down an independent route from that of England in that they propose to set up their own Office for Environmental Protection (OEP). As current NI is linked to England's protocols and procedures however these matters still require consideration and determination via the NI Executive and Assembly. NI is uniquely placed at this moment in time given that it is still in the process of developing its Green Growth Strategy and as such may benefit from the establishment of a NI Office for Environmental Protection (OEP) to oversee and regulate the work of government departments in the devolved administration at a local level.

**Please note- If you have indicated that you do believe there should be an alternative governance body for Northern Ireland then your answers to the remaining questions will be read on that basis.**

## **INTERACTIONS WITH OTHER OVERSIGHT BODIES**

**Q4: Are there other public bodies with whom the OEP should establish particular arrangements and why?**

**Yes**     ☐

**No**     ☐

**If yes, please elaborate**

Given the unique position in this jurisdiction and the implementation of the NI Protocol , the OEP office should report directly to the office of the First and Deputy First Minister and the NI Assembly on its work and associated operational arrangements.

## **ESTABLISHING THE OEP IN NORTHERN IRELAND**

**Q5: Do you have any comments on interim arrangements for Northern Ireland?**

The necessary arrangements should be proceeded with as soon as is practicable and the NI Assembly should determine how these arrangements should be disposed of in the interim. It should be noted that one of the remits of the OEP is to act as a regulatory body for both the principal environmental regulator in NI i.e. the NI Environment Agency (NIEA) and the associated government departments. The establishment of a local office would go some way to address some of the key concerns of local environmentalists and may reduce the potential for lengthy delays from legal challenges to some of the key infrastructure projects which have been impacted to date eg A5 and A6 Road Improvement Schemes and the North / South Interconnector .

The principal roles of the OEP are outlined below :

1. Provide independent scrutiny and provide advice on the developments and implementation of Environmental policy.
2. Investigate environmental complaints from members of the public.
3. Oversee the delivery of environmental law by public authorities and take necessary steps to achieve compliance where needed.

**If suggesting an alternative to the OEP how would you address the longer development and implementation period that would result in a lengthier governance gap?**

See comments above.

## **APPOINTMENTS, REMUNERATION AND FUNDING**

**Q6: Are you satisfied with the arrangement for Northern Ireland representation on the Board of the OEP?**

**Yes**     ☐

**No**     ☒

**If you have indicated that you believe there should be an alternative governance body, how do you think it should be structured?**

Appropriate arrangements should be put in place to provide a self-financed regulatory oversight body for this purpose with appropriate representation from industry, agriculture, commerce, and environmental representative bodies to provide the necessary oversight and governance arrangements.

**Additional comments**



## **APPOINTMENTS, REMUNERATION AND FUNDING**

**Q7: How do you think the OEP or an alternative should be funded in Northern Ireland?**

The OEP structure should be sized and scaled for the tasks required in NI. This should not be seen as an opportunity to duplicate existing staff and resources within the NIEA or other regulatory bodies but simply viewed as an oversight mechanism to provide the necessary governance required in this situation. Please refer to Q 4,5 & 6.

**If an alternative, how would you justify the additional costs that would be involved in establishing a bespoke Northern Ireland approach?**

See comments above.

**Additional comments**

## **PRACTICAL ARRANGEMENTS AND EXTENT**

**Q8: Should there be a permanent office in Northern Ireland?**

**Yes**     ☒

**No**     ☐

**How should it be staffed?**

See responses to questions 3 to 7.

## **PRACTICAL ARRANGEMENTS AND EXTENT**

**Q9: What other practical arrangements should be addressed in advance of setting up the OEP or an alternative in Northern Ireland?**

See responses to questions 3 to 7.

## **FUNCTIONS OF THE OEP**

**Q10: Are you satisfied that the OEP or an alternative should carry out the described functions in Northern Ireland?**

Yes ☒

No ☐

**Additional comments**

See responses to questions 3 to 7.

## **TRANSBOUNDARY ISSUES**

**Q11: What bodies should the OEP or an alternative be working with on transboundary issues?**

See response in Q4.

**If an alternative, what arrangements should that body have for working with the OEP?**

These matters need to be given due consideration by the NI Assembly.

**Other comments**



**Minutes of Meeting of Environment Committee of Mid Ulster District Council  
held on Tuesday 12 January 2021 in Council Offices, Ballyronan Road,  
Magherafelt and by virtual means**

**Members Present**

Councillor S McGuigan, Chair

Councillors Brown\*, Buchanan\*, Burton\*, Cuthbertson,  
Glasgow\*, Graham\*, N McAleer\*, S McAleer\*, McFlynn\*,  
B McGuigan, McNamee\*, Milne\*, O'Neill\*, Totten\*,  
Wilson\*

**Officers in  
Attendance**

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

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

\*\* Denotes Officers present by remote means

The meeting commenced at 7.00 pm

*The Chair, Councillor S McGuigan welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor McGuigan 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.*

*The Chair, Councillor S McGuigan stated that this was the first Environment Committee of 2021 and that it remains a difficult period for many, the Chair stated he hoped and prayed for better times ahead.*

**E001/21      Apologies**

None.

**E002/21      Declarations of Interest**

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

**E003/21      Chair's Business**

Councillor McNamee referred to the future of cemetery provision for Cookstown and that Cabin Wood on the outskirts of Cookstown is the preferred site for a new cemetery. Councillor McNamee stated that future cemetery provision needs to be discussed sooner rather than later as the matter will take thought and preparation on

a number of issues, for example, planning, finance, access and the site running parallel to the route of Cookstown bypass. Councillor McNamee requested that a Cookstown DEA meeting be arranged to discuss new cemetery provision for Cookstown.

The Director of Environment and Property stated that officers have had some discussion on the matter and advised that there is still capacity at Forthill and it is intended to develop the current site to its full capacity. The Director referred to some of the work undertaken by the legacy Council in relation to a new cemetery and that he would be happy to facilitate a meeting with Cookstown DEA Members to discuss the matter.

## **Matters for Decision**

### **E004/21      Results of a regional survey relating to the nutritional content of cheesecakes available from restaurants in Northern Ireland**

The Head of Environmental Health presented previously circulated report which advised of the results of a regional survey, which the Environmental Health department participated in, relating to the nutritional content of cheesecake available from restaurants and hotels in Northern Ireland. The survey was undertaken in 2019.

Proposed by Councillor Cuthbertson  
Seconded by Councillor McNamee and

**Resolved**      That it be recommended to Council to note the content of the report, and to continue to support the work of the Environmental Health Department in relation to any future initiatives undertaken in the area of nutritional content of foods, aimed at providing individuals with information and choice to improve dietary health.

### **E005/21      Clean Air Strategy for Northern Ireland - A Public Discussion Document November 2020**

The Head of Environmental Health presented previously circulated report which advised on the Clean Air Strategy for Northern Ireland; A Public Discussion Document November 2020. It was advised that the Department of Agriculture, Environment and Rural Affairs (DAERA) launched this discussion document in advance of developing the first Clean Air Strategy for Northern Ireland.

The Head of Environmental Health drew attention to draft response to consultation question 17 which relates to whether there should be a ban to the general public of unseasoned wood in Northern Ireland retail outlets. The officer advised that the draft Council response states that there should be a ban introduced in line with the rest of the UK and Ireland however she was aware that this may not be the view of Members and asked for their comments.

Councillor Glasgow referred to draft response to question 19 of consultation in relation to whether it was felt that the process in place to address ammonia emissions in Northern Ireland is appropriate. Councillor Glasgow stated he welcomed the wording of the response in relation to this question as Mid Ulster is a



rural Council that has farming as one of its biggest industries. The Councillor referred to the previous changing of thresholds in relation to ammonia which resulted in agricultural applications becoming stuck in the planning system, Councillor Glasgow stated that whilst this has since moved on he felt that any drastic measures in relation to ammonia should take into account the possible consequences within the District ie. Within the agri food sector. Councillor Glasgow again stated he welcomed the wording of the response in relation to this question and that there should be emphasis that current practices should continue to be looked at.

The Head of Environmental Health clarified whether Councillor Glasgow would like current practices to continue to be looked at to reduce ammonia from farming practices.

Councillor Glasgow stated he had no issue with practices being looked at but was aware of the approach of SES in the past.

Councillor Wilson referred to people who sell logs to retailers and asked if that practice is affected by the response to question 17.

The Head of Environmental Health advised that this practice would be affected by the draft response set out.

Councillor Wilson stated there are a number of people who make a living out of fallen trees and cutting them for logs and that he felt that there needs to some education as to what unseasoned wood is. Councillor Wilson stated that whilst he felt that a ban on the sale of unseasoned wood is a good idea this ultimately would affect some peoples livelihoods and that the wording of this response could be changed.

The Head of Environmental Health stated that the response could be amended to reflect that the small scale sale of unseasoned wood is permitted.

Councillor Wilson referred to smokeless fuels which he stated are more expensive and would be a struggle for some people to buy and felt that there should be some sort of incentive to switch to the purchase of smokeless fuels.

Councillor Cuthbertson referred to the draft response to question 15 in which Council are agreeing to a ban on the sale to the general public of smoky/bituminous/household coal in Northern Ireland. Councillor Cuthbertson felt that this required more thought as there are 3 importers of coal in the District that he was aware of who were major employers and also whilst there was a Gas to the West project this was not available to the majority of houses in rural areas. Councillor Cuthbertson stated that he did not feel that Council should be agreeing to a ban on the sale of household coal.

The Head of Environmental Health stated that the response focussed on smoky/poorer quality coal and that there is a quality aspect which will help to reduce sulphur levels which come from burning coal.

Councillor Cuthbertson agreed with Councillor Wilson's comments that smokeless fuels are more expensive and stated that this may not be such an issue in bigger towns and cities where there is a gas supply but that he would still be against encouraging a ban on household coal.

The Head of Environmental Health stated that the response could be amended to reflect that in rural areas the ban should not be imposed.

Councillor Cuthbertson stated this would be helpful and referred to the coal importers within Mid Ulster and that there should be consultation with them as well.

The Head of Environmental Health advised she would make the amendments to the draft response as per discussion tonight.

Proposed by Councillor McNamee  
Seconded by Councillor Glasgow and

**Resolved** That it be recommended to Council to submit response to the Clean Air Strategy for Northern Ireland: A Public Discussion document as outlined in appendix 1 of report with amendments to be incorporated as per discussion above. Response to be returned to DAERA by the closing date of 15 February 2021.

#### **E006/21 Street Naming and Property Numbering**

The Head of Building Control presented previously circulated report regarding the naming of new streets within residential housing developments within Mid Ulster.

Site off Killyman Road, Dungannon

Councillor Cuthbertson stated he did not feel any of the names put forward by the developer were great but proposed that the development be named Killycush Court.

Councillor B McGuigan seconded Councillor Cuthbertson's proposal.

**Resolved** That it be recommended to Council to name development off Killyman Road, Dungannon as Killycush Court.

#### **E007/21 Renaming and Renumbering Existing Streets**

The Head of Building Control presented previously circulated report which advised of a request for the Renaming and Renumbering of an existing street/road and subsequently to seek approval to undertake the surveys of all applicable residents on the street/road in question.

Councillor McNamee asked if the surveys returned need to be 100% in favour.

The Head of Building Control advised that current policy states that all residents on the electoral register for the street/road in question need to be in agreement to the change of name.

Councillor McNamee asked if there were any implications in that the legacy Council had previously erected signage with the change of road name.

The Head of Building Control advised that whilst a road nameplate was previously erected the change of road name was never progressed officially and that

information on the Pointer system still referred to the stretch of road as off the Stewartstown Road and not Moss Road.

Councillor Wilson stated that people may not be fully aware of what needs to take place if there is agreement that the road name be changed ie. Deeds of houses, mortgages, utilities etc would need to be changed. The Councillor stated he would have some concern just to put the matter out to survey without some sort of explanation on the implications.

The Head of Building Control stated that is why 100% agreement is required for the change to be made. The officer further advised that he had met with one of the residents on the road and that they were aware of the issues surrounding a road name change but that an explanation of the implications of agreeing to a name change can be detailed on the correspondence being sent to residents.

Proposed by Councillor McNamee  
Seconded by Councillor N McAleer and

**Resolved** That it be recommended to Council to proceed with the Street Naming Survey for the renaming of the relevant portion of Stewartstown Road, Coalisland to all applicable occupiers of each property as listed on the Electoral Register of the road in question, in accordance with the Policy for Street Naming and Numbering. Additional detail and explanation on the implications on a road name change to be included with the survey.

## **E008/21 Bus Shelters Update**

The Head of Technical Services presented previously circulated report which provided an update on current bus shelter status and stated that it is hoped that the revised procedural guide will be brought to the February Environment Committee.

Councillor Burton referred to bus shelter at Jordan Engineering and asked if the only hold up in relation to this bus shelter is that officers are awaiting a response from statutory agencies. The Councillor stated that it is good to have the site relocated away from businesses and that the bus is currently stopping at the proposed site but that with the recent weather it would be good to have the bus shelter on site.

The Head of Technical Services advised he would follow up with the statutory agencies to get the responses required to move forward.

Councillor B McGuigan commended staff on the work involved with reviewing the bus shelter policy and liaising with other agencies. The Councillor stated that for a long time there was difficulty in getting bus shelter approvals but that things have moved on leaps and bounds and there was now better focus and direction. Councillor B McGuigan also referred to the positive meeting yesterday in relation to the review of procedural guide for bus shelters. Councillor B McGuigan proposed the report recommendation.

Councillor Cuthbertson seconded Councillor B McGuigan's proposal.

**Resolved** That it be recommended to Council to put “On Hold” of the following from the Bus Shelter Register as they have not met the criteria in the Bus Shelter Policy (Section 1.2, Point 4):

- Main Street, Benburb
- Tullyhogue village
- St Colmans Park, Moortown
- Cappagh village
- Whitebridge, Ballygawley

**E009/21 Consultation on Preventing Harm & Empowering Recovery: - A Strategic Framework to Tackle the Harm from Substance Use**

The Director of Public Health and Infrastructure presented previously circulated report which advised of Council’s draft response to the Health Development Policy Branch in the Department of Health (DoH) Consultation on Preventing Harm & Empowering Recovery: A Strategic Framework to Tackle the Harm from Substance Use.

Councillor B McGuigan stated he was happy to propose the response and that there had been a lot of good work had gone into the document and response. The Councillor stated he was very interested to hear that Mid Ulster Community Plan contained a commitment to the Planet Youth model and would like to see this model progressed.

Councillor Milne seconded Councillor B McGuigan’s proposal.

**Resolved** That it be recommended to Council to respond to the Department of Health consultation on Preventing Harm and Empowering Recovery: A Strategic Framework to Tackle the Harm from Substance Use as set out at appendix 2 of report. Response to be submitted by 5 February 2021.

**E010/21 DfI Roads Proposal to Mid Ulster District Council - Proposed Extension to 40mph Speed Limit – Cloghog Road, Clonoe, Coalisland**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed extension to 40mph Speed Limit at Cloghog Road, Clonoe, Coalisland.

Proposed by Councillor O’Neill  
Seconded by Councillor N McAleer and

**Resolved** That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed Extension to 40mph Speed Limit at Cloghog Road, Clonoe, Coalisland.

**E011/21      DfI Roads Proposal to Mid Ulster District Council - Proposed Reduction to 30mph – Turnaface Road, Muff Road, Churchtown Road and Claggan Road, Cookstown**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed reduction to 30mph at Turnaface Road, Muff Road, Churchtown Road and Claggan Road, Cookstown.

Proposed by Councillor O'Neill  
Seconded by Councillor McAleer and

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed reduction to 30mph at Turnaface Road, Muff Road, Churchtown Road and Claggan Road, Cookstown.

**Matters for Information**

**E012/21      Minutes of Environment Committee held on 8 December 2020**

Members noted minutes of Environment Committee held on 8 December 2020.

Councillor Cuthbertson asked for an update in relation to defibrillator provision and whether those previously agreed to be sited were now in place.

The Director of Public Health and Infrastructure advised that a working group was set up after the last Council meeting to take forward this piece of work and that work is ongoing on the matter. The Director stated he would seek to provide an update to the next Environment Committee.

**E013/21      Update on Houses in Multiplication (HMOs)**

Members noted previously circulated report which provided update on the regulation of HMOs carried out on behalf of Mid Ulster District Council in the 19/20 year, following the transfer of the function to Councils on 1<sup>st</sup> April 2019.

**E014/21      10-year anniversary of the Food Hygiene Rating Scheme**

Members noted previously circulated report which highlighted the 10 year anniversary of the Food Hygiene Rating Scheme.

**E015/21      Building Control Workload**

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

**E016/21      Entertainment Licensing Applications**

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

## **E017/21      Dual Language Signage Requests**

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

## **E018/21      Dual Language Signage Surveys**

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

Councillor Cuthbertson stated that again this month a survey had been requested and then no one had responded to that survey. The Councillor stated this was now happening month on month at a time when departments are stretched, Councillor Cuthbertson stated that this process was a waste of resources and a waste of staff time and proposed that requests for Dual Language surveys be put on hold until after a review of the policy has taken place.

Councillor B McGuigan proposed that the policy in relation to Dual Language Signage remains as is.

Councillor McNamee seconded Councillor B McGuigan's proposal.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal –

For – 7

Against – 9

The Chair, Councillor S McGuigan declared Councillor Cuthbertson's proposal lost.

**Resolved**      That it be recommended to Council that the policy in relation to Dual Language Signage remains as is.

## **E019/21      NILAS Annual Report 2019/20**

Members noted previously circulated report which advised of the content of the Northern Ireland Landfill Allowance Scheme (NILAS) Annual Report for 2019/20 as published by NIEA on 26 November 2020.

## **E020/21      Bin Ovation**

Members noted presented previously circulated report which provided update on the usage of the Bin Ovation App and Report It Function.

*Live broadcast ended at 7.42 pm.*

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

Proposed by Councillor McNamee  
Seconded by Councillor Buchanan 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 E021/21 to E030/21.

### **Matters for Decision**

- E021/21 Updated Tender report for the appointment of Contractors to a framework for Construction works
- E022/21 Town/Village awards and Seasonal Planting Arrangements 2021
- E023/21 Contract for provision of Waste Related Consultancy Services

### **Matters for Information**

- E024/21 Confidential Minutes of Environment Committee held on 8 December 2020
- E025/21 To update members on changes to Affordable Warmth Scheme in response to Covid -19
- E026/21 Energy Performance of Buildings Regulations
- E027/21 Capital Framework – ICT Contracts Update
- E028/21 Capital Framework – IST Contracts Update
- E029/21 Capital Projects – Scoping Contracts Update
- E030/21 Report on Improvements at Fivemiletown Recycling Centre

### **E031/21 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.12 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 - apologies and then roll call of all other Members in attendance.



<b>Report on</b>	Correspondence with the Department for Infrastructure
<b>Date of Meeting</b>	9 February 2021
<b>Reporting Officer</b>	Andrew Cassells, Director of Environment & Property
<b>Contact Officer</b>	Andrew Cassells, Director of Environment & Property

<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 update Members on Correspondence between the Council and the Minister for Infrastructure, Nichola Mallon MLA, in relation to Tree & Hedge Cutting – Roads (NI) Order 1993.
<b>2.0</b>	<b>Background</b>
2.1	Following a presentation to the Environment Committee at its December 2020 meeting in relation to Tree & Hedge Cutting the Committee requested that the Director of Environment & Property write to the Minister for Infrastructure, Nichola Mallon MLA in relation to the subject.
<b>3.0</b>	<b>Main Report</b>
3.1	Following the adoption of the resolution at the Council Meeting held on the 17 December 2020 a letter was sent to the Minister on 18 <sup>th</sup> December 2020 and is attached to this report as Appendix 1.
3.2	A response, dated 25 January 2021, has now been received and is attached to this report as Appendix 2.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: None at this juncture
	Human: None at this juncture
	Risk Management: Clearly the matter of roadside trees and hedges presents a risk to the travelling public as has previously been identified. The responsibility for the risk lies with the Department for Infrastructure as the competent Roads Authority and the landowner where the relevant trees and hedges are situated.

<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	Members are asked to note the contents of the response received from the Minister for Infrastructure as dated 25 January 2021 and attached to this report as Appendix 2.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1: Letter to the Minister for Infrastructure dated 18 December 2020.
6.2	Appendix 2: Response received from the Minister for Infrastructure dated 25 January 2021.



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

Minister for Infrastructure  
Nichola Mallon MLA  
Department for Infrastructure  
Clarence Court  
10-18 Adelaide Street  
Belfast  
BT2 8GB

18 December 2020

Dear Minister Mallon

### **Tree and Hedge Cutting – Roads (NI) Order 1993**

Further to the December 2020 meeting of the Councils Environment Committee the Council have requested that I write to you on a matter of serious concern, to seek your view on how current service delivery may be improved.

It has been presented to the Council that there has been at least one fatality, serious injury and several 'near misses' caused by trees falling on to roads in recent years. We have also been made aware that our Members receive complaints very regularly, regarding 'dangerous' trees at risk of falling – particularly on to rural roads, and also regarding rural roadside trees and hedges that are obstructing visibility.

We are aware that under the Roads (NI) Order 1993, your Department has the necessary powers:

- to require a landowner to remove potentially dangerous trees and hedges (S50) and to do the necessary works if the landowner fails to comply (S58);
- to enter land (S119) and remove potentially dangerous trees and hedges.

Clearly the preferred option is to ensure that the landowner carries out any necessary works themselves, and we acknowledge the Tree and Hedge Cutting notice available on the Departments website<sup>1</sup>, however, the Members' concern lies where the landowner has not done the necessary works to make a tree safe,

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<sup>1</sup> <https://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/tree-and-hedge-cutting-notice-2020.pdf>

following which numerous complaints/warnings have been made to the Council, following which the Department has been notified of the concern.

In various emotive but well-articulated discussions and presentations, Members have reported what has been referred to as reticence from Departmental officials locally to dynamically act to address such threats to public safety.

We understand all too well, as a Council, the issues posed by doing works in default and attempting cost recovery, but we are also aware of the duty of care the Department may have in such circumstances, and the potential for judicial review, should the Department be found to have made an 'irrational decision' in not using its power to carry out works to make safe a dangerous tree or hedge, once notified. Referencing this the Council are of course talking about constituents who were seriously injured or who have died, so you will, I know, understand fully how emotive the issue and the discussions on it have become, with neighbours and families being referred to.

Mid Ulster District Council would respectfully seek your assurance that the Department is making full use of its power to require a landowner to act, but also to ensure that dangerous trees growing on private land at the roadside are made safe in a timely fashion if landowners do not act. Any improvements on the formal mechanism to highlight potential hazards and track their removal which Members might be able to use, would be welcomed.

As we in Mid Ulster, with your support, are now set on markedly increasing the number of trees to mitigate climate change, at the same time as experiencing more frequent severe wind and weather incidents, Mid Ulster District Council would encourage you to consider existing powers and arrangements and make improvements to both under your Ministerial direction. Please note that Mid Ulster has benefited from three applications in recent years through the DAERA Forest Expansion Scheme to plant trees on closed landfill sites.

The Council would, having had this matter raised corporately and fervently by Members, be content to meet with you and your officials to explore ways to improve communications mechanisms between the Council and your Department and to seek solutions to ensure that these risks from overhanging trees and hedges are mitigated against in a very proactive manner.

Yours sincerely

A handwritten signature in black ink that reads "Andrew Cassells". The signature is written in a cursive style with a horizontal line underneath the name.

Andrew Cassells  
**Director of Environment & Property**  
(Magherafelt Office)



Department for

**Infrastructure**

An Roinn

**Bonneagair**

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

From the office of the Minister for Infrastructure  
**Nichola Mallon MLA**

Mr Andrew Cassells  
Director of Environment and Property  
Mid Ulster District Council

[andrew.cassells@midulstercouncil.org](mailto:andrew.cassells@midulstercouncil.org)

Room 708  
Clarence Court  
10-18 Adelaide Street  
BELFAST  
BT2 8GB  
Telephone: (028) 9054 0540  
Email: [Private.office@infrastructure-ni.gov.uk](mailto:Private.office@infrastructure-ni.gov.uk)

Your reference: XXXX  
Our reference: CORR-0094-2021  
25 January 2021

Dear Mr Cassells,

### **TREE AND HEDGE CUTTING – ROADS (NI) ORDER 1993**

Thank you for your letter of 18 December 2020 regarding overhanging or hazardous trees and overgrown hedges. You have highlighted the concerns Council members have regarding the level of response by my officials to reports of potentially dangerous trees and hedges encroaching onto the public road.

I am committed to ensuring that our road network is maintained to the best possible standard with due regard to the available resource and to seek to ensure that public safety continues to be a priority within my Department. Whilst my Department does not have a specific tree inspection process in place, my officials undertake regular routine maintenance inspections on all roads during which they will note trees or hedges, within or immediately adjacent to our public road boundaries, which are causing an obstruction or present a potential hazard to the public.

As you have noted, most roadside trees are on private land adjacent to public roads and it is incumbent on property owners or occupiers of those lands to ensure that such trees and hedges do not endanger or obstruct road users. When my officials become aware of a potentially dangerous tree or obstruction, as a first step, they identify the owners and/or occupiers and request that they address the hazard. If the landowner does not respond positively, my Department has powers, under Article 50 of the Roads (Northern Ireland) Order 1993, to serve a notice on the owner/occupier requiring them to remove or cut back the tree or hedge so as to remove the danger or obstruction. Where an owner/occupier does not comply with the requirements of the notice, my Department may carry out the necessary works and seek to recover the costs.

To help reinforce the need for landowners to cut back trees and hedges, my Department periodically places notices in the local press and in farming journals reminding owners/occupiers of their responsibilities. In the last year, additional

information to landowners on the recommended maintained height of trees was included in the annual Tree & Hedge Cutting Notice issued in January 2020.

In addition, a social media plan was developed to heighten awareness around the notice using infographics agreed with the Road Haulage Association and DAERA, and messages were issued on social media at the end of January last year; my officials plan to issue similar messaging this year.

The NIDirect website was also revised last year to include information on responsibility for trees/hedge cutting and was recently further updated to include a graphic illustration of the recommended height clearance information. In July 2020, my officials assisted colleagues in DAERA to produce a press release relating to the same issues.

Overgrown trees and hedges that endanger or obstruct road users are normally identified by my officials during our routine maintenance inspections, or through reports from the general public to local DfI offices. My officials would welcome reports/notifications regarding potentially dangerous trees from Members or officials from Mid Ulster District Council. I wish to assure you that my officials will investigate all such reports and, if appropriate, engage with the landowners responsible to request that any required works are carried out by them as quickly as possible.

In relation to specific locations where your Members or Officials have concerns and noting your suggestion for my officials to meet with the Council to discuss the matter, I would encourage the Council to contact the local Maintenance Engineers, Mr Neil Bratton and Mr Gerry Hackett to arrange a meeting. Neil can be contacted at [neil.bratton@infrastructure-ni.gov.uk](mailto:neil.bratton@infrastructure-ni.gov.uk) and Gerry at [gerry.hackett@infrastructure-ni.gov.uk](mailto:gerry.hackett@infrastructure-ni.gov.uk)

I hope you find this information helpful.

A handwritten signature in black ink, appearing to read 'N. Mallon'.

**NICHOLA MALLON MLA**  
**Minister for Infrastructure**





<b>Report on</b>	Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for July to September 2020
<b>Date of Meeting</b>	9 <sup>th</sup> February 2021
<b>Reporting Officer</b>	Mark McAdoo, Head of Environmental Services
<b>Contact Officer</b>	Mark McAdoo, Head of Environmental Services

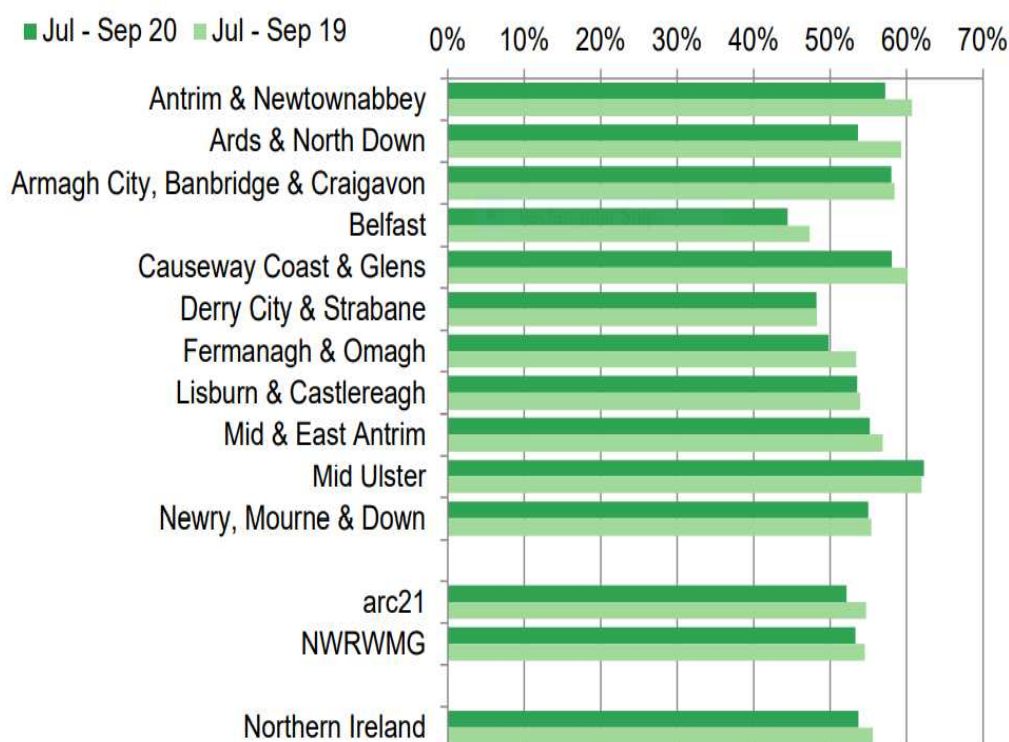
<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update members on the 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 2020/21 from July to September 2021.
<b>2.0</b>	<b>Background</b>
2.1	<p>The above (provisional) report was published on 28<sup>th</sup> January 2021 by the Department of Agriculture, Environment and Rural Affairs (DAERA). The data in the report is based on quarterly returns made to Wastedataflow, a web-based system, used by all local authorities throughout the UK to report on local authority collected municipal waste (LACMW). This publication provides information on local authority collected municipal waste from household and non-household sources and recycling and landfill rates in Northern Ireland.</p> <p>Headline figures are shown in the attached infographic with the full report available via the below link:</p> <p><a href="https://www.daera-ni.gov.uk/sites/default/files/publications/daera/lac-municipal-waste-q2-2020-21-report.pdf">https://www.daera-ni.gov.uk/sites/default/files/publications/daera/lac-municipal-waste-q2-2020-21-report.pdf</a></p>
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b><u>Key Points:</u></b></p> <ul style="list-style-type: none"> <li>• Northern Ireland's councils collected 288,607 tonnes of waste during July to September 2020 which was 5.3 per cent higher than the same three months in 2019.</li> <li>• During July to September 2020, 52.9 per cent of waste collected by councils was sent for recycling, 1.7 per cent lower than recycling rate for July to September 2019.</li> <li>• The landfill rate for waste collected by councils recorded a new low of 21.6 per cent in July to September 2020, a fall from 71.8 per cent in July to September 2006 and from 23.0 per cent during July to September 2019.</li> </ul>

- Almost a quarter of waste arisings were sent for energy recovery in July to September 2020, compared to 20.0 per cent in July to September 2019, and 0.1 per cent during the same quarter in 2009.
- Household waste accounted for 89.3 per cent of all waste collected during this period.
- The recycling rate for household waste was 53.7 per cent, down from 55.6 per cent in July to September 2019. The landfill rate for household waste was 21.3 per cent, a fall of 1.0 per cent on the same quarter last year.

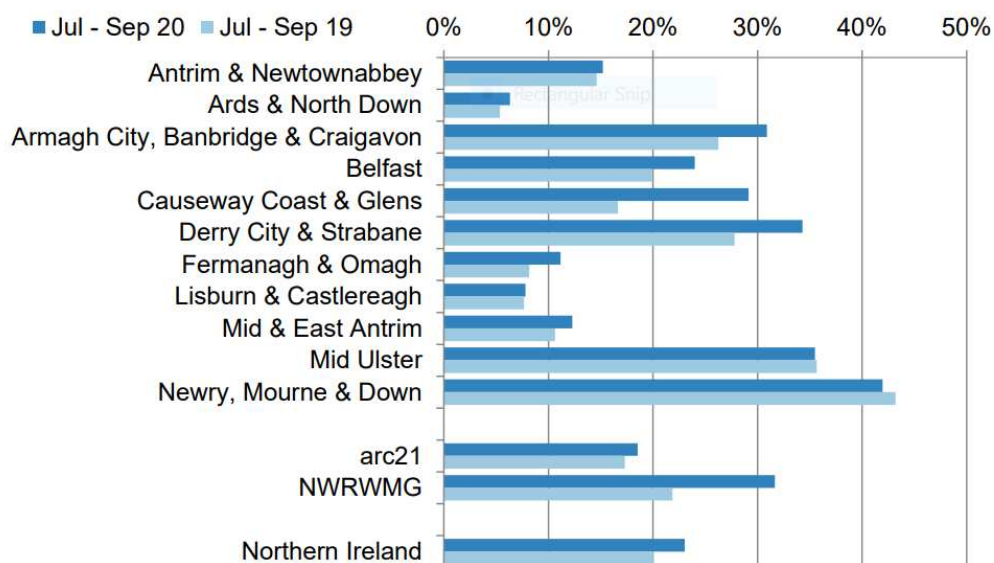
### 3.2 **Waste to Recycling:**

- The majority of Councils (as illustrated in the below graph) reported decreased household recycling rates compared to July to September 2019. **However, an increase was achieved in Mid Ulster with the recycling rate for the quarter being 62.27 per cent (an increase of 0.3 per cent compared to July to September 2019) which was the highest rate achieved by any of the eleven Councils.**



### 3.3 **Waste to Energy**

Between July and September 2020, 66,479 tonnes of waste arisings were sent for energy recovery. This gave a waste energy recovery rate of 23.0 per cent, higher than the 20.0 per cent rate reported for the same period in 2019. In each year, the majority was mixed residual waste with a smaller proportion from specific streams, e.g. wood. Mid Ulster had the second highest energy recovery rate at 35.5 per cent (as illustrated in below graph):



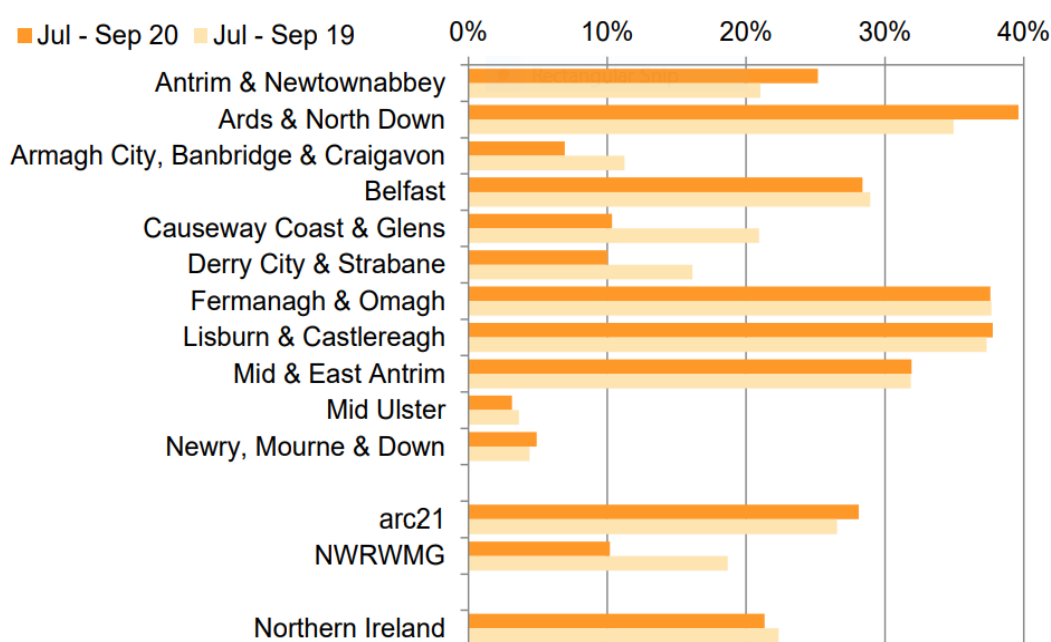
3.3

### **Waste to Landfill:**

The landfill rate has now reached its lowest ever level for July to September. The long-term trend has seen the July to September household waste landfill rate fall consistently from 70.3 per cent in 2006 to the 21.3 per cent recorded in 2020.

The quantity of municipal waste sent to landfill decreased by 0.8 per cent, from 62,925 tonnes during July to September 2019 to 62,430 tonnes between July and September 2020. This gave a quarterly landfill rate of 21.6 per cent for July to September 2020 which was lower than the 23.0 per cent recorded during the same quarter of 2019. The latest quarterly landfill rate for household waste only is 21.3 per cent, a further reduction on the 22.3 per cent recorded during the same three months of 2019.

Mid Ulster achieved the lowest landfill rate of all eleven Councils for the quarter, landfilling only 3.1 per cent of household waste (as illustrated below):



<b>4.0</b>	<b>Other Considerations</b>
4.1	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Failure to meet waste targets could result in fines
	Human: A significant amount of time is spent by the Recycling Officers in gathering, collating and submitting the necessary data for quarterly WDF returns.
	Risk Management: Failure to meet waste targets would result in reputational damage.
4.2	<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 asked to note the performance of the Council as outlined in this report.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Local Authority Collected Municipal Waste Infographic Q2 2020-21.

# Waste Collections by NI Councils

## July to September 2020

### Waste collected by NI Councils



### Recycling

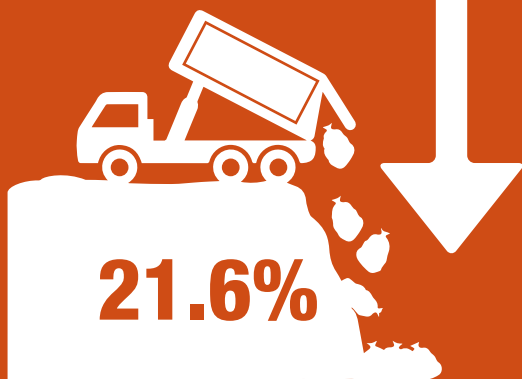


**52.9%**  
down from **54.6%**  
July - Sept 2019



Recycling, energy recovery and landfill  
rates of LAC municipal waste  
July to September 2020  
compared to  
July to September 2019.

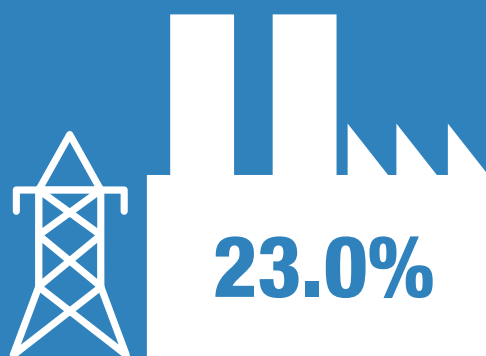
### Landfill



down from **23.0%**  
July - Sept 2019



### Energy Recovery



up from **20.0%**  
July - Sept 2019



*Sustainability at the heart of a living, working, active landscape valued by everyone.*



Department of  
**Agriculture, Environment  
and Rural Affairs**  
[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)



Northern Ireland  
**Environment  
Agency**



<b>Report on</b>	Building Control Workload
<b>Date of Meeting</b>	9 <sup>th</sup> February 2021
<b>Reporting Officer</b>	William Wilkinson, Head of Building Control

<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 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> <ul style="list-style-type: none"> <li>a Full Applications - submitted with detailed working drawings.</li> <li>b Building Notices - minor work not usually requiring detailed plans, e.g. provision of insulation to roof space, etc.</li> <li>c Regularisation Applications – where work has been carried out without an approval, an application must be submitted for retrospective approval.</li> </ul>		
<b>3.0</b>	<b>Main Report</b>		
3.1	<b>Workload Analysis</b>	<b>January 2021</b>	<b>Accumulative 2020/21</b>
	Total number of Applications	<b>161</b>	<b>1225</b>
	Full plans applications received	<b>90</b>	<b>592</b>
	Building Notices applications received	<b>63</b>	<b>523</b>
	Regularisation applications received	<b>8</b>	<b>110</b>
	Estimated value of works submitted	<b>£24,126,022</b>	<b>£128,445,248</b>
	Number of inspections carried out by Building Control Officers	<b>606</b>	<b>5431</b>

	Commencements	<b>156</b>	<b>1204</b>
	Domestic Dwellings	<b>64</b>	<b>514</b>
	Domestic alterations and Extensions	<b>85</b>	<b>590</b>
	Non-Domestic work	<b>7</b>	<b>100</b>
	Completions	<b>137</b>	<b>936</b>
	Domestic Dwellings	<b>52</b>	<b>443</b>
	Domestic alterations and Extensions	<b>77</b>	<b>437</b>
	Non-Domestic work	<b>8</b>	<b>56</b>
	Property Certificates Received	<b>192</b>	<b>1459</b>
3.2	As previously indicated, the Building Control Department have continued to provide a full service to the Public as required during the Covid-19 Pandemic.		
3.3	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 and performance criteria.		
3.4	During the initial stages of Covid-19, the number of applications submitted as well as the number of requested inspections reduced considerably as the result of the initial lockdown. However, it should be noted that the demand for the service has increased over the past number of months.		
3.5	It is currently difficult to assess the continued impact of Covid-19 on the local construction sector but to date there appears to have been a higher than anticipated level of resilience producing a strong level of activity both in the construction sector as well as in the property sales sector.		
<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 Building Control.



**Significant Developments - January 2021**

<b>Applicant</b>	<b>Location of Development</b>	<b>Details of Development</b>	<b>Estimated value of development</b>
Farasha Developments Ltd	Off Abbeyvale, Ardboe.	Erection of 38 Dwellings (Ave Floor Area 95m2) B.C. fee - £6,463	£2,295,525
Jackay Ltd	Church View, Ballygawley.	Erection of 33 Dwellings (Ave Floor Area 100m2) B.C. fee - £5,463	£2,202,815
Linden Foods	Unit 26 Granville Industrial Estate, Dungannon.	Extension to Industrial Unit (Extension Floor Area 169m2) B.C. fee - £7,015	£1,449,513
Bann Valley Community Group	232a Mayogall Road, Clady.	New Youth Centre (Floor Area 575m2). B.C. fee - £5,786.51	£1,098,824
M & L Property Developments Ltd	Castle Glen Manor & Avenue, Dungannon.	Erection of 15 Dwellings (Ave Floor Area 115m2) B.C. fee - £3,539	£1,075,690
FP Dev Ltd	Off Tullyodonnell Road, Rock.	Erection of 13 Dwellings (Ave Floor Area 127m2) B.C. fee - £2,981	£1,032,830

Appendix 1

Tullynure Construction Ltd	Loran Meadow, Cookstown. .	Erection of 11 Dwellings (Ave Floor Area 100m2) B.C. fee - £2,813	£698,500
R Traynor	32 Main Street, Ballygawley. .	Commercial Unit & 3no. Apartments on first floor B.C. fee - £2,453	£324,824
Workspace (Draperstown) Ltd	50 High Street, Draperstown.	New Community Hub & Renovation of Existing Building (Floor Area 234m2) B.C. fee - £2,229	£300,000

<b>Report on</b>	Entertainment Licensing Applications
<b>Date of Meeting</b>	9 <sup>th</sup> February 2021
<b>Reporting Officer</b>	William Wilkinson, Head of Building Control

<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 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.
2.2	Entertainment Licensing applications are received on a continued basis across the District.
2.3	Statutory consultations are carried out with PSNI and NIFRS for each Entertainment Licence application (grant or renewal) submitted.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>As previously agreed a list of applications for all grant/renewal of Entertainment Licences in Mid Ulster District Council is attached (see Appendix 1). The number of applications received on a monthly basis will vary depending on the date of expiry of the current licence.</p> <p>Each application is accompanied by the following documentation:</p> <ol style="list-style-type: none"> <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	<p>Following the application for the Grant/Renewal of an Entertainment Licence being submitted and validated, an inspection is carried out to ensure that the premises are in compliance with all relevant guidance and legislation. 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>
3.3	Entertainment licensing applications have continued to be processed where possible including statutory consultations with external Bodies as required by legislation.
3.4	Licences have been issued where inspections had been completed and all points requiring attention have been addressed.
3.5	Inspection of venues have re-commenced where it is possible to do so and specifically where issues in relation to the current Covid-19 Guidance can be achieved.
3.6	In addition, within the correspondence to all licensees which accompanies newly issued licences, it is highlighted that on re-opening of their premises, the numbers permitted will be reduced in line with current Government Guidance regarding Covid-19.
<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 – Schedule of applications received for the Grant/Renewal of Entertainment Licences.





Appendix 1

**Schedule of applications Received for the Grant/Renewal of Entertainment Licences in January 2021**

<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>
D Donnelly	Scott's Bar	72-76 Main Street Fivemiletown	Annual	Monday To Saturday From: 11.00 To: 01.00  Sunday From: 12.00 To: 24.00	140
H O'Neill	Erins Own GAC	56 Quarry Road Knockcloghrim	Annual	Monday To Saturday From: 12.00 To: 01.00  Sunday From: 12.00 To: 23.00	500
M Davison	Davison's Bar	44-46 Main Street Castlecaulfield	Annual	Monday To Sunday From: 11.00 To: 01.00	180
J Clarke	St Oliver Plunkett Hall	232 Mayogall Road Clady	14 Unspecified Days	Monday To Sunday From: 12.00 To: 01.00	542

<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>
D Williamson	Fivemiletown Royal British Legion Club Ltd	163 Ballagh Road Fivemiletown	Annual	Monday To Thursday From: 13.00 To: 24.00  Friday And Saturday From: 13.00 To: 24.00  Sunday From: 19.00 To: 23.00	160
The Rector & Select Vestry	Woods Parish Hall	64 Carraloan Road Magherafelt	14 Unspecified Days	Monday To Friday From: 09.00 To: 01.30  Saturday From: 09.00 To: 24.00	270
A McGuckin	MacFlynn Suite	75 Castledawson Road Magherafelt	Annual	Monday To Saturday From: 08.00 To: 23.00  Sunday From: 08.00 To: 21.00	110

<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>
Msgnr A Dolan	St Mary Parochial Hall	1 Tamlaghtduff Park Bellaghy	Annual	Monday To Sunday From: 10.00 To: 01.00	650
Carntogher Community Association	An Coire	132a Tirkane Road Maghera	Annual	Monday to Sunday From: 09.00 To: 01.00	220
M McKenna	St Colm's GAC Social Centre	6 Corrick Road Draperstown	Annual	Monday To Saturday From: 11.00 To: 01.00  Sunday From: 12.00 To: 24.00	290
J Fox	Parochial Centre	153 Aghrim Road Toomebridge	14 Unspecified Days	Monday To Sunday From: 12.00 To: 24.00	100
Upperlands Community Development	The Linenhall Centre	67 Kilrea Road Upperlands	Annual	Monday To Sunday From: 10.00 To: 01.00	200

<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>
L Knox	Molesworth Church Hall	69-71 Molesworth Street Cookstown	14 Unspecified Days	Monday – Friday From: 18.00 To: 01.00  Saturday From: 18.00 To: 24.00	250

<b>Report on</b>	Dual Language Signage Requests
<b>Date of Meeting</b>	9 <sup>th</sup> February 2021
<b>Reporting Officer</b>	William Wilkinson, Head of Building Control

<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 advise Members of requests for Dual Language Signage from residents on the streets/roads in question.
<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.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>The Building Control Service within the Public Health and Infrastructure Directorate have received valid letters signed by occupiers of the street in each case requesting signage to be erected in a second language being “Irish” in each case adjacent to the nameplate in English as follows:-</p> <ol style="list-style-type: none"> <li>1. Glenree Avenue, Dungannon (see Appendix 1)</li> <li>2. Brewery Heights, Donaghmore (see Appendix 2)</li> </ol>
3.2	The occupiers signing the requests in each case have been confirmed as residents of their particular street which has been evidenced by their listing on the current Electoral Register as required in accordance with the Policy as adopted. See letters of request attached in Appendices 1 and 2.
3.3	<b>Covid-19</b> - It should also be noted that following the recent re-introduction of the lockdown, the Electoral Office is no longer permitting access to any member of the Public including Officers of the Council. As a result, applications cannot be

	processed due to our inability to gain the necessary information to proceed through the process in accordance with the Policy as adopted.
<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
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Letter received from a resident of Glenree Avenue, Dungannon
6.2	Appendix 2 – Letter received from a resident of Brewery Heights, Donaghmore

Glenree Avenue  
Lurgaboy Lane  
DUNGANNON  
Co Tyrone  
BT71 6XG

10 December 2020

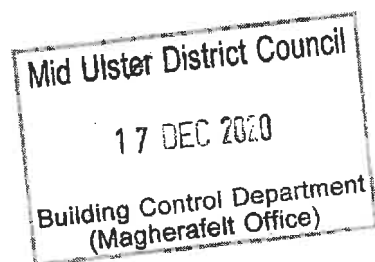
Building Control Service  
Public Health and Infrastructure Department  
MID ULSTER DISTRICT COUNCIL  
Council Offices,  
Circular Rd,  
Dungannon  
BT71 6DT

To Mid Ulster District Council,

My name is ( ) and I reside at Glenree Avenue in Dungannon.

I wish to make an application for installation of an Irish / English Dual Language street name sign to be installed at the entrance to Glenree Avenue.

Regards,



Brewery Heights

Donaghmore,

Dungannon,

BT70 3EJ

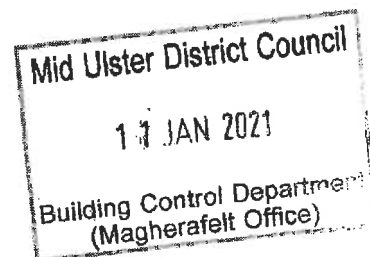
Dear Mid-Ulster Council/Comhairle Ceantair Lár Uladh,

I would like to make a request to Building Control Services within the Public Health and Infrastructure Department regarding the putting up of dual language signage (Irish-English) at Brewery Heights/Brewery Lane Donaghmore, Dungannon, BT70 3EJ.

I am an occupier of the address above and appear on the Electoral Register as maintained for the Electoral Office for NI.

If you wish to contact me regarding my request you can reach me at the address stated above or via e-mail at:

Yours sincerely/Is mise le meas,





<b>Report on</b>	Dual Language Signage Surveys
<b>Date of Meeting</b>	9 <sup>th</sup> February 2021
<b>Reporting Officer</b>	William Wilkinson, Head of Building Control

<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 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 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, all occupiers as listed on the Electoral Register residing on the streets/roads as noted below were canvassed, by post seeking their views on the request to erect dual-language street nameplates in the Irish Language as requested in each case.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>The Building Control Service within the Public Health and Infrastructure Directorate issued occupiers of the undernoted streets, correspondence seeking their views on the request to erect a dual-language street nameplate.</p> <p>Completed surveys were received by the return date and the outcome is as follows in each case:</p>

3.2

Name of Street	Beech Mews
Language Requested	Irish
Date Request Validated	24/09/2020
Environment Committee informed of survey request	13/10/2020
Surveys Issued	07/12/2020
Surveys returned by	04/01/2021
Survey Letters Issued	17
Survey Letters Returned	6
Replies in Favour	6
Replies not in Favour	0
Invalid	0
Valid Returns	6
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where 51% (rounded to the nearest whole number) of occupiers that responded, indicated that they were in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Beech Mews, Dungannon will be erected.

3.3

Name of Street	Castlecaulfield Road
Language Requested	Irish
Date Request Validated	24/09/2020
Environment Committee informed of survey request	13/10/2020
Surveys Issued	07/12/2020
Surveys returned by	04/01/2021
Survey Letters Issued	25
Survey Letters Returned	13
Replies in Favour	9
Replies not in Favour	0
Invalid	4
Valid Returns	9
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where 51% (rounded to the nearest whole number) of occupiers that responded, indicated that they were in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Castlecaulfield Road, Donaghmore will be erected.

3.4

Name of Street	Lambfield Meadows
Language Requested	Irish
Date Request Validated	24/09/2020
Environment Committee informed of survey request	13/10/2020
Surveys Issued	7/12/2020
Surveys returned by	4/01/2021
Survey Letters Issued	71
Survey Letters Returned	20
Replies in Favour	14
Replies not in Favour	2
Invalid	4
Valid Returns	16
Percentage in Favour	88%

In accordance with the Dual Language Signage Nameplates Policy, where 51% (rounded to the nearest whole number) of occupiers that responded, indicated that they were in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Lambfield Meadows, Dungannon will be erected.

3.5

Name of Street	Moor Close
Language Requested	Irish
Date Request Validated	23/09/2020
Environment Committee informed of survey request	13/10/2020
Surveys Issued	7/12/2020
Surveys returned by	4/01/2021
Survey Letters Issued	15
Survey Letters Returned	6
Replies in Favour	4
Replies not in Favour	0
Invalid	2
Valid Returns	4
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where 51% (rounded to the nearest whole number) of occupiers that responded, indicated that they were in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Moor Close, Coalisland will be erected

3.6	Name of Street	Ashlough Drive
	Language Requested	Irish
	Date Request Validated	23/09/2020
	Environment Committee informed of survey request	13/10/2020
	Surveys Issued	07/12/2020
	Surveys returned by	4/01/2021
	Survey Letters Issued	29
	Survey Letters Returned	10
	Replies in Favour	10
	Replies not in Favour	0
	Invalid	0
	Valid Returns	10
	Percentage in Favour	100%
	<p>In accordance with the Dual Language Signage Nameplates Policy, where 51% (rounded to the nearest whole number) of occupiers that responded, indicated that they were in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Ashlough Drive, Coalisland will be erected.</p>	
4.0	<b>Other Considerations</b>	
4.1	<b>Financial, Human Resources &amp; Risk Implications</b>	
	Financial: Within Current Resources	
	Human: Within Current Resources	
	Risk Management: None	
4.2	<b>Screening &amp; Impact Assessments</b>	
	Equality & Good Relations Implications: None	
	Rural Needs Implications: None	
5.0	<b>Recommendation(s)</b>	
5.1	That Members note the results of the surveys for application of Dual Language Nameplates in Irish for the streets/roads as detailed below.	
5.2	Where 51 % (rounded to nearest whole number) of occupiers of the streets as noted below, responded to indicate that they were in favour of the erection of a dual language signage, nameplates will be erected.	

	<p><b>1 Beech Mews, Dungannon</b></p> <p><b>2 Castlecaulfield Road, Donaghmore</b></p> <p><b>3 Lambfield Meadows, Dungannon</b></p> <p><b>4 Moor Close, Coalisland</b></p> <p><b>5 Ashlough Drive, Coalisland</b></p>
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Dual Language Nameplate Translation for each street/road



## Appendix 1

### Dual Language Nameplates

	Current Name	Irish Translation
Road	Beech Mews	Eachlann na Feá
Townlands	Stiloga	Na Stiallóga

	Current Name	Irish Translation
Road	Castlecaulfield Road	Bóthar Bhaile Uí Dhonnaíle
Townland	Tullynure Donaghmore	Tulaigh an Iúir Domhnach Mór

	Current Name	Irish Translation
Road	Lambfield Meadows	Cluainte Ghort na nUan
Townland	Lurganboy	An Lorga Bhuí

	<b>Current Name</b>	<b>Irish Translation</b>
<b>Road</b>	<b>Moor Close</b>	<b>Clós an Mhóintigh</b>
<b>Townland</b>	<b>Annaghmore</b>	<b>An tEanach Mór</b>

	<b>Current Name</b>	<b>Irish Translation</b>
<b>Road</b>	<b>Ashlough Drive</b>	<b>Céide Loch na Fuinseoige</b>
<b>Townland</b>	<b>Killeen</b>	<b>An Cillín</b>