

ARDS AND NORTH DOWN BOROUGH COUNCIL

28 September 2023

Dear Sir/Madam

You are hereby invited to attend a hybrid meeting (in person and via Zoom) of the Environment Committee of Ards and North Down Borough Council in the Council Chamber, 2 Church Street, Newtownards on **Wednesday, 4 October 2023** commencing at **7.00pm**.

Yours faithfully

Stephen Reid
Chief Executive
Ards and North Down Borough Council

A G E N D A

1. Apologies
2. Declarations of Interest
3. Deputation – Keep Recycling Local
4. Deputation in respect of an Entertainment Licence Application - The Nines (Report attached)
5. WRAP Review of Kerbside Waste Collection Services – Update (Report attached)
6. Building (Amendment) Regulations (Northern Ireland) 2023 - Part E Consultation Response (Report attached)
7. Licensing Service Q2 and Q3 Activity Report (July to Dec 2022) (Report attached)
8. NOM Report – Provision of Self-Help Winter Grit Piles (Report attached)
9. NOM Report – Banks Lane Car Park (Report attached)
10. Stoma Friendly Toilets (Report attached)
11. Marine Safety Management System (Report attached)
12. Marine Water Safety Training Scheme (Report attached)

13. Reinforced Autoclaved Aerated Concrete (RAAC) (Report attached)

14. Any Other Notified Business

*****IN CONFIDENCE*****

15. Funding of Council Animal Welfare Service (Report attached)

16. NOM Report – Gritting of Town Centre Footpaths and Car Parks (Report attached)

17. Extension of Contract for External Cleaning Services (Report attached)

18. Extension of Contract for Marine Services (Report attached)

MEMBERSHIP OF ENVIRONMENT COMMITTEE (16 Members)

Alderman Armstrong-Cotter	Councillor Kerr
Councillor Blaney	Alderman McAlpine
Councillor Boyle	Councillor McKimm
Alderman Cummings (Vice Chair)	Councillor Morgan (Chair)
Councillor Cathcart	Councillor Rossiter
Councillor L Douglas	Councillor Smart
Councillor Edmund	Councillor Woods
Councillor Harbinson	Councillor Wray

Unclassified

3

ITEM 4

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	04 October 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	19 September 2023
File Reference	LR /EL
Legislation	The Local Governemnet (Miscellaneous Provisions) (NI) Order 1985
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Deputation in Respect of An Entertainment Licence Application - The Nines
Attachments	Appendix 1 - Letters of Objection

An application has been received for the grant of entertainment licence as follows:

Premises: The Nines, 10 to 12 Seacliff Road, Bangor

Applicant : Damian Fusco, Downshire Court, Bangor

Proposed hours and days of use: Saturday 9pm to 12 midnight.

Type of entertainment: Dancing, singing and music.

Five letters of objection were received following the public advertising of this application (copies attached);

1. David and Pauline Flood, Apt 7, 8 Seacliff Road, Bangor
2. William & Lynn McAvoy, Apt 6, 8 Seacliff Road, Bangor

Not Applicable

4

3. David Speers, Apt. 1, 8 Seacliff Road, Bangor
4. Eveline Galbreth, Apt 4, 8 Seacliff Road, Bangor
5. John Thompson, Apt. 2, 8 Seacliff Road, Bangor

Their main objections are stated as follows:

	Name	Objections
1.	David and Pauline Flood	<ul style="list-style-type: none"> • Entertainment is being proposed for every Saturday night, previous owner had put a limit on 11 events per year. • Previous events were for weddings and similar events only. • Previous owner gave prior notice of events to tenants. • Disturbance from patrons leaving premises shouting and slamming of doors, • Drinking up time means patrons will be leaving the premises until 1:00am. • Will suffer disturbance due to residence being near restaurant.
2.	William and Lynn McAvoy	<ul style="list-style-type: none"> • Concerns at the possibility of excessive noise from the premises. • Concerns about the possibility of anti-social behaviour. • Believes the quality of life will be impacted upon. • Detrimental impact on property values. • Opposed to the potential that events could be held every Saturday unlike previous owner limiting to 11 max.
3	David Speers	<ul style="list-style-type: none"> • Having already experienced noise from the premises by patrons and outside speakers believes that situation will be worsened if licenced. • Lives in very close proximity to the Nines and believes noise will be unacceptable. • Has previously had grandchildren staying who have had disrupted sleep due to patrons outside the premises.
4	Eveline Galbraith	<ul style="list-style-type: none"> • The restaurant is situated in a residential area and not in an area predominantly for entertainment. • Has already experienced disturbance from patrons at and leaving the premises.
5	John Thomson	<ul style="list-style-type: none"> • Has previously experienced noise from patrons drinking outside of the premises and patrons leaving the premises. • Believes the granting of an entertainment licence may increase the volume of noise and frequency.

Not Applicable

		<ul style="list-style-type: none"> • Advises that premises is located within a residential area of the town and not in an area predominantly frequented for drinking.
--	--	--

No objections have been received from the PSNI, NIFRS or Environmental Health.

Background

These premises were previously licensed as the Salty Dog and Council considered their application in October 2017.

At that time 8 letters of objection were received, and the Salty Dog employed a Noise Consultant to advise on ways of reducing noise to neighbouring properties. Environment Health also carried out a sound test which indicated that music was not audible in the nearest adjoining residential bedroom.

The licence was granted with the following additional licence conditions attached:

Additional Entertainment Licence Conditions

1. *All windows to the ground floor shall be kept closed during entertainment.*
2. *All external doors to the ground floor shall be kept closed during entertainment.*
3. *The music shall only be sourced in the bar area.*
4. *A competent person shall be present during each entertainment event and he/she will have access to a sound meter device of not less than class 2 standard, in order to monitor the sound level of the band or entertainment. Readings will be taken mid floor circa 2m from the musicians in the ground floor bar at the beginning and thereafter at regular intervals during entertainment.*
5. *Results of monitoring shall be recorded using a log sheet. The sound levels should not exceed 85 dB(A). If the sound does exceed this level then the competent person must ensure that the entertainment provider reduces the noise level to the point where 85 dB(A) is no longer breached.*
6. *Externally the competent person shall periodically patrol the exterior of the premises and at the nearest dwellings will assess the overall sound levels. Specifically the bass levels shall be considered and if the sound and bass levels are distinctly audible and likely to cause disturbance then they will ensure that the entertainment providers lower the volume.*

If following monitoring of entertainment by the Council's Environmental Health Department, there appears to be unreasonable disturbance, the noise levels stated in Condition 5 above may be reduced or the licensee may be required to again engage a noise consultant to propose what further mitigation measures may be

Not Applicable

6

required. Any necessary mitigation measures shall be implemented to the satisfaction of the council officers.

There were no reports of noise disturbance received by Council Officers following the granting of the licence in 2017. Environmental Health has advised that they would consider that the licence should be issued with the above additional conditions applied.

Deputation

Objectors and the applicant have the right to be heard by the Members under the Local Government (Miscellaneous Provisions) (NI Order) 1985. The 5 objectors will be represented by one of them (to be advised). The applicant Mr Damien Fusco will also make a representation.

Following the meeting Members can either:

- Determine the application.
- Request a full report to the Environment Committee in November.

RECOMMENDATION

It is recommended that the Council hears the deputation.

David & Pauline Flood

[REDACTED],
8 Seacliff Road
Bangor, Co. Down,
BT20 5EY

3 - JUL 2023

Received

03-07-2023

Ards & North Down Borough Council.

Re: Licensing application, Fusco N.I. Ltd.
Advertised in County Down Spectator - 22-06-2023.

As next door neighbours of "the Nines" 10-12 Seacliff Road, Bangor BT20 5EY, We have some concerns about the granting of the Entertainment License for the Hotel. If the new owners of the Hotel demonstrate a commitment to honouring the previously agreed-upon entertainment conditions and adhere to the same, we would not have any objection to the granting of the entertainment license. Essentially, we are expressing a desire for the new owners of the hotel to maintain the same level of peacefulness and enjoyment that we have experienced when the previous owner Kenneth Sharp was in charge.

Yours sincerely
David & Pauline Flood

David & Pauline Flood

P. E. Flood

8 Seacliff Rd.

Bgor.
BT205EY

F.A.O. Alan Williams
31/08/2023.

Dear sir,

We submitted our concerns about the granting of a licence for Entertainment at The Nines, 10-12 Seacliff Road, and have now been asked if, in the light of the conditions to be attached, we would either withdraw our objections or have them put before the Council.

We had said that we would like the same restrictions as were agreed with the previous owner. These did not include permission for entertainment every Saturday night, only for certain events such as weddings, in advance of which the nearby residents were to be given written notification. We feel that the music finishing at 12, possibly every Saturday, leads to drinking up time being later than that, followed by people leaving the premises to say their good nights and have taxis pick them up, doors slamming, shouting, will cause disturbance to people in this residential area, some of whose windows are very close to the establishment.

Therefore we ask that our objection should remain in place.

Yours Faithfully,

David and Pauline Flood.

P E Flood
David J. H. Flood



William / Lynn McAvoy

8 Seacliff Road
Bangor, Co Down
BT20 5EY
28th June 2023

3 - JUL 2023

Received

Ards and North Down Borough Council,
The Castle, Bangor, BT20 4BT

Subject: Objection to Entertainment License Application
(The Nines, 10-12 Seacliff Road, Bangor. BT20 5EY)

Dear Licensing Authority

I am writing to formally object to the issuance of an entertainment license for the Nines located at 10-12 Seacliff Road, Bangor, BT20 5EY. My objection is primarily based on the significant increase in noise that will result from the proposed entertainment activities at the venue.

As a resident living in close proximity to the Nines, I have been greatly concerned about the potential noise disturbances caused by previous events held at the venue. The proposed entertainment license would undoubtedly exacerbate this issue, resulting in even more noise pollution and disturbance to the surrounding residential area.

Excessive noise not only disrupts the peace and tranquillity of our community but also adversely affects our quality of life. It interferes with sleep patterns, causes stress and anxiety, and can be particularly burdensome for vulnerable individuals such as the elderly, children, and those with certain medical conditions. Moreover, it can have a detrimental impact on property values and the overall desirability of the neighbourhood.

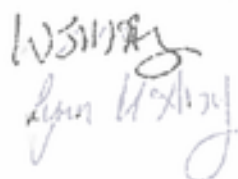
While I appreciate the cultural and economic benefits that entertainment establishments can bring to a community, it is imperative to strike a balance between the interests of businesses and the rights of residents. I believe that the current proposal fails to address the concerns of the local community adequately.

I kindly request that you carefully consider the potential negative impact that granting this entertainment license would have on the quality of life for the residents in the vicinity of the venue. I urge you at the very least, to impose stringent noise control measures to minimize the disturbance caused by the entertainment activities.

Please let me know the steps I can take to further support my objection or provide any additional information that may be required to assist in your decision-making process.

Thank you for your attention to this matter. I trust that you will take the concerns of the local community into serious consideration when making your decision.

Yours sincerely,
William / Lynn McAvoy



3 - JUL 2023
Received

William / Lynn McAvoy

8 Seacliff Road
Bangor, Co Down
BT20 5EY
31st August 2023

Ards and North Down Borough Council,
The Castle, Bangor, BT20 4BT

Subject: Continued Objection to Entertainment License Application
(The Nines, 10-12 Seacliff Road, Bangor. BT20 5EY)

Dear Alan Willis (Licensing and Regulatory Services Officer)

We are writing to express our ongoing objection to the issuing of the entertainment license for The Nines 10-12 Seacliff Road, Bangor. We regret to inform you that we are unable to withdraw our objection due to the concerns we have regarding potential noise disturbances and antisocial behaviour especially in the early hours of Sunday mornings that might result from the issuance of the license.

Our previous objection was based on the understanding that the license would come with the same conditions allowing a limited number of venues per year. However, upon reviewing the conditions proposed for the new owner, we have found them to be significantly different from those that were previously agreed upon. Now seemingly increased from a limited number of venues per year to every Saturday night until 12.00pm which would not maintain the peace and harmony of the neighbourhood.

As concerned residents, we firmly believe that the proposed changes to the licensing conditions may lead to increased noise levels and potentially disruptive behaviour. Our primary concern is the well-being and tranquillity of the area, and we fear that the alteration in the conditions might not adequately address these concerns.

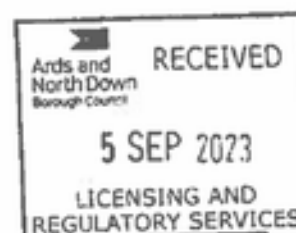
We kindly request that the Council take into consideration the potential impact on the neighbourhood's quality of life, as well as the safety and comfort of its residents. We understand the importance of supporting local businesses and entertainment, but we believe it is equally crucial to safeguard the interests of the community.

We sincerely hope that the Council will carefully re-evaluate the proposed conditions and their potential consequences before making a final decision. We appreciate your attention to this matter.

Thank you for your understanding and consideration.

Sincerely,
William and Lynn McAvoy

Lynn McAvoy
William McAvoy



①

8 SEACLIFF ROAD
BANGOR
BT20 5EY

Dear Sirs

REF: APPLICATION FOR ENTERTAINMENT LICENCE
FUSCO NI LTD T/A THE WINES

I live directly next door to the applicant's premises having moved in 4 years ago.

With the previous owner we had no real problems re: to the rear of their premises because they closed or stopped serving outside at 9-10 PM.

The new owners are very different in that they aim to attract a younger crowd. Already they have an open later in the rear and out front.

They have a speaker above the front door (outside) and have a DJ playing Saturday nights, with "love" music Friday & Sunday in the background. And it appears they do not have a licence yet for such activities.

On two occasions I have had to get out of bed to complain to them - being next door with adjoining walls I get both the outside "speaker music" and the "thumping love" through my bedroom wall.

The first time I spoke to the manageress - when I went in (Wednesday evening) to my horror the place was empty but the music was still on - inside & outside. Only the manageress & staff clearing up. It improved slightly for a few nights then started again outside until after 11 PM - again I got out of bed and went in. The same manageress, shocked to see me again, knew why I was there. She said they forgot to turn it off / down.

Now they have "actually" applied & notice has been given I can see it getting worse.



(3)

Finally, any Council representative is most welcome to visit our families at any time to experience the truth of all previous points concerning noise level.

Yours sincerely,

David Speers
(DAVID SPEERS)

P.S. I understand that the previous owners, "The Salty Dog", had restrictions on that licence which seemed fair and unobtrusive according to my neighbours who have lived here longer. I would have no objection to those same restrictions.

The new owners also now own "Betty Blacks" I am told what the noise level, albeit in a commercial area, is horrific. I and my neighbours do not want similar here.

They have just now "installed" an outside bar in the yard to the rear - this will increase the noise level.

Eveline Galbreith
[REDACTED]

8 Seacliff Road
BANGOR
BT20 5EY

Licensing and Regulatory Services
North Down Borough Council
The Castle
BANGOR
BT20 4BT

licensingandregulatoryservices@ardsandnorthdown.gov.uk

paul.prentice@ardsandnorthdown.gov.uk

29th June 2023

Dear Sir/Madam,

Re: The Nines Entertainments Licence Application

I am writing to object to the application for an entertainment licence by The Nines hotel, bar and restaurant at 10-12 Seacliff Road.

If properly regulated I would be happy to withdraw the objection however we have already experienced some disruption from the venue under their new ownership.

While a hotel/bar/restaurant next to my home is not a cause for complaint, and indeed adds to the neighbourhood, it is worth remembering that it is located in a housing area and not a town drinking establishment.

Many thanks

Eveline Galbraith

Mr John Thomson

8 Seacliff Road
BANGOR
BT20 5EY

Licensing and Regulatory Services
North Down Borough Council
The Castle
BANGOR
BT20 4BT
licensingandregulatoryservices@ardsandnorthdown.gov.uk
paul.prentice@ardsandnorthdown.gov.uk

29th June 2023

Dear Sir/Madam,

Re: The Nines Entertainments Licence Application

I am writing to object to the application for an entertainment licence by The Nines hotel, bar and restaurant at 10-12 Seacliff Road.

If properly regulated I would be happy to withdraw the objection however we have already experienced some disruption from the venue under their new ownership. Currently the beer garden, which our bedroom overlooks, closes at 10pm, which is satisfactory. There has been some noise from a speaker playing music mounted on the front terrace of The Nines, which although low level, has been irritating and has on occasion gone on until past 11pm. A neighbour, whose apartment is directly next to The Nines, has been round three times already to complain about loud music from both inside and outside the premises. I can tolerate taxis and late night patrons leaving the venue but have grave concerns about any increase in noise and disruption. We already accept that with our bedroom facing the beer garden there will inevitably be some noise, both from customers, but also from staff talking late at night and beer keg deliveries and bottles being thrown into waste bins.

While a hotel/bar/restaurant next to my home is not a cause for complaint, and indeed adds to the neighbourhood, it is worth remembering that it is located in a housing area and not a town drinking establishment. We have had no direct engagement from the new owners which is disappointing when it would have been in his best interest to get the neighbours on board.

Many thanks



Mr John Thomson

Mr John Thomson

8 Seacliff Road
BANGOR
BT20 5EY

Alan Willis
Licensing and Regulatory Officer
Ards and North Down Borough Council
Town Hall
BANGOR
BT20 4BT

1st September 2023

Dear Mr Willis,

Re: The Nines Entertainments Licence Application

Many thanks for your letter dated 25th August concerning the above.

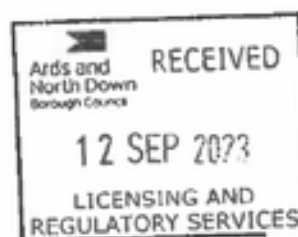
In discussion with other tenants at our AGM yesterday it appears that the conditions outlined in your letter are not a like for like of the conditions the previous incarnation of the Nines, The Salty Dog, had upon then. Previously, the conditions were that the venue could hold entertainment up to 12 times per year and not up to every Saturday as per Point 1 on your letter. Of more concern to the tenants is not necessarily the music volume (although the tenants in Apartment 1, directly adjacent to the venue may feel differently), but the disturbance from revellers late at night.

As such, until the previous restrictions of entertainment restricted to up to 12 times per year are upheld, I still wish my objection to be put before the council.

Many thanks



Mr John Thomson



Unclassified

16

ITEM 5

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	04 October 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Waste and Cleansing Services
Date of Report	21 September 2023
File Reference	
Legislation	Waste and Contaminated Land (NI) Order 1997
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	WRAP Review of Kerbside Waste Collection Services - Update
Attachments	

Background

Members will be aware of Council's decision to undertake a review of our Kerbside Waste Collection services, facilitated by the Waste and Resources Action Programme (WRAP). WRAP is a Government funded charity which works with businesses, individuals and communities (including local authorities) to achieve a circular economy, by helping them reduce waste, develop sustainable products and use resources in an efficient way.

The key aims of the review are assisting with the achievement of future recycling targets and minimising the cost burden of waste disposal on local ratepayers.

Update

An all-Member workshop was held on 21 August, providing WRAP with the opportunity to lay out the challenges ahead of the Council, benchmarking our past and present performance on recycling and sustainable waste resource management against other UK Councils. The workshop was an opportunity to discuss examples of

Not Applicable

17

best practice elsewhere, looking at service models that have demonstrated beneficial recycling outcomes. Next steps will involve further exploration of potential new service models, including detailed financial and environmental evaluations of each.

As part of the outworking of this workshop, a desire for ongoing Elected Member involvement in the progress of the review process was expressed.

It is recommended that 11 Members are appointed to the group by D'Hondt plus 1 method which would provide cross Party representation. The membership would therefore be made up of 4 DUP, 4 Alliance, 2 UUP and 1 Independent or Member of the Green Party or SDLP.

The role of this Group will be to provide a key point of reference for WRAP and senior Council officers in relation to progress of the review process and in particular the evaluation of potential new service models. It is proposed that further steps in the review process, including reports and recommendations coming to the Environment Committee, will be informed and supported by input from the Working Group.

RECOMMENDATION

It is Recommended that Council agree to the formation of a Kerbside Waste Collection Task and Finish Working Group and agree to appoint membership of it using the D'hondt plus 1 method (4 DUP, 4 Alliance, 2 UUP and 1 Independent or Member of the Green Party or SDLP).

Unclassified

18

ITEM 6

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	04 October 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	18 September 2023
File Reference	BC01
Legislation	
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Building (Amendment) Regulations (Northern Ireland) 2023 - Part E Consultation Response
Attachments	

Building (Amendment) Regulations (Northern Ireland) 2023 - Consultation Overview

Fire safety measures in buildings established through the local Building Regulations contribute significantly to maintaining life safety standards for occupants/residents and firefighters alike, not to mention the contribution they make in terms of property protection.

The proposed consultation contains amendments to uplift fire safety protection measures in a range of buildings. They are mainly focused on residential buildings and in particular domestic multi-residential buildings, to provide assurance and additional safety measures to residents. Some amendments are aimed at assisting the Fire and Rescue Service to ensure they can provide an effective operational response. The intended effect of the proposals is to reduce the consequences of fire through saving lives and preventing injuries.

Not Applicable

The Grenfell tragedy and subsequent Phase 1 report to the Public Inquiry highlighted the potential benefits of some of the items proposed in this consultation - sprinkler usage, wayfinding signage, evacuation alert sounder systems, smoke ventilation systems and secure information boxes to improve resident safety. Sprinklers in particular have been proven to be very effective fire protective measures for saving lives in residential type buildings.

The Department is seeking views on these matters and the other amendments as proposed to the local Building Regulations through this consultation. Your views will help to inform the development of final policy proposals.

It is not compulsory to answer all of the questions, a response to the consultation can be provided even if a view is not expressed on all of the issues raised. The answers provided will inform the development of final policy proposals and legislation.

Consultation Response

Attached at Appendix 1 is a response prepared on behalf of the Council by the Building Control service. Some of the issues raised have not been responded to by the Council directly, but rather on a collected NI Council-wide basis through Building Control Northern Ireland (BCNI).

The closing date for the response is 25 September 2023 and the response has therefore been submitted to the Department comply with the timeframes.

RECOMMENDATION

It is recommended that Council grant retrospective approval for submission to the Department of the consultation response detailed in Appendix 1 on behalf of the Council.

Contents		Page
Respondent details		6
Part A	Interpretation and general Questions A1- A2	8
Part E	Fire safety Questions E1 – E8	10
Technical Booklet E	Fire safety Questions TBE1 – TBE12	17
Impact Assessment	Question IA1	27
General Comments	Question G1	28
Next Steps		28

Respondent Details

In order for your response to be considered valid, you must provide the following information:

Name	Michael Dorrian
Organisation (if any)	Ards and North Down Borough Council
Email	michael.dorrian@ardsandnorthdown.gov.uk

Are you responding as an individual?

Or are you representing the views of an organisation?

Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published.

If you ask for your response to be confidential, we will still take account of your views in our analysis, but we will not publish your response, quote anything that you have said or list your name. If you ask for your response to be regarded as confidential and not to be published, you will be asked to explain to us why you regard the information you have provided as confidential.

To find out how we handle your personal data, please see your privacy policy ([Department of Finance Privacy Notice | Department of Finance \(finance-ni.gov.uk\)](#)). When submitting this response you agree to our privacy policy.

The Department of Finance would like your permission to publish your consultation response. Please indicate if you wish your response to be treated as confidential.

Yes No

If you wish your response to be treated as confidential, please provide your justification for doing so.

Do not want any of our answers to be construed as an interpretation of current regulations or represent a view that conflicts with previous guidance given.

We may wish to contact you again in the future, but we require your permission to do so. Are you content for the Department of Finance to contact you again in relation to this consultation exercise?

Yes No

PART A, INTERPRETATION AND GENERAL: QUESTIONS

Part A of the Building Regulations (Northern Ireland) 2012 (as amended) (the Building Regulations) defines certain terms used in the regulations and establishes processes which relate to the application of the regulations.

(Refer to Section 4 of the Consultation proposals document)

It is proposed to amend Part A of the Building Regulations and in particular regulation 8 (Application to material change of use) so that when a building becomes a 'relevant premises' (as defined under the Fire and Rescue Services (NI) Order 2006) after a material change of use, that building will be subject to the new requirement of regulation 37A. The same requirement will apply to a building containing one or more flats with a storey more than 11m above ground level that is created as a result of a change of use.

Similarly it is proposed to amend Part A of the Building Regulations and in particular regulation 8 (Application to material change of use) so that when a building on the prescribed list i.e. becomes a building containing flats or a building for purpose built student accommodation with a storey more than 11m above ground level or a residential care home, nursing home, children's home, family resident centre due to a material change of use, then that building will be subject to the new requirement of regulation 37B.

The amended Table to Regulation 8 (Application to material change of use) will demonstrate for the existing Cases where the new requirements in regulations 37A and 37B will apply.

A1. *Do you agree with the proposal to require a building which becomes a 'relevant premises' (as defined in the Fire and Rescue Services (NI) Order 2006) or a building containing one or more flats with a storey more than 11m above ground level, due to a material change of use, to be subject to the requirements of new regulation 37A?*

Yes No No view

We believe there needs to be a revision to the scope of Regulation 9b known as a building notice. Part A regulation 2 defines a dwelling as a house or a flat, TBE further defines a flat as a dwelling divided horizontally.

It is clear that internal alterations can be carried out to a single dwelling(flat) with a building notice application without 'plans'(notwithstanding details can be asked for, unfortunately experience has shown works under a building notice are often far in advance of any design or more accurately no design exists)

The internal alterations can have a profound impact on common escape routes where 'double door' protection is removed or open plan layouts are created (not compatible in single stair buildings under certain codes eg BS9991 :2015).

This has always been an anomaly, the proposed 'fire safety information' regulations requiring detailed information including plans further highlights this. Again we acknowledge reg 37a relates to in scope buildings being formed as opposed to internal alterations.

Buildings and more specifically flats can only be altered on the basis of a holistic design whether over 11m or not. Building notice applications are inconsistent with this.

We propose that the department substitutes the word dwelling with dwellinghouse (as defined in TBE) in reg 9b known as building notice.

Comments (if any):

A2. *Do you agree with the proposal to require a building which becomes a building on the prescribed list of buildings in regulation 37B due to a material change of use, to be subject to the requirement of new regulation 37B?*

Yes No No view

Comments (if any):

Yes, often buildings formed by change of use require high levels of compartmentation. Indeed flats/apartments which rely on a stay put strategy therefore rely on high levels of compartmentation. It can be difficult to either assess or confirm that an existing building has achieved this at critical junctions or interfaces.

The addition of measures contained in 37B (suppression systems) can provide extra resilience to the design.

We might have considered that for change of use particularly to historic buildings with sleeping accommodation that the threshold of 11m be reduced.

PART E, FIRE SAFETY: QUESTIONS

Part E of the Building Regulations sets out requirements in buildings for ensuring adequate means of escape, adequate limitation for internal fire spread to linings and internal structure, adequate limitation on external fire spread and adequate facilities and access for the Fire and Rescue Service.

(Refer to Section 5 of the Consultation Proposals document).

It is proposed to introduce a new Regulation 37A 'Provision of fire safety information' to require that adequate 'as built' fire safety information is made available to the person responsible for fire safety duties in a building after completion of a project when a building is handed over for ownership/occupation.

The information will be of benefit to the owner/occupier in operating and maintaining the building for fire safety purposes and is seen as a necessary link between fire safety measures installed as part of the design and as-built phase and the occupied phase in the lifecycle of a building.

With this information, owners/occupiers should be able to understand and implement the fire safety strategy of the building; maintain any fire safety system provided and carry out an effective fire risk assessment of the building.

E1. Do you agree that as built 'fire safety information' should be required to be given under Building Regulations to those responsible for fire safety duties in a building not later than the date of completion of the work, or the date of occupation of the building or extension whichever is the earlier?

Yes No No view

Comments (if any):

There needs to be greater clarity around the type and nature or status of the information.

Will giving a notice in writing to the council satisfy the requirement of the regulation if the 'plans' or design is substantially incomplete or indeed defective in terms of demonstrating compliance.

In that circumstance how does person/organisation who operates the building do so with reasonable safety as set out in 7.1 TBE

7.4 TBE (proposed) requires essential information starting with floor plans etc .

However, the first and most relevant piece of information that needs to be set out is the fire code/reference document that the building is designed to. Until that is established nothing else can be determined.

The design should in the first instance contain a short summary of the key design features highlighting any significant deviations including compensatory measures taken.

Notwithstanding the provision of fire safety information, it does raise the question as highlighted in the 'Hackitt' report about 'gateways'. We feel 'plan approval' should be required prior to commencement and a pre completion inspection carried out prior to occupation. Occupation should only be possible if the pre completion inspection did not identify any significant issues (life safety)

It is proposed to apply the new regulation to 'relevant premises' as defined under the Fire and Rescue Services NI Order 2006 (FRSNIO) and to buildings containing one or more flats with a storey more than 11m above ground level. 'Relevant premises' under the FRSNIO are predominantly all non-domestic buildings.

This requirement was introduced to Building Regulations in England and Wales in 2006 and a similar requirement for fire safety design summaries was introduced in Scotland in 2013. Introducing here will bring NI into line with the existing requirement in other regions.

E2. *Do you agree with the scope of buildings ('relevant premises' as defined under the FRSNIO and buildings containing one or more flats with a storey more than 11m above ground level) for the new regulation to apply to?*

Yes No No view

Comments (if any):

The regulation is worded in a similar way as equivalent regulation 38 for England and Wales which was introduced there in 2006. Responsibility for compliance with this new requirement will fall upon 'the person carrying out the work'.

E3. Do you agree with the use of the term 'person carrying out the work' in the regulation or do you think a more specific individual should be cited in the regulation and hence responsible for providing this information?

Yes No No view

Comments (if any):

A lot will depend on the procurement system and design responsibility, eg design and build contracts etc. However, in the main if the person carrying out the work is the 'builder' in a traditional role then no they should not have the responsibility for providing this information. They will certainly have a role to play confirming certain things.

It is proposed to introduce a new prescriptive regulation 37B which will require the provision of suitable automatic fire suppression systems (e.g. sprinklers) in certain types of buildings.

Sprinkler systems installed in residential type buildings can reduce the risk to life and significantly reduce the degree of property damage caused by fire. Evidence has shown that automatic fire sprinklers protect residents from fire, they limit fire spread protecting means of escape for residents, and also protect Firefighters who attend such fires.

E4. Do you agree that a new prescriptive regulation requiring the provision of suitable automatic fire suppression systems in certain types of buildings should be introduced under regulation 37B?

Yes X No No view

Comments (if any)

The new regulation will apply to a prescriptive list of buildings only, including buildings containing one or more flats with a storey more than 11m above ground level; purpose-built student accommodation type buildings with a storey more than 11m above ground level; all residential care homes, nursing homes, children's homes and family resident centres irrespective of storey height.

In relation to adding to this list, there may be a wider piece of work in future to consider a broader range of buildings with a sleeping risk for automatic fire suppression provision e.g. hotels. There may also be some higher risk Purpose Group 5 buildings (Assembly and recreation) which may merit consideration on the list.

E5. Do you agree with the scope of buildings as proposed for now under new regulation 37B?

Yes No No view

Comments (if any):

A threshold storey height of 11m has been chosen to align with the same requirement in England for buildings containing one or more flats. This height is also consistent with the joint call in March 2019 from the Royal Institute of Chartered Surveyors (RICS), Royal Institute of British Architects (RIBA) and the Chartered Institute of Building (CIOB) on government to require the installation of sprinklers in all new and converted residential buildings, student accommodation and care home buildings more than 11m in height.

Lower trigger heights apply elsewhere in Scotland and Wales and also capture a wider number of building types.

E6. Do you agree with the height threshold of 11m for buildings containing one or more flats and purpose-built student accommodation as proposed under new regulation 37B?

Yes No No view

If you disagree, state the height threshold you think it should be and your reasons why.

A lower trigger height maybe applicable to building formed by MCOU. The height is likely to be in the 4.5m-7.5m range for a change of use building.

In the case of new build 11m perhaps is not unreasonable but again construction type may be relevant.

Consideration would be given to construction types with less redundancy or resilience in the event of fire such as timber framed buildings as opposed to concrete structures.

Comments (if any):

It is proposed to apply new requirement 37B to all (irrespective of height) care homes, nursing homes, children's homes and family resident centres as defined by the 'Health & Personal Social Services (Quality, Improvement & Regulation) (Northern Ireland) Order 2003'. These terms will be grouped under the definition for 'residential care premises'.

E7. Do you agree with the definition of residential care premises being adopted in building regulations for the application of new regulation 37B?

Yes No No view

Comments (if any):

Introducing a prescriptive requirement for the installation of automatic fire suppression systems (e.g. sprinklers) in certain types of buildings here for the first time is likely to require a period of time of adjustment for the industry. It is proposed to have a transitional period of 6 months between the requirement being made and it coming into operation.

E8. Do you agree with a transitional period of 6 months?

Yes No No view

If you disagree, state how long the transitional period should be and your reasons why.

Comments (if any):

TECHNICAL BOOKLET E, FIRE SAFETY (TBE); QUESTIONS

Part E of the Building Regulations sets out fire safety requirements in relation to buildings.

(Refer to Section 6 of the Consultation Proposals document and consultation version Technical Booklet E).

Alongside the technical requirement changes to Part E legislation, a number of changes to Technical Booklet E (TBE) are proposed. The Department is issuing a consultation version of a TBE indicating the proposed changes as part of this consultation (see paragraph 3.3 of document C2 'Consultation proposals'). The amended TBE will provide guidance on demonstrating compliance with the new Part E requirements 37A and 37B. It will also contain revisions to Section 2 to amend provisions for fire alarms in dwellings and smoke ventilation from the common escape routes of medium/high-rise buildings containing flats. Revisions to Section 6 will include amended and new provisions for firefighter safety for Facilities and Access for the Fire and Rescue Service.

The new guidance to regulation 37A in Part E will be placed in a new Section 7 'Fire safety information' of TBE.

The guidance gives 'essential information' for simple buildings and more detailed 'Additional information for complex buildings'. The amount and degree of information required will depend on the individual circumstances of the building concerned.

TBE1. Do you agree with the proposed guidance in Section 7 of the consultation version TBE for 'fire safety information'?

Yes No No view

Comments (if any):

Is there a conflict with setting out what information is required in TBE to satisfy a regulation where the demonstration of compliance of the regulation is a solution outside of the scope of TBE eg a fire engineered solution.

If TBE is the vehicle should there be a statement that the information sought will also be applicable/relevant to other design codes or solutions

I refer you to previous comments about the need to provide information about building design code used and key design information

The new guidance to regulation 37B in Part E will be placed in a new Section 8 'Sprinklers' of TBE. It is aimed at providing guidance for sprinklers as one way to satisfy the automatic fire suppression system requirement of regulation 37B.

The guidance gives general information on sprinklers; makes reference to design standard BS 9251 "*Fire sprinkler systems for domestic and residential occupancies. Code of practice*" for residential buildings and BS EN 12845 '*Fixed firefighting systems. Automatic sprinkler systems. Design, installation and maintenance*' for non-residential buildings.

Guidance for water supplies and pumps for non-residential sprinkler systems designed and installed to BS EN 12845 is also provided.

TBE2. Do you agree with the proposed guidance regarding sprinklers given in Section 8 of the consultation version of TBE?

Yes No No view

Comments (if any):

The Department intends to revise the contents of Section 2 of TBE as a whole, as part of the next phase of changes to Part E and TBE. However, as part of this package of changes now, it is proposed to uplift the current requirement in TBE for fire alarm provision in dwellings.

Currently TBE requires a fire alarm system of Grade D Category LD2 to BS 5839-6 with smoke alarm or alarms in the principal habitable room and a heat alarm in each kitchen. This is currently more onerous than ADB1 in England and Wales, in line with the Technical Handbook in Scotland but less onerous than the standard set in Technical Guidance Document B in Republic of Ireland.

It is proposed to require smoke alarms in every habitable room in a new build dwelling or a dwelling created as a result of a material change of use. (Smoke alarms in circulation routes and heat alarms in kitchens will also still be required).

The proposal should benefit all occupants but particularly those who may be elderly/vulnerable/asleep and tend to react slower. Where available time for evacuation is critical, earlier warning and increased audibility levels of the alarm throughout the dwelling should enhance occupant safety.

Habitable room will be defined in TBE as “*any room in a dwelling other than a kitchen, utility room, bathroom, shower room, dressing room or WC*”.

TBE3. *Do you agree with the revised provisions for installation of smoke alarms in all habitable rooms as part of automatic fire detection in new dwellings?*

Yes No No view

Please provide any evidence in support to your answer.

Comments (if any):

In relation to the level of fire alarm system required in an existing dwelling when it is subject to an extension and/or alteration, with the exception of a

roofspace conversion to habitable accommodation in a dwellinghouse, TBE does not specify the level of provision.

The coverage of fire alarm system required when an extension and/or alteration occurs will depend on the starting fire alarm provision in the dwelling prior to the extension and/or alteration. Under existing provisions in TBE, it is unlikely for instance that an existing system would have the appropriate level of detection to alarm a new habitable roofspace storey. However, an existing system may be adequate to provide appropriate level of detection to an extension and/or alteration which creates a new habitable room on the same storey. This will of course change if the proposal to alarm all habitable rooms in a dwelling is adopted.

The intention of the new guidance in TBE is to bring clarification to the issue of fire alarm provision when a dwelling is extended and/or altered.

TBE4. *Do you agree with the new guidance in relation to fire alarm provision in dwellings subject to an extension and/or alteration work?*

Yes No No view

Comments (if any):

Also proposed as part of this package of changes to Section 2 of TBE is to clarify the smoke ventilation requirements in the common escape routes (lobbies/corridors/stairways) of buildings containing flats.

The new provisions will provide for external wall smoke vents or smoke shafts as a means to achieve natural smoke ventilation from common escape routes in blocks of flats and make reference to BS EN 12101-6 '*Smoke and heat control systems – Part 6. Specification for pressure differential systems*' as the document to use for the designing of mechanical smoke control systems that use pressure differentials.

BS EN 12101-2 :2017 'Smoke and heat control systems. Natural smoke and heat exhaust ventilators' will also be cited as the standard for natural smoke ventilators.

TBE5. *Do you agree with the amended guidance regarding smoke ventilation from the common escape routes in buildings containing one or more flats as inserted in TBE?*

Yes No No view

Comments (if any):

A series of changes are proposed for Section 6 'Facilities and Access for the Fire and Rescue Service' of TBE. The changes and new provisions are aimed at assisting firefighters in their daily operations of firefighting and search and rescue.

It is proposed to require Purpose Group 5 (PG5) buildings (Assembly and Recreation) which have a storey 900m² or more in area at a height of 7.5m or more above fire and rescue service access level to have a firefighting shaft. All buildings irrespective of Purpose Group with a storey more than 18m above fire and rescue service access level require a firefighting shaft. PG 4, 6 and 7a buildings with a storey 900m² or more in area at a height of 7.5m or more above fire and rescue service access level already require a firefighting shaft.

A firefighting shaft is a protected enclosure containing a firefighting stair and firefighting lobby. If a lift is provided, this may or may not be a firefighting lift. These features are provided to assist attending firefighters in their operational duties.

TBE6. *Do you agree with the proposed change in guidance to require all Purpose Group 5 buildings which have a storey 900m² or more in area at a height of 7.5m or more above fire and rescue service access level to have firefighting shaft provision?*

Yes No No view

Comments (if any):

To address safe penetration distances for firefighters, it is proposed to amend the design provisions for locating firefighting shafts and protected stairways. The amended guidance will require every part of each storey in a building more than 18m above fire and rescue service vehicle access level (or 7.5m where applicable), to be no more than 60m from a fire main in a firefighting shaft. In addition the guidance will require where sprinklers are not provided, the distance from any part of a storey should be no more than 45m from a fire main in a protected stair/shaft.

Distances are to be measured suitable for laying a fire hose.

TBE7. *Do you agree with the amended guidance so that the maximum distance from any point on a storey to a fire main in a firefighting shaft is 60m and in addition, where sprinklers are not fitted, the distance should be a maximum of 45m to a fire main outlet in a protected shaft (not necessarily a firefighting shaft)?*

Yes No No view

Comments (if any):

From research into required flow of water through a dry fire main, it is proposed to amend the design provisions in TBE to restrict the use of a dry fire main to a storey height of 50m above fire service vehicle access.

The proposed change in guidance from the existing 60m storey height to 50m will ensure a building with a storey over 50m above fire service vehicle access level should be provided with a wet fire main. All other buildings where fire mains are provided can fit a wet or dry fire mains.

TBE8. *Do you agree with the amended guidance to set a storey height limit of 50m above fire service vehicle access level for provision of a dry fire mains?*

Yes No No view

Comments (if any):

From research into buildings not fitted with a fire main, it is proposed to amend the design provisions in TBE in order that the effective hose penetration distance from the fire and rescue service vehicle (pump appliance) is 45m to reach all points within each individual dwelling (for blocks of flats) and dwellinghouses. This will replace the existing guidance of 45m to reach the individual dwelling entrance door.

TBE9. Do you agree with the amended guidance so that a pump appliance can gain access, so that the effective hose penetration distance can reach to within 45m of all points within a dwellinghouse/flat? (for buildings not fitted with a fire main)

Yes No No view

Comments (if any):

Although rare, there may be occasions when the Fire and Rescue Service require to evacuate the fire floor and in extreme cases, other floors or the entire building during an incident in a building containing flats. Currently under such circumstances, the Incident Commander instructs firefighters to knock on the doors of the flats and advise the occupants to vacate the building when it is safe to do so.

The proposal is to require an emergency evacuation alert system for buildings containing flats (Purpose Group 1a buildings) with a storey more than 18m above ground level. The system will have a sounder in each of the flats but will not be linked to the smoke and heat detection/alarm system within the individual flat. The system should provide the fire and rescue service with an option to initiate a change in evacuation strategy via an alarm.

A new Standard for such a system has been published by BSI – BS 8629: 2019 '*Code of Practice for the design, installation, commissioning and maintenance of evacuation alert systems for use by Fire and Rescue Services in buildings containing flats*' which is proposed to be referenced in the guidance.

TBE10. *Do you agree with requiring an emergency evacuation alert system to be installed in buildings containing flats with a storey more than 18m above ground level?*

Yes No No view

Please advise if you think this threshold is not appropriate and why.

Comments (if any):

There have been instances where firefighters have faced problems identifying floors and individual dwellings during an incident where the wayfinding signage perhaps could have been clearer.

It is proposed to implement a recommendation from the Grenfell Public Inquiry that wayfinding signage be present in all high-rise residential buildings. This proposal will go further than the Inquiry's recommendation and introduce a requirement for it in all Purpose Group 1a multi-occupied residential buildings with a storey more than 11 m above ground level.

Wayfinding signage is relatively straightforward and inexpensive to introduce and will support Fire and Rescue Service operations and make an important contribution to building safety.

TBE11. Do you agree with the new requirement for wayfinding signage in buildings containing flats with a storey more than 11m above ground level?

Yes No No view

Please advise if you think this threshold is not appropriate and why?

Comments (if any):

Secure Information Boxes (or Premises Information Boxes) are a recognised method through which building owners / managers and occupiers can provide information to the attending Fire and Rescue Service. Currently, there is no statutory requirement to have them installed in multi-occupied domestic residential premises, their use is voluntary.

When they are installed, there are benefits for the Fire and Rescue Service in terms of their response to incidents as the boxes provide fire-fighters with readily accessible information about the building. The information may include floor plans with the location of key firefighting equipment; a single page building plan with the location of key firefighting equipment and contact details for the person in charge of the building.

TBE12. *Do you agree with the new requirement for a secure information box in buildings containing flats with a storey more than 11m above ground level?*

Yes No No view

Please advise if you think this threshold is not appropriate and why?

Comments (if any):

IMPACT ASSESSMENT

The Department has published a Consultation Regulatory Impact Assessment (RIA) as part of the consultation documents and welcomes further evidence to inform a final stage RIA.

(Refer to Consultation Regulatory Impact Assessment – Document C4)

IA1. *Do you agree with the assumptions, costs and impacts set out in the consultation stage RIA?*

Yes No No view

Comments (if any):

GENERAL COMMENTS

The Department encourages consultees to respond on any aspects of the proposals, therefore the last question is completely open to enable consultees to make suggestions or observations on relevant issues that are not addressed by answering the preceding questions.

G1. *Please set out any additional comments you have below.*

Comments (if any):

Not all sections have been completed to reduce duplication as we had input into a BCNI response.

Much of our response is in reference to the more common building types and height within our council area. In other taller building types we have referenced through the BCNI reply.

Unclassified

48

ITEM 7

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	04 October 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	18 September 2023
File Reference	LQR
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Licensing Service Q2 and Q3 Activity Report - (July to Dec 2022)
Attachments	

Introduction

The information provided in this report covers, unless otherwise stated, the periods from 1 July to 31 December 2022. The aim of the report is to provide members with details of some of the key activities of the Licensing Service, the range of services it provides along with details of level of performance.

Applications Received

The Service deals with a wide range of licensing functions which require the officers to consult with the PSNI, NIFRS and a range of other internal Council Sections in making their assessment of an application.

	Period of Report 1 July to 30 September 2022	Same quarter last 2021
Entertainment Licence	29	50

Not Applicable

Cinema Licence	1	1
Amusement Permits	3	2
Marriage and Civil Partnership Place Approval	1	2
Pavement Café Licence	0	4
Street Trading Licence	1	1
Lottery Permits	2	0
Totals	37	60

	Period of Report 1 October to 31 December 2022	Same quarter last 2021
Entertainment Licence	75**	50
Cinema Licence	1	1
Amusement Permits	1	1
Marriage and Civil Partnership Place Approval	2	2
Pavement Café Licence	7	0
Street Trading Licence	0	4
Lottery Permits	1	6
Totals	87	64

Most of the licences issued are for renewals and hence the workload is fairly constant year on year. Renewing a licence still entails considerable work to assess the application and consult with the other bodies.

*** Council Premises now have individual Licences / Applications when previously one generic Licence was issued.*

Regulatory Approvals

This is the number of licences, approvals and permits that have been processed and issued.

	Period of Report 1 July to 30 September 2022	Same quarter 2021
Entertainment Licence	37	37
Cinema Licence	1	0

Not Applicable

Amusement Permits	3	3
Marriage and Civil Partnership Place Approval	1	1
Pavement Café Licence	0	0
Street Trading Licence	2	2
Lottery Permits	1	0
Totals	45	33

	Period of Report 1 October to 31 December 2022	Same quarter 2021
Entertainment Licence	28	71
Cinema Licence	1	1
Amusement Permits	2	1
Marriage and Civil Partnership Place Approval	1	2
Pavement Café Licence	8	0
Street Trading Licence	1	5
Lottery Permits	2	5
Totals	42	85

Off Street Car Parking

The car parking enforcement agreement with the Department for Infrastructure is managed by the Licensing Services Manager.

Below is the recorded income from car parking ticket sales for the period.

Table 1: Income from Ticket Sales

	Period of Report 1 July to 31 December 2022	Previous year
Income from ticket sales	£398,059	£394,481

Table 2: PCN's Issued

	Period of Report 1 July to 31 December 2022	Same period 2021

Not Applicable

51

Bangor	768	667
Holywood	735	488
Newtownards	644	745
Total	2147	1900

RECOMMENDATION

It is recommended that the Council notes the report.

Unclassified

52

ITEM 8

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	04 October 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets and Property Services
Date of Report	26 September 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	NOM Report - Provision of Self Help Winter Grit Piles
Attachments	

In February 2023 Council agreed the following Notice of Motion:

Building on the practice of other Council areas, that this Council tasks officers to liaise with DfI Roads as a matter of urgency to offer its assistance in providing self service grit piles for residents and to post locations of such grit piles on the Council website.

Officers have liaised with the local DfI section office/depot in relation to the provision of grit piles and a number of concerns have been identified with the proposal set out in the NOM.

- a. DfI Section Office has agreed in principle to providing grit to Council subject to availability, however we would need to collect it from their depot and arrangements/resources would need to be put in place to undertake this activity throughout the winter. Furthermore, DfI share many of the concerns below that would need to be addressed before agreeing to supply grit.

Not Applicable

- b. DfI has set criteria used to select the areas that are gritted (typically arterial routes only), or where grit boxes are supplied (typically steep hills only). It is unclear in which locations it is envisaged these grit piles would be used.
- c. If there is rain/snow after the grit has been tipped in an open area, for example a public car park, it binds together and solidifies. This makes it very difficult to shovel by hand and greatly reduces the effectiveness of the grit, as the salt is washed away.
- d. The saltwater run-off from grit piles could create harmful environmental conditions in nearby watercourses. Whilst roads etc are gritted regularly, the grit is not usually deposited in such quantity and in such a concentrated space as to produce such a point source environmental risk.
- e. The grit piles are likely to be subject to misuse. There are anecdotal reports of individuals bagging up and reselling grit from grit boxes during times of prolonged ice and snow.
- f. In periods of prolonged ice and snow, DfI may encounter difficulties with the supply of grit and the resources used to deploy it. Naturally their duty to grit the arterial routes would be prioritised over the supply to Council.
- g. To be effective on ice and snow grit, requires the weight of vehicles to agitate and crush it, this is not as effective for pavements.
- h. The presence of grit piles in car parks is likely to be misleading, with users believing that the car parks themselves have been treated.
- i. A request for local gritting can be made to DfI via the NI Direct website, giving residents an opportunity to request it when appropriate.

RECOMMENDATION

It is recommended that Council agree to not provide grit piles in Council car parks, but instead residents are directed to NI Direct where they can request gritting as required.

Unclassified

54

ITEM 9

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	04 October 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets & Property Services
Date of Report	21 September 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	NOM Report - Banks Lane Car Park
Attachments	

At the Council meeting held on 5th July 2023 the following notice of motion was agreed:-

That this council requests officers to bring back a report with full costings and budgetary options outlining pragmatic solutions to tackling anti-social behaviour in the Bank's Lane car park, Ballyholme including the restricting of access to the car park at night. In addition, officers should clarify ownership of the Bank's Lane as part of the solution.

Background

The issue of Anti-Social Behaviour (ASB) at Banks Lane, has been ongoing with numerous reports made to the Community Safety Team from the public and via Elected Members.

There have been two different strands of issues reported.

Not Applicable

55

The first strand is from members of the public/residents, complaining about ASB, young people consuming intoxicating substances and generally causing annoyance to residents, visitors, and legitimate users of the area.

The second strand comes mainly from residents, complaining about vehicles. The complaints about the vehicles mainly happen after hours (2300hrs+). The users of said vehicles are congregating, leaving engines running, revving their engines, wheel spinning, playing loud music etc.

The Director of Environment, Director of Community and Wellbeing, Head of Assets and Property and Head of Community and Culture met with DEA members and residents on 6th June 2023 to discuss the issues in the area. Chief Inspector Atkinson was also present at the meeting. At that meeting residents explained the various issues and the impact it was having on their daily lives.

Clarification of Ownership of Banks Lane

After extensive searches officers advise that Council does not currently hold title or have any information on ownership of the lane.

Officers have again asked our Solicitor to conduct searches, but this can be a lengthy process as we are dependent on law searches and 3rd party solicitors responding. Therefore, we are unable to give a completion date and have with no guarantee an owner will be found at the end of the exercise.

It would not be advisable to carry out works on third party land as any interference with that land without express permission would constitute trespass and potentially criminal damage.

In summary, Council does not hold title to the lane, and it is not recommended to carry out any works on the lane itself in conjunction with the issues arising at the Council owned Banks Lane Car Park.

Design Considerations for Restricting Access to Car Park

The following constraints have been considered when determining a potential solution.

1. The solution must sit within Council's area of ownership i.e. the car park boundary.
2. There is currently no resource available to open and close the car park manually, and doing so may create a conflict situation for staff if large groups are gathering in the car park at the agreed closing time.
3. The car park is used as a muster point by emergency services, should there be an incident nearby within Belfast Lough. Therefore, the solution must be able to be opened quickly at short notice in the event of an emergency.
4. An appropriately sized turning head must be created at the bottom of the lane to avoid the need for cars to reverse back up the lane and onto the main road in the event of the car park being closed. [Dimensions governed by the DFI standards set out in the "creating places" document]
5. Due to its proximity to the beach, sand is frequently blown into the car park so any technological solution must be designed for use within this environment.

Not Applicable

56

Proposed Solution to Restrict Vehicular Access

After investigating a number of options, officers would propose that hydraulically operated bollards would be the most suitable solution to restrict vehicular access.

Manufacturers' systems vary but it is envisaged that the following specification would be used as our minimum requirements, should Council decide to proceed:

- Hydraulically operated so the pump and other technical components are housed in a nearby cabinet, with no moving components exposed to the sandy, salty environment.
- Bollards sit flush with the road at rest, rising to an approximate height of 600mm when activated.
- Constructed from minimum 200mm diameter heavy duty steel tube with a 5mm wall thickness for a strong, robust design.
- Hot dip galvanised and painted black, with a yellow reflective strip for a corrosion resistant, attractive, and conspicuous appearance.
- Raise time to be 3 to 4 seconds, with warning beacon.
- Clearly visible signage to warn users that the bollards will rise at a particular time of the evening and not be lowered again until the next morning.



Image 1: example of hydraulically operated bollards



Image 2: Positioning of Bollards to create turning circle. Movable bollards shown in green, fixed bollards in purple.

Not Applicable

57

Considerations

- The system requires quite extensive installation works, including excavations, a concrete base, trenching of services, realigning kerbs etc. In addition, due to its proximity to the sea, certain measures need to be in place to mitigate against a hydraulic oil spill making its way to the water. The total estimated cost for the 4 bollards along with associated installation works is £80k. No budget currently exists for this work.
- Due to the harsh environment a robust maintenance regime would need to be in place (daily, weekly, monthly and quarterly checks), totalling approximately £10k per year. This would need to be added to future maintenance budgets.
- Whilst the bollards will be effective at preventing vehicles using the space, there is nothing to stop youths making their way there on foot and engaging in ASB that continues to impact nearby residents.
- Despite clear signage, it will be likely that some legitimate users will become "trapped" in the car park at some point, with no way to get their car out until the next morning. (Arguably the same is true for any multistorey car park).
- 3 spaces at the car park entrance will be lost.

Alternative Proposal

An alternative option would be to install new LED lighting and a HD CCTV system. Lighting and CCTV are both proven to reduce ASB. Modern CCTV systems would be able to read the number plates of any vehicles driving dangerously, which would then be passed to the PSNI.

It is estimated that lighting and CCTV could be installed for approximately £20k. Whilst no budget exists for this work, the £30k annual budget for Car Park resurfacing could be redirected to this project, should Council wish to proceed.

Naturally, if this budget is utilised in this way, no car parks will be resurfaced this year.

RECOMMENDATION

It is recommended that Council decide which option they wish to proceed with:

1. To carry out no physical works at the car park, but rather to liaise with PSNI for more frequent patrols and monitoring of the cars/persons responsible for ASB.
2. Install hydraulically operated bollards at a cost of around £80k, with budget to be sourced from reserves a further paper to be brought back to committee on what other work would need to stop within the department in order to facilitate the funding of this.
3. To install LED lighting and CCTV at a cost of around £20k, utilising the Car Park resurfacing budget for this year.

Unclassified

58

ITEM 10

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	19 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets & Property Services
Date of Report	19 September 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Stoma Friendly Toilets
Attachments	

Background

Officers have recently had a number of representations requesting that Council toilets be adapted to become "Stoma friendly".

According to the Colostomy Association, "People with a stoma need to be able to change their 'stoma bag' in a way which is uncomplicated, clean and discrete. Most toilets in the UK do not have the facilities to enable someone with a stoma to be able to easily change their stoma bag.

The three main requirements for a 'stoma-friendly loo' are:

- A hook on the back of the door so that ostomates can hang their luggage and clothing;
- A shelf or surface space so they can spread out their stoma bags and accessories on a clean, hygienic surface; and
- A disposal bin in each cubicle so that ostomates do not have to dispose of their stoma bag in public view.

Not Applicable

59

These changes are small, but they make a huge difference to people living with a stoma."

NISRA statistics show that in 2021 approximately 24,550 residents had a long-term health problem or disability. Ards and North Down borough had the largest increase in the number of people aged 65 and over. This demographic rose from 27,692 (17.7%) in 2011 to 36,226 (22.1%) in 2021, demonstrating the scale of population change due to ageing. These results show that Council policymaking should focus in particular upon our ageing population and health/disability issues.

Council provides 24 Public Toilets and 20 Community Centres with toilet facilities located throughout the Borough. Officers believe these would be the higher priority sites within the estate to make Stoma friendly. In addition, we have a further 36 buildings made up of Pavilions, Offices and Cemeteries.

Costs

Officers have calculated an average cost of £834 for the typical works required to make a toilet "Stoma Friendly".

Therefore, if Council were to proceed to adapt the 44 toilets across the accessible public toilets and community centres estate, it would cost in the region of £37k.

The Compliance Officer (Equality and Safeguarding) has applied for £30k funding through Dept of Communities Access and Inclusion grant, with Council contributing 10% of the project (£3k). Therefore, if this funding application is successful, it would cost Council £10k (£3k contribution to funding plus £7k additional) to make these 44 toilets 'stoma friendly'.

If agreed, the remainder of our toilets would be adapted to become stoma friendly during future planned refurbishment schemes carried out under our Maintenance Strategy, or sooner if additional funding becomes available.

RECOMMENDATION

It is recommended that Council agree to add £10k to the Technical budget next year for stoma friendly adaptations. If the funding is successful, the additional £27k will be used to ensure all 44 public toilets and publicly accessible community centre toilets are adapted. If the funding is unsuccessful, only our 12 most well used public toilets will be adapted (to utilise the budgeted £10k).

Unclassified

60

ITEM 11**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	04 October 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets & Property Services
Date of Report	30 August 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Marine Safety Management System
Attachments	Appendix 1 - Marine Safety Management System

Members will recall that at the September Environment Committee a deputation was delivered by Kevin Baird, the Council's appointed "Designated Person" under the Port Marine Safety Code that applies in relation to the safety of our harbours.

Mr Baird referred to a Marine Safety Management System (MSMS) which aspires to ensure our harbours remain safe for all users. Our draft MSMS document was initially approved by Council in November 2019 and since then has been subject to ongoing consultation, audit and review.

Consultations have taken place with all concerned agencies and groups (listed within the attached document) to further refine this document and it is now ready for Council approval.

Within the original draft and in order to demonstrate the effectiveness of our MSMS, a series of objectives and KPI's were agreed, against which the "Designated Person" would assess our performance. These KPI's are fairly detailed and are specific to

Not Applicable

61

harbours; they therefore sit outside of the scope of the KPI's set out within the Service Plan for Assets and Property Services.

The agreed objectives were:

- To eliminate incidents so far as is reasonably practicable.
- To conserve the harbours and their approaches
- To ensure adequate procedures are in place in case of Emergency.
- To consult with harbour users
- To ensure Marine Personnel are appropriately trained
- To have adequate Audit and Review mechanisms in place

Our performance against these objectives was monitored by Mr Baird and will be reported to the Council next month.

RECOMMENDATION

It is recommended that Council approves the implementation of the Marine Safety Management System attached.



MARINE SAFETY MANAGEMENT SYSTEM

FOR COUNCIL HARBOURS AT

**GROOMSPORT, DONAGHADEE,
BALLYWALTER, BALLYHALBERT AND
COOK ST PORTAFERRY**

**TO DEMONSTRATE COMPLIANCE WITH THE PORT MARINE SAFETY
CODE 2016**

Issue V1 Feb 23

Note:

This is a working document including an Action Plan for implementation. It is intended to demonstrate our intention (and track our progress) to fully comply with the PMSC within a reasonable period of time.

In order to accurately monitor the performance of this safety system, a number of key performance indicators (KPIs) have been identified. These are included in Appendix 1 and will be reported regularly to the Duty Holder.

Distribution List:

Document Owner- Peter Caldwell, Head of Assets & Property Services

William Angus- Harbour Master

Kevin Baird- Designated Person

Ards and North Down Borough Council Environment Committee as the Duty Holder

Version Control

Document Name:	Port Marine Management Plan & Safety System for Council Harbours Groomsport, Donaghadee, Ballywalter, Ballyhalbert & Cook Street.
Issue Number:	V1
Issue Date:	July 2022

Revision History

Issue Number	Date	Summary or revisions
Draft v1	October 2018	n/a
Draft v2	January 18	Designated Person added. Action plan updated
Draft v3	May 18	Various amendments following feedback from Designated person
Draft v4	July 18	Updated H&S policies added
Draft V5	January 2020 Oct 2020	Various revisions following audit by Designated Person Consultation with key stakeholders (no feedback received)
Draft V6	July 2022	Updated following public consultation
Issue V1	Feb 2023	Updated roles & responsibilities list following staff changes

Contents

1	Introduction.....	6
1.1	Scope and Purpose.....	6
2.0	Policy.....	7
2.1	Statement of Commitment.....	7
2.2	Marine Safety Policy.....	8
2.3	Ards and North Down Borough Council Health and Safety Policy Statement.....	9
2.4	Policy Development & Review.....	9
2.5	Consultees.....	10
3.0	Organisation.....	11
3.1	Identification of Key Roles & Responsibilities.....	11
3.1.1	The Harbour Authority.....	11
3.1.2	The Duty Holder.....	11
3.1.3	Director of Environment.....	12
3.1.4	Harbour Master.....	12
3.1.5	Designated Person.....	13
3.2	Functional Structure for Harbours Management.....	15
3.3	Summary of Key Roles and Responsibilities.....	16
4.0	Implementation.....	17
4.1	The Legislative Framework of Ards and North Down Borough Council.....	17
4.2	The Ability to Enforce the law.....	17
4.3	Interface with Other Documents.....	17
4.3.1	Internal Documents:.....	17
4.3.2	Statutory Documents.....	18
4.3.3	Other Documents.....	18
4.4	Jurisdiction of Ards and North Down Borough Council Harbour Authority.....	18
4.5	Consultation & Information Dissemination.....	18
4.5.1	Stakeholder Engagement.....	19
4.5.2	Informal / Formal Briefings.....	19
4.5.3	Harbour Patrols & Safety Inspections.....	19
4.5.4	Structural Surveys.....	20
5.0	Identifying Sources of Risk.....	21
5.1	Port Marine Operations.....	21
5.2	A Safe Place of Work.....	21
5.3	Risk Assessments.....	22
5.4	Safe System of Work.....	22
5.5	Accident, Incident and Defect reporting.....	22

6.0	Provisions to Minimise Risk	23
6.1	Conservancy	23
6.1.2	Dredging	24
6.1.3	Promulgation of Survey and Navigation Information	24
6.1.4	Navigational warnings	24
6.1.5	Wrecks and Salvage	25
6.1.6	Regulating Harbour Works	25
6.2	Pilotage	25
6.3	Towage	26
6.4	Regulation of Harbour Craft	26
6.5	Provision of Moorings	26
6.7	Diving Operations	26
6.8	Emergency Preparedness and Response	27
6.9	Environmental Management	27
7.0	Management of Navigation	29
7.1	General Navigation	29
7.1.1	Introduction	29
7.1.2	Enforcement	29
7.1.3	Communications	30
7.1.4	Navigation of Leisure Vessels	30
7.2	Aids to Navigation	31
7.2.1	Groomsport Harbour Navigation Lights	31
7.2.2	Donaghadee Lighthouse	31
7.2.3	Ballywalter Harbour Navigation Light	31
7.2.4	Inspection and maintenance	31
7.2.5	Third Party Aids to Navigation	32
7.2.6	Master List of Aids to Navigation	32
7.2.7	Audit of Records for Aids to Navigation	32
7.2.8	Review of Aids to Navigation	32
8.0	System Operation & Control	33
8.1	Monitoring Performance of the Safety Management System	33
8.1.1	Performance Monitoring	33
8.1.2	Audits	33
8.1.3	Review	34
9	National Occupational Standards (NOS)/Training	34
9.1	Marine Personnel	34
9.2	Ensuring Competence	34

Appendix 1	35
Designated Person's Annual Report in accordance with the Port Marine Safety Code 2016.	35
Appendix 2	38
Locations of Harbour Covered by this Safety Management System	38
Appendix 3	39
Groomport Harbour limits	39
Donaghadee Harbour limits	40
Ballywalter Harbour Limits	41
Ballyhalbert harbour Limits	42
Cook St, Portaferry	43
Appendix 4 ANDBC H&S Policy Statement.....	44
Appendix 5- Incident Report Form.....	45
Appendix 6- Protocol for Handing Out of Hours Emergency Calls originating at Harbours	60

1 Introduction

1.1 Scope and Purpose

Ards and North Down Borough Council has a duty as a Harbour Authority to take reasonable care to ensure that all who choose to use the Harbours may do so without danger to their lives or property. This includes an obligation to conserve and facilitate the safe use of the harbour, protect the environment and a duty of care against loss caused by the authority's negligence.

Ards and North Down Borough Council recognises its duties to serve this public interest through the powers conferred on it as a Harbour Authority. It recognises the need for it to ensure that it has the systems and procedures in place to ensure the safe and efficient use of the harbour by those who have a right to use its facilities. In line with this responsibility, this Safety Management System meets the requirements of the Port Marine Safety Code and gives guidance to its personnel and enables a transparent and auditable system of safe operations.

This document lays out the Safety Management System and the general philosophy and approach to managing marine operations at Groomsport, Donaghadee, Ballyhalbert, Ballywalter and Cook St, in a safe manner.

This document is supported by a number of other documents and records, which make up the Safety Management System, in particular:

- ANDBC Risk Register for Marine Operations
- ANDBC Port waste Management Plan
- ANDBC Harbours Emergency Plan
- ANDBC Oil Spill Response Plan (OPRC)
- Other policy Documents as appropriate;
- Standard Operating Procedures and associated Standard Forms;
- Job Descriptions and Training Records;
- Documented Targets and Objectives (Appendix 1);
- Safety Records and Incident Reports; and

Ards and North Down Borough Council will:

- Record and publish its marine policies and make available supporting documentation;
- Set standards and targets for performance that it aims to meet;
- Regularly review and periodically audit actual performance; and
- Publicly report on the PMSC performance annually.

2.0 Policy

2.1 Statement of Commitment

Ards and North Down Borough Council is committed to undertaking and regulating marine operations to safeguard its harbours and their users, the wider public, the environment and the local heritage.

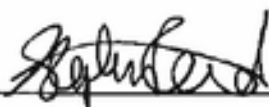
Ards and North Down Borough Council will aim to run safe, efficient, cost-effective, sustainable harbours for the benefit of all users and the wider community. It will strive to manage, maintain and improve the harbours, consistent with the income they generate in accordance to the Guide to Good Governance GTGG

Ards and North Down Borough Council are committed to meet with all legal requirements and comply with the Port Marine Safety Code and to meet these requirements in a proportional and appropriate manner. It will ensure that the Harbours are operated efficiently and safely and will seek to meet the changing needs of all harbour users. The Harbour Authority will:

- Comply with all legal requirements.
- Meet the national requirements of the Port Marine Safety Code and to audit annually with regards to performance against the Code.
- Heed the Guide to Good Practice on Marine Operations.
- Conduct its functions openly and transparently in the overall long-term interests of the harbour's stakeholders and beneficiaries.
- Ensure as far as reasonably practical the safety of all those who use and work in the harbour.
- Facilitate safe navigation in the harbour and its approaches and maintain viable harbour facilities.
- Regulate the activities of all those who use the harbour and ensure that the law is enforced whenever appropriate.
- Conserve the environment and maintain approved pollution prevention and nature conservation measures.
- Formally review the Harbour Authority's plans, policies and procedures at intervals of five years or less.

Ards and North Down Borough Council is committed to ensuring that all its employees, contractors, harbour users, stakeholders and members of the public are well informed. Its staff shall be well trained and committed to the requirements of the Port Marine Safety Code. Ards and North Down Borough Council recognise that safe operations depend on competent people and an active safety management culture. All who work or use the harbour have an obligation to contribute to harbour safety. Ards and North Down Borough Council welcomes the interest and participation of all stakeholders in maintaining and improving the awareness of safety within the harbours. To this end, a line of communication will be established with relevant stakeholders and the Harbour Master to ensure the promulgation of relevant information.

Signed



Date

20/4/18

Chief Executive

2.2 Marine Safety Policy

This safety policy adds to any existing safety policy required by the Health and Safety at Work (NI) Order 1978 and relates to Marine Operations and the requirements of the Port Marine Safety Code.

Ards and North Down Borough Council is committed to:

- Manage its relevant assets safely and efficiently as per the Management of Health & Safety Work Regulations (NI) 2000 (as amended).
- Discharge its duties and powers in relation to marine operations
- Manage the safety of navigation for all harbour users based on a system of formal risk assessments; ensuring that risks are kept as low as reasonably practicable.
- Comply with all legal duties and responsibilities for the regulation of vessel traffic and the safety of navigation.
- Develop a consensus for safe navigation through consultation with harbour users.
- Facilitate the leisure use of the harbour, maintaining and protecting the rights of the public to access its waters for leisure use, whilst complying with the various navigational safety measures that may be in force.
- Maintain and sustain the commercial use of the harbours, upholding and promoting the rights of Masters, boat owners and other marine interests to ply their respective trades.
- Sustain its conservancy functions in respect of hydrographic surveying, navigation, dredging and the provision and maintenance of navigational aids
- Remove sunken vessels and other obstructions that are, or may become, an impediment to safe navigation.
- Promulgate relevant navigational and tidal information to all harbour users.
- Create awareness and motivation of all harbour users with respect to safety and the protection of the environment.
- Publish and maintain plans to cover emergency situations relating to the safety of life, property and the environment
- Maintain an appropriate oil spill response capability.
- Maintain relevant harbour equipment to agreed industry standards
- Ensure that operational staff are recruited and trained to nationally agreed competence levels
- Ensure that staff are properly trained for emergencies and contingencies

This policy, its associated documents and practices, will be monitored, reviewed and reported to Council, as described within the Marine Safety Management System.


 Stephen Reid Chief Executive & Town Clerk 20/4/18
Date


 Robert Adair Mayor 20-4-18
Date

2.3 Ards and North Down Borough Council Health and Safety Policy Statement

A copy of the organisations Health & Safety Policy Statement is included in Appendix 4.

2.4 Policy Development & Review

This Marine Safety Management System has been developed through a process of risk assessment and consultation. Consultation is an ongoing process and stakeholders were involved in the development of the safety management system and will continue to be involved in any significant changes to, or reviews of, the system.

This Safety Management System and the associated documents are controlled documents ensuring that the contents are accurate, current and valid and that the most recent information is available to the relevant personnel.

The Safety Management System and its supporting policies and documentation will be reviewed every 5 years or when there is a major change in operations, whichever is the soonest.

Periodic audits will ensure our systems are working effectively and highlight the need for improvement where appropriate.

Audits will be completed by the Council's own auditors and the Designated person.

The audit schedule is as follows:

1 year- Internal audit (by Designated Person)

3 years- External Audit (by Council's appointed auditors)

5 years- complete review of all plans, policies and procedures.

2.5 Consultees

The Port Marine Safety Code emphasises the importance of consultation with all stakeholders. This document has been produced in consultation with a number of stakeholders, including:

- Ards and North Down Borough Council Environment Directorate Health and Safety Management Team
- Ards and North Down Borough Council Corporate Health and Safety Committee
- Ards and North Down Borough Council Health and Safety Compliance Officer
- Ards and North Down Borough Council Emergency Preparedness Implementation Group
- Berth Holders
- Commissioners of Irish Lights
- Department for Agriculture, Environment and Rural Affairs (DAERA)
- Harbour Masters at Neighbouring Harbours (Bangor, Portavogie and Strangford)
- Local fishermen
- Local Yacht Clubs and Marinas (Cockle Island Boat Club, Donaghadee Sailing Club, Copeland Marina, Portaferry Sailing Club, Portaferry Marina, Portaferry Coastal Rowing Club)
- Maritime and Coastguard Agency
- NI Fish Producers
- NI Fishery Harbour Authority
- RNLI
- Strangford & Lecale Partnership

3.0 Organisation

3.1 Identification of Key Roles & Responsibilities

The content below sets out the range of responsibilities for each key role identified. The lists below are not intended to be exhaustive but should demonstrate broad responsibilities required in order to ensure the effective operation of the system.

3.1.1 The Harbour Authority

Ards and North Down Borough Council is authorised under the Harbours Docks and Piers Act 1847 and the Harbour Act (Northern Ireland) 1970, to exercise harbour jurisdiction and powers in relation to the harbour areas therein defined at Groomsport, Donaghadee, Ballywalter, Ballyhalbert and Cook St, Portaferry.

As the Harbour Authority, Ards and North Down Borough Council recognises that under the requirements of the Port Marine Safety Code, it is accountable for the discharge of its duties and powers as the designated Harbour Authority. Ards and North Down Borough Council as the Harbour Authority has a number of powers, duties and responsibilities, these include:

- Duty to ensure an effective Safety Management System is in place as defined by the Port Marine Safety Code. This duty embraces:
 - Development and maintenance of its harbour areas to meet the reasonable requirements of users and safe operation of its harbour areas;
 - Development and implementation of appropriate policies, plans and procedures;
 - Ensuring that risk assessments and reviews of the safety management system are undertaken as required;
- Duty to adopt appropriate powers as required for effective enforcement of its statutory duties (Harbour Byelaws & directions);
- Responsibility for setting harbour dues;
- Powers to appoint a Harbour Master;
- Duty to provide marine services and facilities to meet their obligations as Harbour Authority.

3.1.2 The Duty Holder

The Environment Committee of Ards and North Down Borough Council is the Duty Holder. The Committee members shall have read and understood the Port Marine Safety Code and shall strive to meet the standards required. They will ensure that the guidance given in the Guide to Good Practice for Port Marine Operations is heeded.

The Harbour Authority is accountable for managing operations in the Harbour safely and efficiently, and the Duty Holder is responsible for ensuring that it does so, as the Duty Holder is under a duty to ensure that the Harbour Authority fulfils its duties in compliance with the Port Marine Safety Code and has an effective Safety Management System for this purpose.

The Environment Committee of Ards and North Down Borough Council has the responsibility for ensuring that Ards and North Down Borough Council's duties and powers as Harbour Authority are met and discharged. Its Members are collectively and individually responsible for the proper exercise

of its legal duties as a Harbour Authority. It follows that the members will have an appropriate understanding of Ards and North Down Borough Council's Safety Management System.

The Environment Committee as Duty Holder must:

- Ensure the authority discharges its duties and powers to the standard laid down in the Port Marine Safety Code. Ensure the Safety Management System and its procedures satisfy the requirements of the Code.
- Ensure the effectiveness of the Marine Safety Management System.
- Provide strategic oversight and direction on all aspects of the harbour operation.
- Develop and maintain appropriate policies, plans and procedures and ensure that assessments and reviews are undertaken as required.
- Seek and adopt appropriate powers for the effective enforcement of regulations.
- Ensure that powers are discharged but not exceeded.
- Ensure adequate financial, material and personnel resources are available for the discharge of all duties.
- Provide appointment and authorisation, and ensuring that appropriate services and facilities are available within the harbours
- Lead by example.

3.1.3 Director of Environment

The Director of Environment, David Lindsay, is accountable for the operational and financial control of the Department. He will advise the organisation on all matters related to its duties and powers, with appropriate advice from the harbour master and other officers. David will:

- Oversee the implementation of its policies and decisions;
- Have overall executive responsibility for the safety of operations and staff; and
- Oversee the recruitment and training of staff.

3.1.4 Harbour Master

- Verify that the Marine Safety Management System and its procedures satisfy the requirements of the Port Marine Safety Code
- Maintain the effectiveness of the Marine Safety Management System
- Assess hazards and risks involved in Marine Operations.
- Investigate Marine Accidents and Incidents
- Operationally responsible for the safety of navigation in the harbours and exercising the authorities operational powers with respect to conservancy and the safety of all marine activities in the harbour and its approaches.
- Ensuring staff awareness of their responsibilities. Ensure personnel are trained in accordance with safety and familiarisation procedures. Identifying additional staff training needs.
- Berthing arrangements
- Pollution prevention and control.
- Control and regulation of Hazardous Cargo, Dangerous Vessels and Wrecks Emergency plans and emergency response.
- Ensure plans for improvement of the system are properly considered by Management
- Ensure the external Marine Safety Management System audits take place as required and review results. Verify that any necessary corrective actions have been implemented

- Ensure compliance with and discharge relevant legal powers, duties and responsibilities relating to Marine Safety
- Ensure periodic review of powers, bye-laws and directions
- Regulate and monitor vessel movement
- Develop criteria for safe traffic movement, where necessary
- Conduct special Risk Assessments for unusual Marine Operations and authorisation of variations to (or departing from) standard procedures if appropriate
- Verify that periodic and special Hazard and Risk Control reviews are completed and assess results
- Be responsible for hydrographic surveying and associated record keeping for the harbour areas, including navigational channels and berths
- Oversee planning programme of maintenance Navigational Aids
- Assess the requirement for enough personnel to operate the harbours systems safely and effectively
- Ensure that adequate resources and secondary support procedures are in place liaising with the Duty Holder, the Director of Environment, the DP and the ANDBC Safety & Risk Manager
- Formulating, Reviewing and Updating contingency plans and procedures
- Managing response in emergency situations including communication
- Managing the recruitment, training, and assessment of harbour staff
- Reporting and maintaining records
- Ensure reports regarding unsafe acts, near misses, accidents and incidents are recorded. Verify that the necessary corrective actions have been implemented
- Prepare Monthly Safety Reports for comment and review
- Ensure document control procedures are followed
- Liaison with recreational users on safety matters. Consultation and development of procedures to minimise conflict between recreational and commercial harbour users
- Maintaining an overview of the Conservancy Functions
- Ensure the safe operation and maintenance of the harbours work boat
- Organisation of staff rotas, cover for periods of absence, etc
- Monitor performance and ensure personnel are aware of their responsibilities. Ensure personnel are trained in accordance with recognised standards
- Identify additional staff training needs
- Review and audit compliance of the work boat within the harbour to appropriate codes

3.1.5 Designated Person

The Port Marine Safety Code requires that each Harbour Authority appoint a Designated Person to oversee the Harbour Authority's obligations in respect of the provision of an effective safety management system. The designated person will provide independent assurance directly to the duty holder that the safety management system is working effectively.

The Designated Person shall act as the external auditor and will audit the Safety Management System at least bi-annually and his written reports will go before the Environment Committee as the Duty Holder.

The Duty holder will have direct access to the Environment Committee in the form of an annual presentation/report, a template of what is likely to be included is in Appendix 1.

The contact details of the 'Designated Person' are included below:

Contact	Kevin Baird Harbour Master & Marina Manager Bangor Harbour Bregenz House Quay St Bangor
Tel No.	02891 453297
e-mail	kevinb@boatfolk.com

The designated person will:

- Ensure the Marine Safety Management System (MSMS) and its procedures satisfy the requirements of the Port Marine Safety Code and act in an independent manner, reporting directly to the Duty Holder
- Verify the effectiveness and compliance of the Safety Management System (SMS)
- Assess Safety of Navigation and Pollution Prevention aspects of the harbour environment and of vessels using the harbour
- Assess whether adequate resources and secondary support procedures are in place, liaising with the Harbour Master and the Councils Health and Safety Officer.
- Be aware of progress and results of annual and intermediate Hazard and Risk Control
- Reviews
- Ensure reports are submitted regarding deficiencies, non-conformities, accidents and incidents
- Ensure plans for improvement of the system are properly considered by Council.
- Receive Harbour Master's quarterly safety report for comment.
- Verify that any necessary corrective actions have been implemented
- Assess whether staff are trained in accordance with required competencies.
- Oversee external Marine Safety Management System audits and assess whether document control procedures are followed
- Lead by example.

In order to ensure and demonstrate that the DP is fulfilling their role, a KPI for this role has been included within Appendix 1.

3.2 Functional Structure for Harbours Management

The **Designated Person** will ensure this structure and its outworkings are fit for purpose. They will regularly audit and report on:

- The Marine Safety Management System;
- The risk assessment process;
- Incident Investigation process;
- Lesson learnt;
- Consultation process

They will have access to all levels of the hierarchy in order to ensure their role can be fulfilled effectively.



3.3 Summary of Key Roles and Responsibilities

Task	Harbour Master	Head of Assets & Property	Director of Environment	Ards & North Down Borough Environment Committee
Day to day operations	✓			
Line management to harbour staff	✓			
Incident reporting	✓			
Risk Assessment/Control	✓			
Arranging repairs	✓			
Line management to HM		✓		
Budgetary Control		✓	✓	
Training/development of staff	✓	✓	✓	
Reports to Council		✓	✓	
Setting of strategy		✓	✓	✓
Pricing structure				✓
Ensuring Statutory Powers are in place to adequately manage & Operate the Harbours		✓	✓	✓
Dealing with Complaints/Comments /Suggestions	✓	✓	✓	
Ensuring the H&S Procedures outlined in this document are adhered to	✓	✓	✓	✓
Performance reporting	✓	✓	✓	✓
Development & Promotion of Harbours	✓	✓	✓	✓

4.0 Implementation

4.1 The Legislative Framework of Ards and North Down Borough Council.

Byelaws and Directions are kept under regular review to ensure they remain fit for purpose in changing circumstances. Additional powers that may be required will be achieved through amendment of existing instruments or issue of new instruments as appropriate. By the same token, redundant or obsolete legal powers may be removed. A process of consultation is required for amendment and issue of new Byelaws and General Directions. Special Directions may be made at any time.

The requirements of these statutory instruments are defined by ongoing risk assessments undertaken as part of the safety management system.

Byelaws and Directions currently in force include:

- Special Directions – the power to issue directions in relation to individual ships / boats in the harbour area for specific purposes
- General Directions – the power to issue directions in relation to all ships / boats in the harbour area either in response to a particular occurrence or as a standing instruction to all ships /boats or specific classes of ship / boat.
- Donaghadee Harbour Byelaws 2012
- By virtue of sec. 83 of the Harbours, Docks and Piers Clauses Act

4.2 The Ability to Enforce the law.

The ability of the Harbour Master to give Special Directions and General Directions under limited circumstances and for the Harbour Authority to give General Directions in broader circumstances are useful management tools.

Ards and North Down Borough Council are the legal owners of each of our piers, and have leases in place with the Crown Estate for the sea beds within each of the inner harbours. Harbour Orders are in place at Groomsport and Donaghadee and Orders for the remaining harbours have been applied for with the Department for Infrastructure.

Any breach of the Terms & Conditions applied to a license to berth at our Harbours will be dealt with firmly and robustly; using the full legal powers available to us when appropriate.

4.3 Interface with Other Documents

This Safety Management System interfaces with a number of other documents, in particular with other safety management systems. This document has been produced to complement these other systems.

Other documents include:

4.3.1 Internal Documents:

Emergency Plan;
Health and Safety Policy and Procedures
Risk Register for Marine Operations
Fire Procedures Policy
Environmental Policy
Lone Working Policy
International Ship and Port Facility Security Plan (ISPS)

Oil Pollution Preparedness and Response Plan (OPRC)
Port Waste Management Plan

4.3.2 Statutory Documents

Harbour Area Orders (Northern Ireland) 2003
Harbour Byelaws
Harbours, Docks and Piers Clauses Act 1847
Harbours Act (Northern Ireland) 1970
Oil Pollution Planning and Preparedness Convention 1990
Management of Health and Safety at Work Regulations 1999

4.3.3 Other Documents

Port Marine Safety Code and Guide to Good Practice
Code of Practice for Small Work Boats & Pilot Boats
MCA Marine Safety Notices
MCA Marine Guidance Notices
MCA Marine Information Notices
International Regulations for the Prevention of Collisions at Sea
Admiralty Notices to Mariners
Admiralty Sailing Directions for Irish Sea
Admiralty Chart No 1753

4.4 Jurisdiction of Ards and North Down Borough Council Harbour Authority

This Marine Safety Management System has been developed to cover our harbours located at Groomsport, Donaghadee, Ballywalter, Ballyhalbert and Cook St Portaferry.

Appendix 2 identifies each location on a map of the local area.

Appendix 3 details the harbour limits for reference.

4.5 Consultation & Information Dissemination

The Port Marine Safety Code emphasises the importance of consultation with all stakeholders. This includes all those who work in or use the Harbours both for commercial and leisure purposes.

4.5.1 Stakeholder Engagement

A list of our stakeholders and the methods of communication is included below.

Stakeholder	Method(s) of Communication
Employees	<ul style="list-style-type: none"> • Regular Tool Box Talks • Monthly meetings • Monthly "Team Brief" of Organisational information • Regular telephone and email correspondence
Contractors	<ul style="list-style-type: none"> • Site inductions • Permit to Work • Signed statement to have read and understood this MSMS, and agree to comply with any related requirements issued by the harbour master, before undertaking any works at our Harbours
Berth/License Holders	<ul style="list-style-type: none"> • Twice yearly meetings with Chairs of berth holders' groups. • Written correspondence • Notice boards at each harbour
Members of Public	<ul style="list-style-type: none"> • Notice boards at each harbour • Social Media via the ANDBC page
Other Agencies/Stakeholders	<ul style="list-style-type: none"> • Southern Group Quarterly Port Users Meetings (MCA, ANDBC, RNLI, NIFPO, Quay Marinas, DAERA, CIL, * chaired by MCA) • Annual Sea Fish Safety Meeting

4.5.2 Informal / Formal Briefings

In order to encourage a culture of individual participation in safety issues, the custom of undertaking regular informal briefings (Tool box talks) is promoted.

Depending on the frequency of operations, these talks may be daily, weekly or ad-hoc. Formal discussions on the Safety Management System and safety issues will be regularly organised and recorded.

In addition to routine task-related tool box talks, these briefings are also used to disseminate any relevant information from Marine Accident Investigation Branch (MAIB) reports. The harbour master regularly checks the MAIB website and any relevant reports are subsequently printed off for the next briefing.

The Harbour Master has an "open door policy" and welcomes any stakeholders to discuss issues of safety. The Designated Person is also available to discuss issues of safety that remain of concern.

4.5.3 Harbour Patrols & Safety Inspections

The Harbour Master and his staff maintain regular harbour patrols (both ashore and at sea, within harbour limits) to assist in the effective regulation and enforcement of this safety system.

The objectives of a harbour patrol service are to:

- a) Maintain a visual presence and represent the Harbour Master
- b) To carry out basic safety inspections
- c) Monitor aids to navigation
- d) Enforce byelaws and directions
- e) Collect evidence following an incident
- f) Conduct the surveillance of any ongoing works and moorings.

A minimum schedule of times on each site is listed below for reference.

Minimum Time On Site During March – October.					
	Monday-Thursday Daytime* (08:00-16:00)	Monday-Thursday Evening* (16:00-21:00)	Friday-Sunday Daytime** (08:00-16:00)	Friday-Sunday Evening** (16:00-21:00)	Grand Total Minimum Weekly Hours
Groomsport	4	4	12	4	24
Donaghadee	4	4	12	4	24
Ballywalter	2	2	4	3	11
Ballyhalbert	2	0	1	0	3
Cook St, Portaferry	2	0	3	0	5
Totals	14	10	32	11	67

Minimum Time On Site During Nov – February.					
	Mon-Thurs daytime (08:00-16:00)	Mon-Thurs-evening (16:00-21:00)	Friday-Sunday daytime (08:00-16:00)	Friday-Sunday Evening (16:00-21:00)	Grand Total Minimum weekly Hours
Groomsport	7	0	4	0	11
Donaghadee	7	0	4	0	11
Ballywalter	2	0	1	0	3
Ballyhalbert	2	0	1	0	3
Cook St, Portaferry	2	0	1	0	3
Totals	20	0	11	0	31

Any defects found during patrols or safety inspections shall be assigned to the Harbour Marine Operatives, Property Operations Maintenance Team or Harbour Marine Contractors as appropriate.

The progress of jobs logged will be monitored through our Asset Management software- Asset HQ.

4.5.4 Structural Surveys

Thorough structural surveys are programmed every 5 years or following a severe storm. The survey findings are reported to the Duty Holder and any necessary actions implemented.

5.0 Identifying Sources of Risk

5.1 Port Marine Operations

Ards and North Down Borough Council Harbours are used by a variety of craft, including; fishing vessels, an RNLI lifeboat and a number of other commercial/leisure vessels of varying sizes. Port marine operations are those which facilitate the safe use of the harbour by all vessels. This Safety Management System does not replace or duplicate any other legal or administrative requirement and it does not deal with matters that are regulated by the Health and Safety Executive. However it is intended that where possible this Safety Management System will dovetail with other safety, environmental, emergency and management systems in use. Port marine operations within these areas, to which this Safety Management System applies, are summarised below.

- Ensuring that anchorages are safe, giving consideration to the size of vessels
- The operation of all work boats, dredgers and other survey and support vessels.
- Leisure activities involving vessels and other craft including personal water craft (PWC).

Incidents occurring through the course of Port Marine Operations will be reported as part of our KPIs (see Appendix 1).

5.2 A Safe Place of Work

Ards and North Down Borough Council Authority will ensure that high standards of workplace safety are not only established but also maintained. It will achieve this by co-operating with the Health and Safety Executive NI and the Maritime Coastguard Agency in promoting and developing safety awareness throughout the range of activities conducted within the harbours. It will also promote a working environment that is safe and without risk to health.

It will achieve a safe place of work by;

- The provision and maintenance of plant, equipment and systems of work, which are safe.
- Making arrangements for ensuring health, safety, and reduction of risks in connection with the use of, handling, storage and transport of articles and substances.
- The provision of such information, instruction, training and supervision as is necessary to ensure the health and safety at work of its employees.
- The maintenance of any workplace under its control in a condition that is safe and without foreseeable risks to health including fire prevention and the provision of means of access to and egress from such a workplace that are safe and without such risks.
- Provision of appropriate protective clothing and safety equipment and ensuring that it is utilised at all times.
- Ensuring that employees and all other persons working to the Authority's instructions are aware of their own statutory duties under article 8 (Duties of an Employee) of the Health and Safety at Work (NI) Order 1978. To take care of themselves and others who may be affected by their acts or omissions at work, not to abuse or misuse anything provided in

the interest of safety and to cooperate with the authority so as to enable it to carry out its own responsibilities successfully.

- Conducting its undertaking in such a way as to ensure that persons not in its employment who may be affected by the Authority's activities are not exposed to risks to their health and safety.

5.3 Risk Assessments

All risks associated with our Marine Operations are assessed in accordance with the requirements of the Port Marine Safety Code and are recorded in the document "Risk Register for Marine Operations".

The Risk Assessments are completed by personnel with the relevant experience for the operation being assessed and are reviewed/ Inspected annually noting:

- Have any hazards changed?
- Have any situations changed?
- Do any references need updating or changing?
- Is the format up to date?
- Do all statements and instructions make sense and are they clear and easy to understand?

The risk assessments will be read aloud to all staff at least once per year as part of the tool box talks. Staff members will sign upon receipt of the toolbox talk.

Reviewing the effectiveness of the risk assessment process (including promulgation) will be reported as part of KPIs (see Appendix 1).

5.4 Safe System of Work

The following safe systems of work are in place and must be used where appropriate:

- Hot Works permit
- Diving Permit
- Contractors Permit to work
- Safe Operating Procedure for use of Landing crane

5.5 Accident, Incident and Defect reporting

Ards and North Down Borough Council has in place an Accident and Incident reporting system. All accidents, incidents, hazardous occurrences, vessel defects or notable events must be reported to the Harbour Master as described in paragraph 17.1 of the Terms & Conditions for a license to berth; issued to all boat owners.

Minor Injuries and vehicular incidents should be reported using the incident form included in Appendix 5. Major injuries and/or vessel collisions should be logged on the appropriate report form included within the ANDBC Harbour's Emergency Plan, then followed up by other officers as appropriate (normally the H&S Officer).

Following an investigation, all remedial actions identified or recommended, including any requirements for additional training or amendments to the Safety Management System policies or

procedures, will be kept under review and monitored. Only after all corrective actions are achieved can the incident report be closed out.

All information gathered during the investigation will be fed back into the risk assessment process in order to attempt to avoid a reoccurrence.

Reporting of incidents is actively encouraged in order to meet Ards and North Down Borough Council's objective of continuously improving safety.

Accident analysis and the effectiveness of any precautions will form part of the audits of the Safety Management System.

Some accidents due to the nature or circumstances will require further statutory reporting to external bodies or Government agencies.

Ards and North Down Borough Council recognise that actual incident rates are too crude a measure of safety performance. They need to be attuned instead to near misses and unsafe behaviours that may signify more serious incidents.

Near misses are occurrences, which under slightly different circumstances, could have given rise to far more serious consequences. Such consequences may have been avoided either by 'luck', i.e. a random combination of circumstances, or by purposeful action, i.e. 'recovery'. Near misses can range from a partial penetration of the defences to situations in which all the available safeguards were defeated, but no actual loss occurred. The former provides useful proactive information about the quality of safety defences, whilst the latter are indistinguishable from fully-fledged accidents in all but outcome.

All staff are encouraged to report near-misses, as described with the policy for Accident & Near miss Reporting, as soon as possible so that any relevant lessons can be learnt to avoid re-occurrence.

6.0 Provisions to Minimise Risk

6.1 Conservancy

Ards and North Down Borough Council has a duty under the Port Marine Safety Code to:

- Conserve their harbours so that they are fit to use as a port and a duty of reasonable care to see that the harbours are in a fit condition for vessels to use it; and to
- Provide users with adequate information about conditions in the harbour.

In order to meet these duties and responsibilities, Ards and North Down Borough Council has the following in place:

- Survey and maintenance dredging programme;
- Inspection and maintenance programme for Aids to Navigation;
- Programme of review for navigational aid requirements;
- Maintenance of proper hydrographic and hydrological records;
- Publication of information through Admiralty Charts and Notices to Mariners.

Any incidents relating to the conservancy of our harbours (such as the failure of a navigational aid or our failure to publish a change in available draft) will be reported as part of our KPIs (see Appendix 1).

6.1.2 Dredging

The requirement for dredging will be established by hydrographic surveys, carried out every 5 years. Generally, a decision to dredge will be taken when the surveys identify a 20% reduction in the published Harbour depths.

In Ballywalter, ad-hoc localised dredging (bed levelling) is also performed.

The Harbour Master is to ensure that all necessary permits, licences and other such authorisations that are required for the proper execution of the works are in place.

The Authority will undertake further hydrographic surveys post dredging works to determine the effectiveness of the operation and highlight any potential issues.

Given the costs associated with dredging, the authority may choose not to dredge, in which case the published depths will be updated.

6.1.3 Promulgation of Survey and Navigation Information

The Harbour Master shall ensure that all relevant parties/stakeholders are kept informed as soon as possible of any changes in the hydrographic status of the port or where changes within the harbour limits may impact on safe navigation using suitable warnings.

These warnings may in the first instance be broadcast over the appropriate VHF channel as a Traffic Information Broadcast and subsequently by the issuing of a Notice to Mariners.

Navigational information including (but not limited to) water depth, navigational hazards, harbour work, navigational lights and marks are published in a range of publications including Admiralty charts, relevant sailing and in Notices to Mariners.

The UK Hydrographic Office is notified of any permanent or temporary change in navigational marks and hazards for appropriate publication.

See section 7.0 for further information on the Management of Navigation.

6.1.4 Navigational warnings

If Ards and North Down Borough Council becomes aware of any navigational hazard that is not presented on marine charts or other published navigational information, it will, having verified any reports received, publish a suitable warning through issue of a Notice to Mariners and during Traffic Information Broadcasts.

Such navigational warnings may include (but not be limited to):

- Adverse weather conditions;
- Shipping movements;
- Changes in charted water depths;
- Damaged or malfunctioning Aids to Navigation;
- New or amended Aids to Navigation;
- Wrecks or abandoned vessels;

- New or temporary exclusion areas;
- Works in harbour areas; and
- Miscellaneous safety warnings.

If the navigational hazard is not of a temporary nature, changes to nautical charts and published information will be made if considered necessary by the UK Hydrographic Office.

See section 7.1 for further information on Aids to Navigation.

6.1.5 Wrecks and Salvage

Ards and North Down Borough Council has powers under Section 252 of the Merchant Shipping Act 1995 to mark or remove wreck or abandoned vessels, which in their opinion is, or is likely to become, an obstruction or danger to navigation. This power is exercised by use of the established risk assessment procedure with the aim of reducing the risk to ALARP. In the event of a vessel becoming a wreck the harbour authority will exercise their wreck marking and removal powers where a risk assessment indicates the wreck is likely to present an obstruction or a danger to navigation.

In such instances, the owner (if known) will be instructed to remove the vessel forthwith. If the owner cannot be identified, or fails to comply, paragraph 8.1.2.2 from Council Terms & Conditions will apply:

[Council will] ...At the Owner's risk (save in respect of loss or damage directly caused by the Council's negligence or other breach of duty during such removal) remove the Vessel from the Harbour and Premises and thereupon secure it elsewhere and charge the Owner with all costs reasonably arising out of such removal including alternative berthing fees.

If the vessel is too large to be removed, or deemed by Council as unsafe to move, the vessel will be destroyed (subject to appropriate licenses being in place) and all costs recovered from the owner.

6.1.6 Regulating Harbour Works

Any works to be carried out within or neighbouring harbour limits are planned in consultation with the Harbour Master to ensure navigational safety is not compromised.

A risk assessment and method statement must be provided and approved by the harbour Master before work commences. Generic Marine tasks are covered by the "Risk Register for Marine Operations".

Contractors working within the Harbour limits will receive a full induction before commencing works and a Contractors Work permit must be completed. See "ANDBC Permit to Work booklet".

In addition to routine reactive maintenance, the harbours are each subject to a structural condition survey every 5 years. This survey aims to detect any deterioration in the structure at an early stage so that remedial action can be planned with minimal costs and reduced impact on harbour users.

6.2 Pilotage

Chapter 5 of the PMSC refers to, amongst other things, the need for a Competent Harbour Authority (CHA as designated under the provisions of the Pilotage Act 1987) to provide a pilotage service.

A CHA must issue pilotage directions if it decides, based on its assessment of the risks, that pilotage should be made compulsory. The directions must specify how and to which vessels they apply. Ship

owners and any other interested parties who use the port on a regular basis, must be consulted before the directions are implemented.

Following a risk assessment and due to the fact that ANDBC are not a Competent Harbour Authority under the Pilotage Act 1987, no Pilotage Services are provided at our Harbours.

6.3 Towage

Towage is not generally available in any of our Harbours and will only be permitted/arranged in the event of a vessel becoming incapable of moving under its own propulsion. Such vessels will be required to take a tug to enter or depart the harbour. The number of tugs required will depend on the environmental influences envisaged during the operation.

In this eventuality a suitable tug(s) will be provided by an appropriate contractor, approved in advance by the harbour Master and subject to the UK Standard Conditions for Towage and Other Services (1983).

6.4 Regulation of Harbour Craft

Ards and North Down Borough Council owns, manages and maintains one general purpose workboat and one patrol craft.

Inspections, together with a comprehensive reporting and maintenance regime, ensure the vessels remain fit for purpose.

The Harbour Master is to ensure that ANDBC owned vessels which operate in the harbour are compliant with the requirements of the Small Commercial Vessel and Pilot Boat (SCV) Code and are operated in accordance with any conditions specified in the vessels certificate.

6.5 Provision of Moorings

The Harbour Authority maintain ground chains to which small craft are moored at Donaghadee and Groomsport. ANDBC Terms & Conditions for mooring require that all moorings are designated as fit for purpose by the Harbour Master- before deployment. The Harbour Authority produces guidelines for the correct equipment and assembly of privately-owned mooring tackle. These moorings are inspected twice a year.

6.7 Diving Operations

Diving within our harbours is strictly limited to essential maintenance work only. Ards and North Down Borough Council has implemented a Diving Permit to Work system to ensure that diving operations throughout the various harbours are highly regulated. Only suitably qualified diving teams may dive with a specific permit and all dives must have a specific risk assessment completed.

The effectiveness of the diving permit system will be reported as part of our KPIs (see Appendix 1).

6.8 Emergency Preparedness and Response

The Port Marine Safety Code states that the Safety Management System should include preparations for emergencies and that these should be identified as far as practicable from the formal risk assessment. It also states that these should be published and exercised.

Ards and North Down Borough Council has established emergency response plans and procedures to address specific marine emergency incidents.

Training exercises and drills are programmed on a regular basis (as per exercise/drill matrix) to familiarise and update staff on these emergency procedures and to exercise individual response actions and communication structures. Appropriate staff training and emergency exercise records are maintained.

A protocol to ensure that emergencies arising outside of normal working hours are adequately addressed has been developed and is included in Appendix 6.

6.9 Environmental Management

Ards and North Down Borough Council is committed to continual improvement and prevention of pollution by reducing the environmental impacts that arise from our business activities and delivery of our services.

Through the implementation of our Environmental Management System the Council will:

1. Set realistic and measurable objectives and targets together with an Environmental Management Programme to ensure continual improvement in environmental performance; and
2. Regularly review this policy to ensure it continues to be effective and representative of our activities and services.

We endeavour to:

1. Minimise the amount of waste generated internally and disposed of to landfill. Where reduction is not practical, seek to reuse or recycle waste and ensure the safe disposal of all waste;
2. Introduce measures to ensure good practice and the responsible use of natural resources such as water, fuel and energy;
3. Investigate and introduce, where possible, measures to minimise the release of pollutants which cause damage to land, air and water due to our activities,
4. Reduce the environmental impact of goods purchased at the same time encouraging suppliers and contracted services to improve their environmental performance

Ards and North Down Borough Council has an ISO 14001 accredited environmental management system in place and is committed to continual improvement and prevention of pollution by reducing the environmental impacts that arise from our business activities and delivery of our services.

Through the implementation of our Environmental Management System the Council will:

1. Set realistic and measurable objectives and targets together with an Environmental Management Programme to ensure continual improvement in environmental performance; and

2. Regularly review this policy to ensure it continues to be effective and representative of our activities and services.

We endeavour to:

1. Minimise the amount of waste generated internally and disposed of to landfill. Where reduction is not practical, seek to reuse or recycle waste and ensure the safe disposal of all waste;
2. Introduce measures to ensure good practice and the responsible use of natural resources such as water, fuel and energy;
3. Investigate and introduce, where possible, measures to minimise the release of pollutants which cause damage to land, air and water due to our activities,
4. Reduce the environmental impact of goods purchased at the same time encouraging suppliers and contracted services to improve their environmental performance.

These aspirations have guided our Port Waste Management Plans and Oil spill Response contingency plans in place at each Harbour.

Oil spills will be reported as part of our KPIs (see Appendix 1).

7.0 Management of Navigation

7.1 General Navigation

7.1.1 Introduction

There is a general public right of navigation in tidal waters, subject to the payment of proper tolls and dues, and to the provisions of any laws regulating the operation of the harbour which impose special restrictions on the otherwise general freedom of navigation. It follows that harbours have the powers to regulate the entry and movement of boats to ensure safety of navigation.

The PMSC guide to good practice (Section 7.1.2) states the general principles as :

1. Harbours have rules in byelaws and directions, which every user must obey as a condition of his or her right to use the harbour.
2. Harbour authorities have a duty to make proper use of powers to make byelaws, and to give directions to regulate all vessel movements in their waters.
3. These powers should be exercised in support of the policies and procedures developed in the authority's safety management system and should be used to manage the navigation of all vessels.
4. Harbour authorities should have clear policies on the enforcement of directions and should monitor compliance.
5. Powers of direction should be used to require the use of port passage plans in appropriate cases - whether vessels are piloted or not.

We will achieve safety of navigation at our harbours by developing and maintaining procedures that will complete the following objectives.

- Monitor vessel movements, tide and weather conditions within the harbour and provide timely information and/or warnings either of a ship-specific or broadcast nature concerning possible hazardous situations.
- Safely and efficiently co-ordinate vessel movements within the harbour area by setting criteria for:
 - The conduct of navigation in restricted visibility, adverse weather and any other circumstances which might require restriction on navigational movements
 - Restricting movement in the main entrance channel to one major vessel at a time.
 - Restricting movement of yachts and fishing vessels within the entrance channel as may be required for the safety of both major vessels and small craft
- Provide relevant information to vessels inside and outside the Harbour area for the Safety of Navigation.

Navigational incidents or near misses will be reported as part of our KPIs (see Appendix 1).

7.1.2 Enforcement

It is Council policy to enforce all legislation that applies to the harbour including byelaws and directions. However, the principle requirement after an incident is to determine the cause of the incident so that precautions can be taken to prevent a re-occurrence. It is recognised that an investigation to determine cause may prejudice a criminal investigation.

The instigation of prosecutions in serious or repeated breaches of the legislation will be in accordance with the Enforcement policy and in consultation with the Police, Maritime Coastguard Agency, Environment Agency and any other agencies with enforcement powers.

The Harbour Master maintains regular harbour patrols (see 4.5.3) to assist in the effective regulation of marine conduct and the enforcement of appropriate local legislation.

7.1.3 Communications

With relatively low vessel movements a risk assessment has deemed it as unnecessary to regulate the navigation of all vessel traffic movements by the Harbour Radio.

However, both Groomsport and Donaghadee harbours are equipped with a Harbour radio, should the need arise to contact any vessel within Harbour limits.

Other methods used in communicating with vessels are loudhailer, telephones (fixed and mobile), fax, email and face to face verbal.

7.1.4 Navigation of Leisure Vessels

Byelaws and general/special directions provide the main formal statutory mechanism for managing recreational navigation.

The authority may need to consult with organisers of recreational events within harbour limits about the need for risk assessments.

In approving any event the Harbour Master needs to be satisfied that the risks associated with marine operations have been managed to As Low As Reasonably Practicable. The Harbour Master also needs to ensure that the event organiser has consulted with and has met the requirements of the MCA, RNLI, Emergency Services and the Council's Risk Manager.

Recreational navigation within Ards and North Down Borough Council Harbours includes a wide range of differing activities and craft types including power boats, cabin cruisers, yachts, sailing dinghies, rowing sculls, canoes, and personal watercraft.

The co-operation of recreational users is best assured by comprehensive consultation and dialogue. To this end Ards and North Down Borough Council will make available to all users published material of relevance to the safety of navigation including byelaws/directions, notices to mariners, details of facilities, advice and port emergency arrangements.

7.2 Aids to Navigation

As a Local Lighthouse Authority, Ards and North Down Borough Council are responsible for many Aids to Navigation in this area, including:

- Groomsport Leading Lights
- Donaghadee Slipway
- Ballywalter Harbour
- Ballyhalbert Starboard
- Numerous lit & unlit beacons within Strangford Lough

Ards and North Down Borough Council acknowledge that we may not erect, remove or change any navigational mark or light without the consent of Commissioners of Irish Lights. All approved installations or changes are notified to users and the UK Hydrographic Office through issue of a Notice to Mariners prior to any installation or change being made.

7.2.1 Groomsport Harbour Navigation Lights

Groomsport harbour leading lights are aligned on 207.5 degrees (T) both flashing green at night, indicating the safe approach to the harbour.

7.2.2 Donaghadee Lighthouse

Donaghadee Lighthouse is owned, maintained and operated by Commissioners of Irish Lights.

7.2.3 Ballywalter Harbour Navigation Light

Ballywalter harbour leading light is a 3m high metal column with a sectored light FL WRG 1.5s 5m 9M. The white sectored light 267° to 277° indicates the safe approach (Green 240° to 267°, Red 277° to 314°).

7.2.4 Inspection and maintenance

All Aids to Navigation are established and maintained in accordance with the availability criteria laid down by the Commissioners of Irish Lights. In order to meet these criteria, a rolling programme of inspection and a reactive maintenance is undertaken. A contractor is appointed to carry out regular inspections, planned maintenance and reactive repairs.

Basic inspections of lit beacons are carried out every quarter, with a more thorough inspection annually. Unlit beacons are subject to an annual inspection. Any defects are reported immediately to council officers who then log the fault with Quay Marinas – Bangor Marina & Harbour who operate an AtoN helpdesk. Berthing Masters at Quay Marinas – Bangor Marina & Harbour are available twenty-four hours a day, seven days a week to log any reported faults / defects. Once logged, Quay Marinas – Bangor Marina & Harbour will notify CIL/the hydrographic office as appropriate, issue a Notice to Mariners as appropriate and inform the Maritime Coastguard Agency.

We recognise that in all likelihood, local mariners will be the first to discover a defective AtoN. Notices are placed at each of our harbours, advising local mariners of the Quay Marinas – Bangor Marina & Harbour contact number should they need to report any defective AtoNs.

7.2.5 Third Party Aids to Navigation

There are several 3rd Party Aids to Navigation within the LLA area. Whilst the maintenance and repair of these AtoN's is their responsibility, all third parties have been issued with the Quay Marinas – Bangor Marina & Harbour helpdesk phone number to ensure that all defects are recorded appropriately.

All third parties have been notified that they may not erect, remove or change any navigational mark or light without the consent of the LLA and Commissioners of Irish Lights.

7.2.6 Master List of Aids to Navigation

A master list is held on CIL's Offshore installations web-based monitoring software. Quay Marinas – Bangor Marina record all defects and instances of unavailability on CIL's web reporting portal. An AtoN availability report is submitted to CIL each quarter by Quay Marinas – Bangor Marina & Harbour.

7.2.7 Audit of Records for Aids to Navigation

As per the requirements of the Merchant Shipping Act 1894 for the Republic of Ireland, the Merchant Shipping Act 1995 and the Port Marine Safety Code, Irish Lights have a statutory duty of Superintendence and Management of all Local Aids to Navigation (LAtoN) throughout the island of Ireland.

In order to effectively discharge this duty, and in addition to the annual inspections of all AtoNs, Irish Lights conduct an assessment process to ensure that Local Lighthouse Authorities have in place appropriate policies and procedures in relation to the provision and management of LAtoNs under their jurisdiction.

This audit takes the form of a meeting between the Harbour Master, relevant Council officers and a Marine Inspector from Commissioners of Irish Lights.

7.2.8 Review of Aids to Navigation

Risk assessment and ongoing consultation have determined the requirement for Aids to Navigation in Ards and North Down Borough Council. The effectiveness and need for new or amended Aids to Navigation is reviewed at the quarterly Port Users Group.

8.0 System Operation & Control

8.1 Monitoring Performance of the Safety Management System

The monitoring and recording of accidents and incidents shall be as per the Council's Incident and Near miss Investigation and Reporting Policy. These statistics will be discussed at Directorate Safety Meetings and measurable goals will be set so that performance may be measured to aid the reduction of such incidents.

8.1.1 Performance Monitoring

The performance of Marine Operations will be measured by a combination of both proactive and reactive measures.

These measures are:

Proactive: Periodic Audits, KPIs, Reviews, Safety Inspections, and Directorate Safety Meetings

Reactive: Accident/Incident/Near Miss Reporting, Accident/Incident/Near Miss Investigation, Informal Reporting and Observations.

The performance of these measures shall be reported to the Environment Committee (as the Duty Holder) on a quarterly basis in order to ensure the MSMS is working effectively.

A list of targets and measures (which forms the basis of the quarterly report) is included in Appendix 1.

Any missed targets, lessons learnt or other improvements to be made shall be highlighted within the report and implemented at the earliest opportunity.

8.1.2 Audits

Twice annual audits will be carried out by the Designated Person, thus ensuring the MSMS is working effectively.

Audits will include:

1. Equipment and/or Procedures
2. Associated plans and documentation
3. Records generated
4. Follow-up (if applicable)

Non-conformances will be recorded on an Audit/Review form and identify the appropriate corrective action.

In addition, Ards and North Down Borough Council's internal audit team will carry out audits as per their schedule.

Findings of these audits will be reported to the Environment Committee (as Duty Holder) and any recommendations will be implemented by the Harbour Master, with prior approval from Management and/or the Environment Committee as required.

8.1.3 Review

The Safety Management System will be formally and comprehensively reviewed every three years and updated and improved where necessary.

9 National Occupational Standards (NOS)/Training

9.1 Marine Personnel

Ards and North Down Borough Council recognises that training, adherence to NOS and CPD are essential elements within the Safety Management System.

It is Ards and North Down Borough Council's policy to ensure that all staff have the appropriate competences and training to carry out their role effectively.

The Harbour Master has the overall responsibility for ensuring the operational competency of marine personnel. However, the ultimate responsibility and accountability lies with the Environment Committee (as Duty Holder) to ensure that all necessary systems are in place to support this process.

Those deemed to be marine personnel will include the following:

- a) Harbour Master
- b) Senior Marine Operative
- c) Marine Operative

9.2 Ensuring Competence

The competence assurance process is linked directly to considered personnel selection and recruitment procedures, relevant job descriptions and appropriate pre-determined recruitment and selection criteria.

The process comprises four stages namely pre-job, induction training, supervision/on the job training and competence.

To ensure that all staff remain abreast of developments and to prevent any decline in the level of competence and skills of marine personnel; relevant training and instruction shall be repeated periodically as appropriate.

All training and instruction provided to employees will be duly recorded and kept in a secure training matrix file.

In order to demonstrate continued compliance in this area, a KPI for staff training has been included within Appendix 1.

Appendix 1

Designated Person's Annual Report in accordance with the Port Marine Safety Code 2016.

Objective 1: To eliminate incidents so far as is reasonably practicable.					
KPI 1.1 - No major incidents, serious injuries or serious pollution as a result of the failure of the harbours MSMS.					
KPI 1.2 - All reported Incidents investigated in a timely basis.					
KPI 1.3 - Identify opportunities for improvement and ensure policies and procedures are reviewed where appropriate.					
KPI Element Record	Number of Instances				
	G'sport	D'dee	B'walter	B'halbert	Cook st
Number of recorded incidents					
Number of incidents afloat					
Number of incidents ashore					
Navigational incidents					
Vessel sinking					
Vessel collision (with another vessel)					
Vessel allision (colliding with a fixed shore structure)					
Vessel grounding					
Breakout (mooring failure / anchor failure)					
Pollution incidents					
Fire incidents					
Other notable incidents (Person in water etc)					
TOTALS					
Report and Investigation					
Navigational incidents investigated					
Reportable incidents to the MAIB					

Objective 2: To conserve the harbours and their approaches

- 2.1 Performance Target - Hydrographic Surveys. Ensure that the harbours and their approaches have adequate schedules for hydrographic surveys and that these are undertaken in line with the defined schedules.
- 2.2 Performance Target - Navigational Lights – In conjunction with the Commissioners of Irish Lights to provide and maintain adequate navigational aids consistent with harbour users.
- 2.3 Performance Target - Identify opportunities for improvement and ensure policies and procedures are reviewed where appropriate requirements to facilitate safe navigation within the harbours and their approaches. Report to CIL on a quarterly basis.
- 2.4 Performance Target - Wrecks and Obstructions. Investigate all reported wrecks and obstructions in a timely basis.
- 2.5 Performance Target - Notices / Warnings – Promulgate Local Notices and Warnings to harbour users of changes to Navigational Aids, depths and other dangers to Navigation.

Local AtoN's failures					
Hours before AtoN is fully operational					
Navigational risks assessed and revised annually					
Hydrographic information available to Harbour staff					
Date of hydrographic survey					
Hydrographic information promulgated to users					
Wreck & Obstruction Investigated					
Warnings - Notice to Mariners issued					

Objective 3: To ensure adequate procedures are in place in case of Emergency.

- 3.1 Performance Target - Review of Emergency Plans and Procedures on an annual basis.
 - 3.2 Performance Target – Undertake desktop / real time exercises at each harbour on an annual basis.
- | | | | | | |
|---|--|--|--|--|--|
| Emergency plans assessed and revised annually | | | | | |
| Emergency exercises undertake. | | | | | |

Objective 4: To consult with harbour users

- 4.1 Performance Target - Arrange regular meetings with harbour users to consult on any navigational issues, safety issues, conservancy, and leisure activity. At the very least a meeting with each harbour group on an annual basis.

Meeting with harbour user groups.					
Objective 5: To Ensure Marine Personnel are appropriately trained					
5.1 Performance Target - Continual Professional Development to ensure all marine personnel are competent to perform their duties.					
Harbour Master					
Marine operative 1					
Marine operative 2					
Marine operative 3					
Objective 6: To have adequate Audit and Review mechanisms in place					
6.1 Performance Target – Annual review and audit of MSMS by HM & DP					
6.2 Performance Target – Duty Holder fully aware of their responsibilities under the PMSC					
6.3 Performance Target – DP to issue report to Duty Holder on effectiveness of the MSMS					
Harbour Master to internally review and assess MSMS					
Designated Person to assess and audit the MSMS					
Designated Person to advise Duty Holder or their role and explain accountability & responsibilities.					
Designated Person to report to Duty Holder on an annual basis the effectiveness of the MSMS in ensuring compliance with the PMSC.					

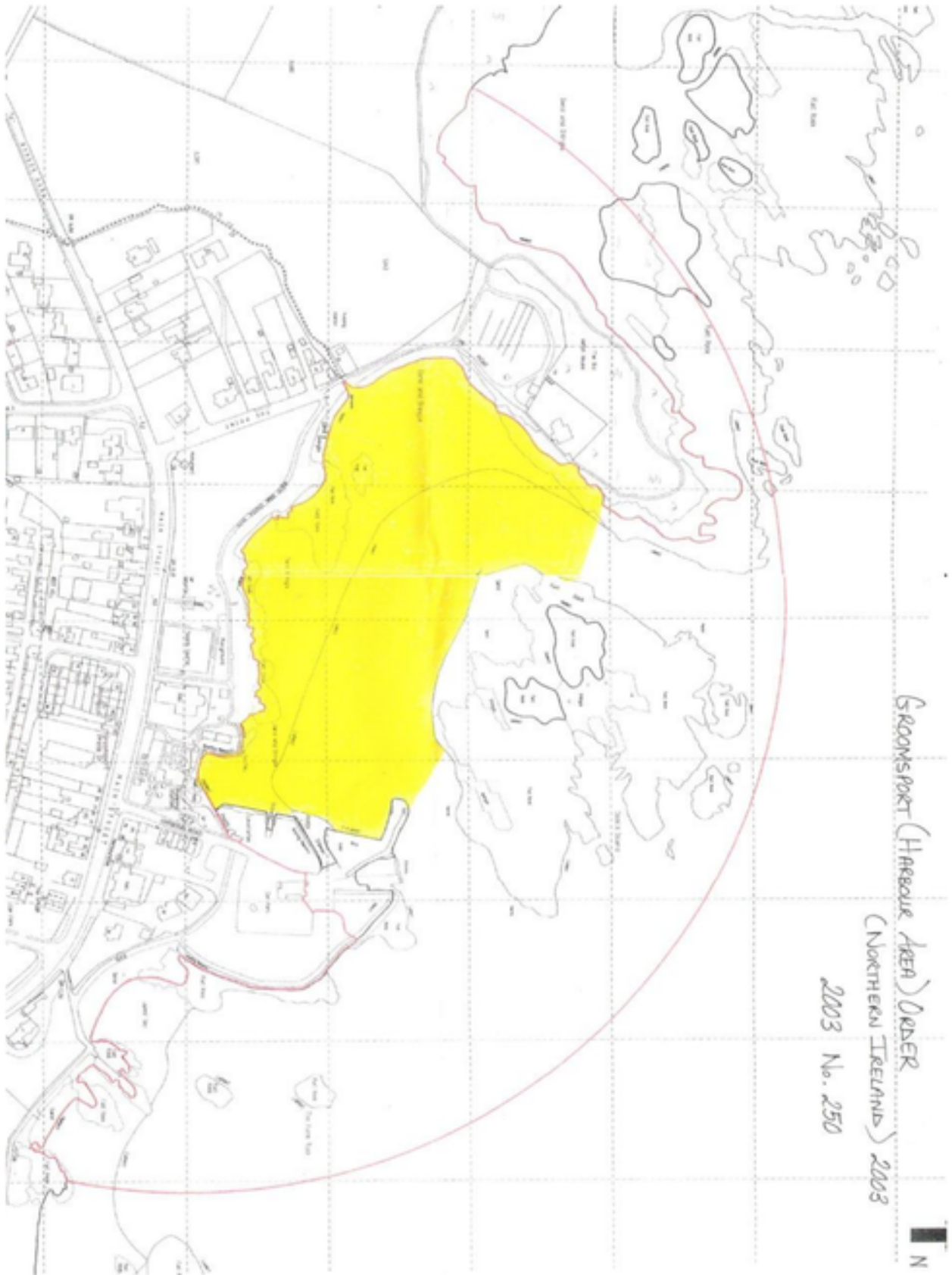
Appendix 2

Locations of Harbour Covered by this Safety Management System

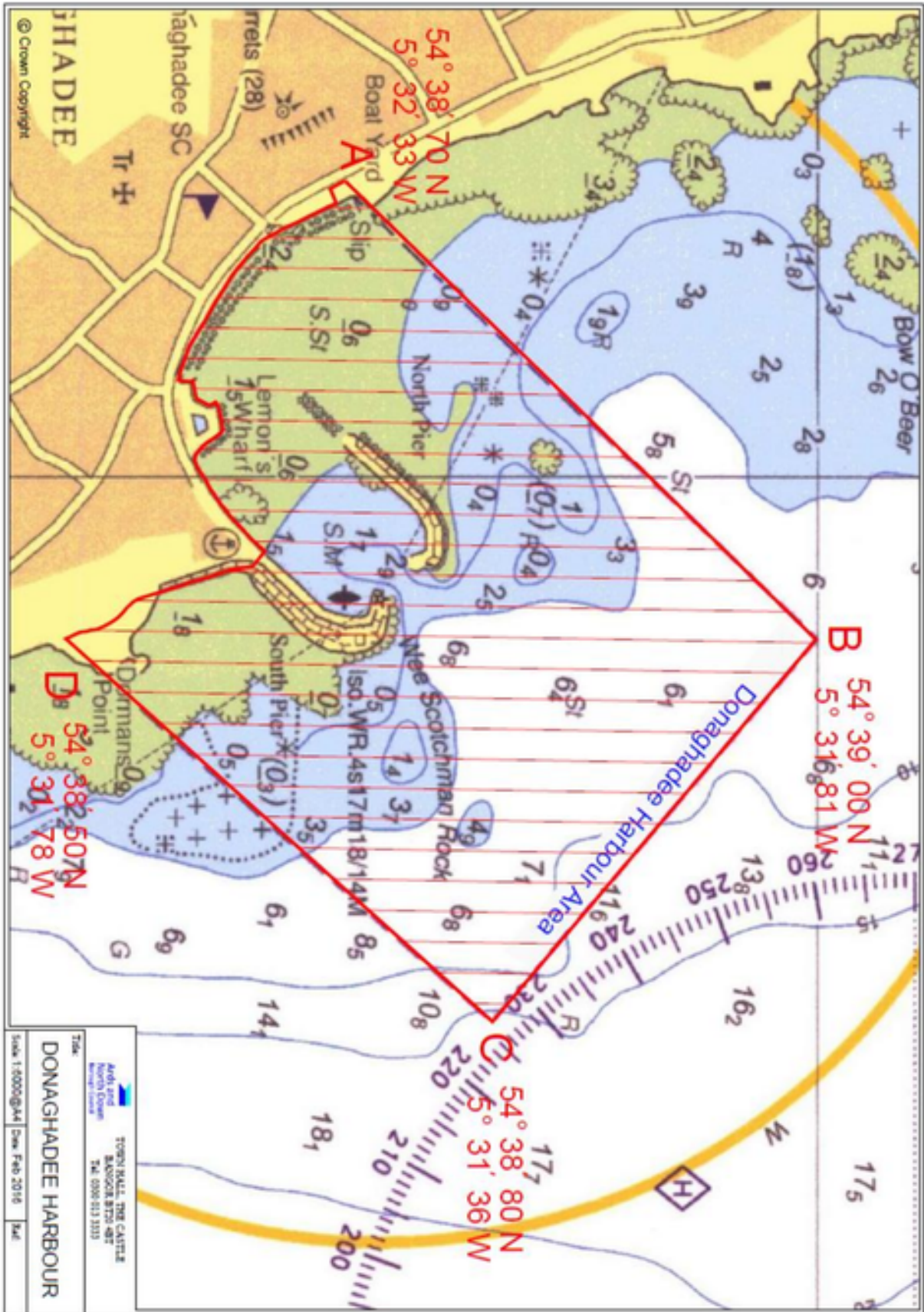


Appendix 3

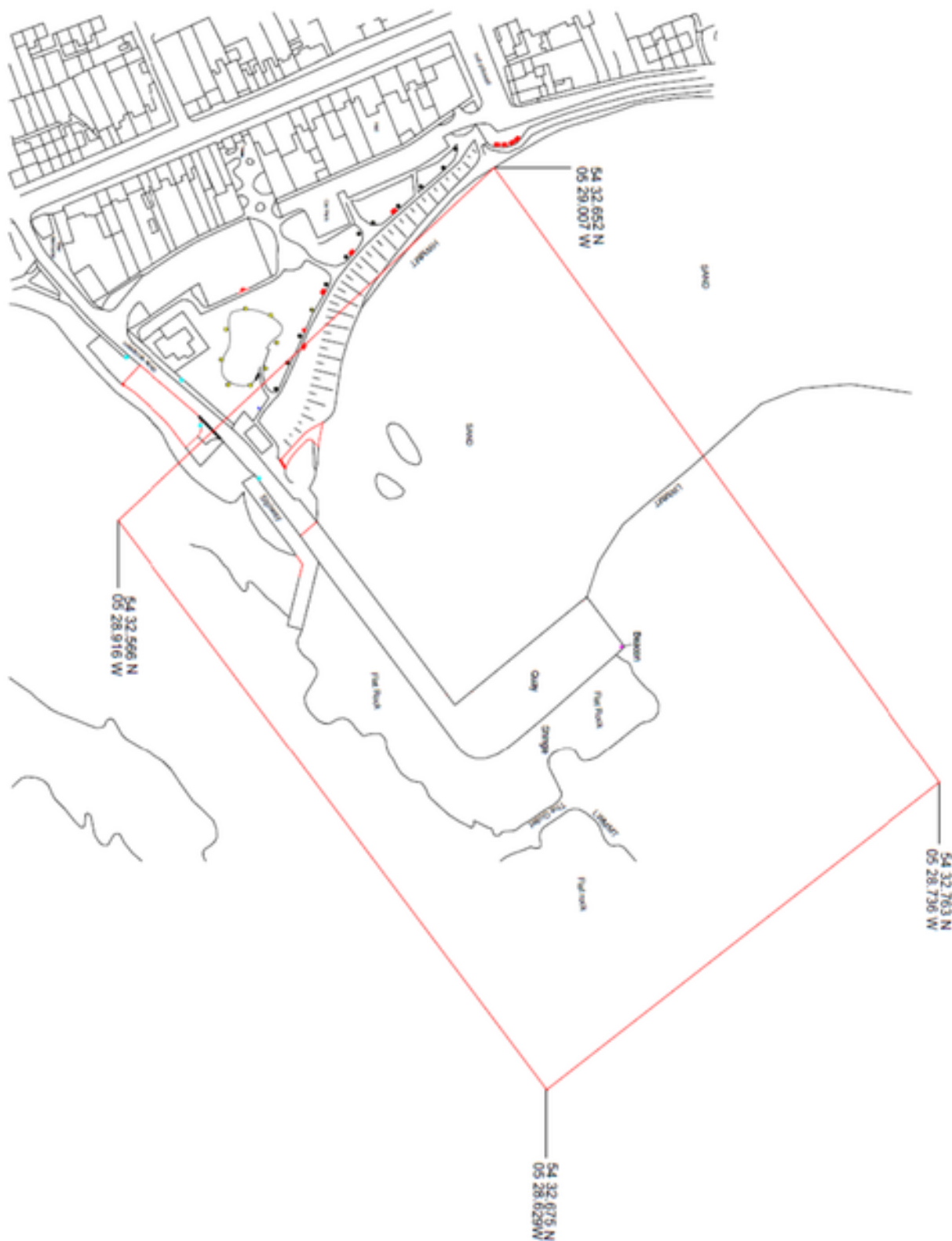
Groomport Harbour limits



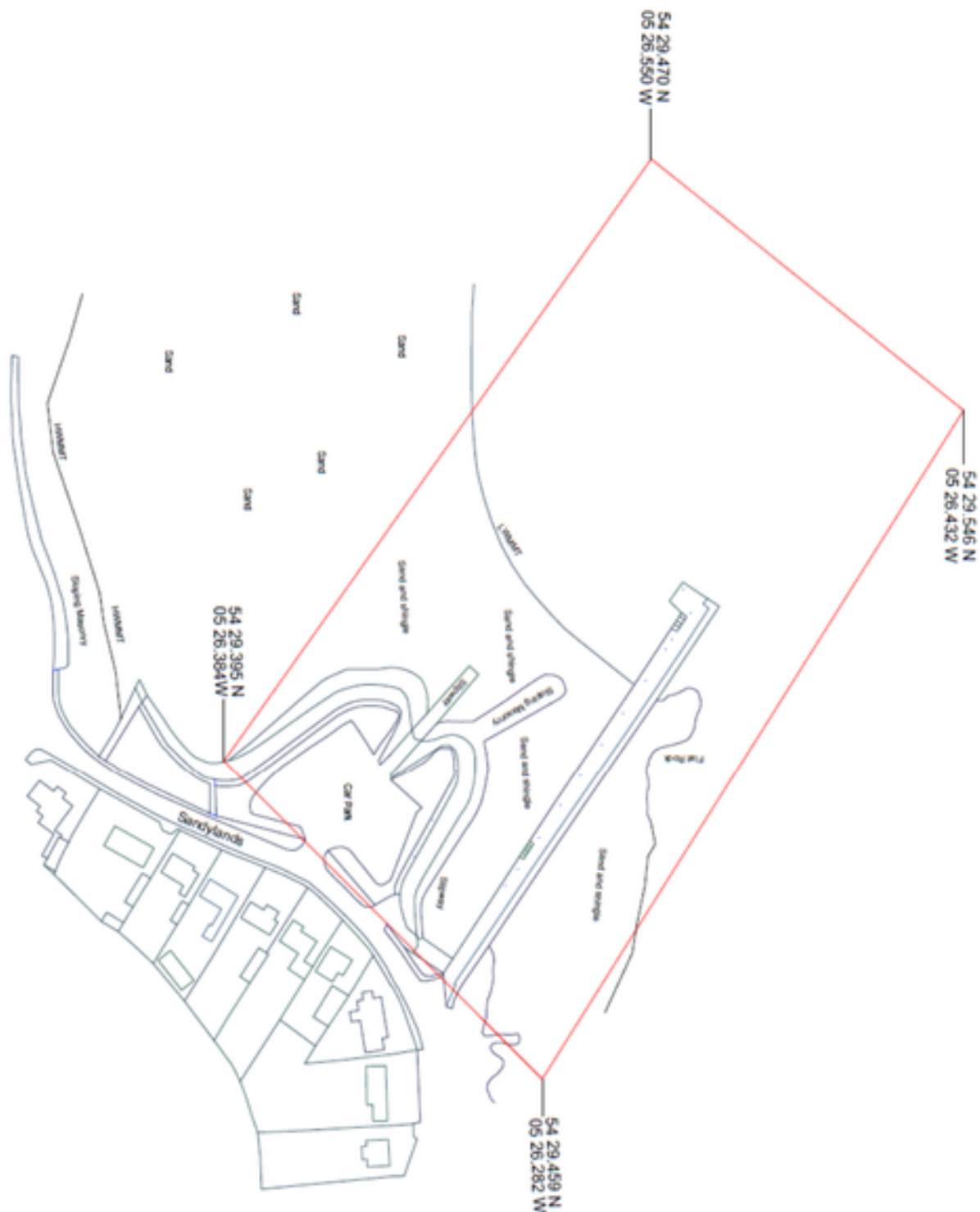
Donaghadee Harbour limits



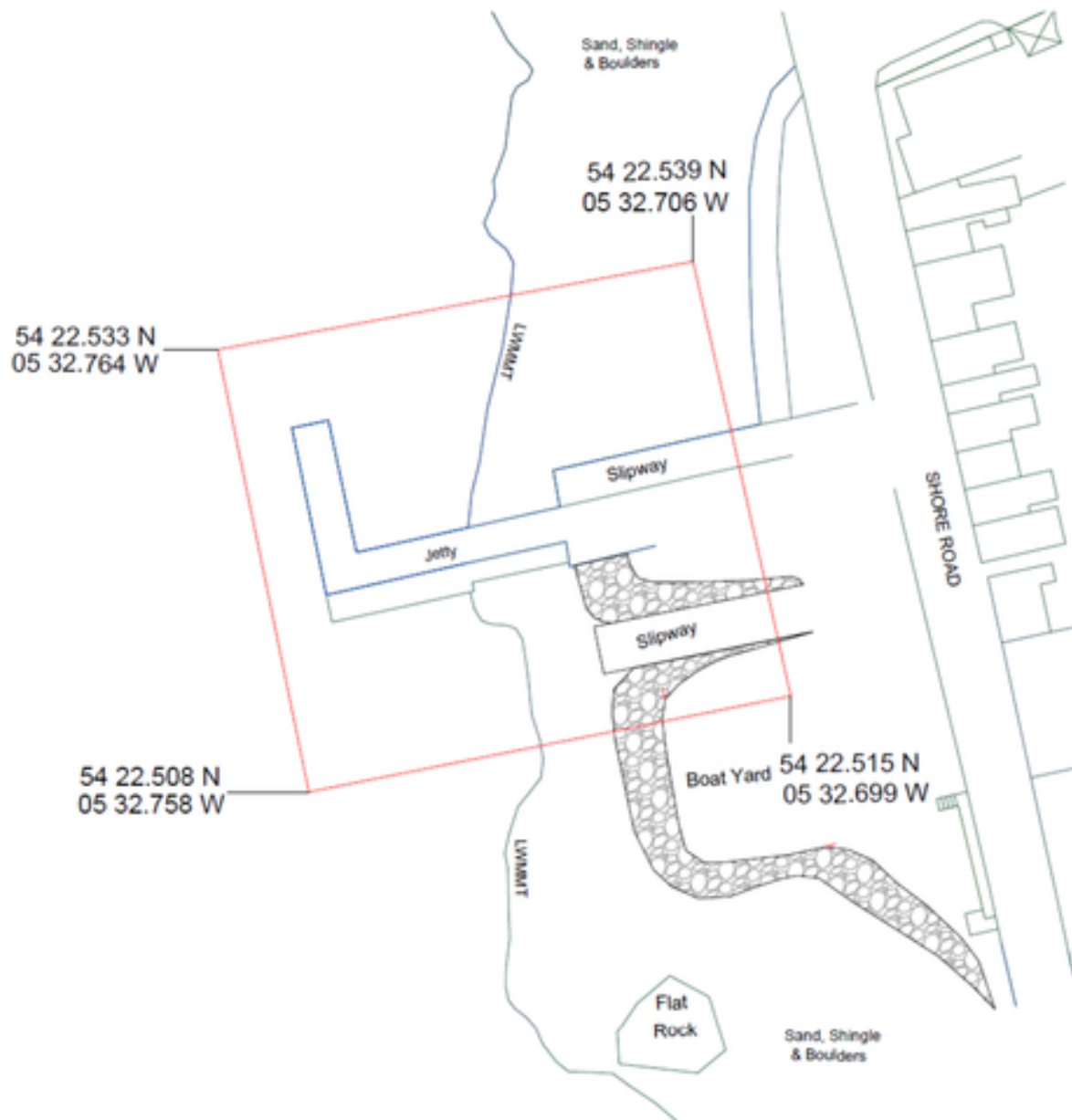
Ballywalter Harbour Limits



Ballyhalbert harbour Limits




Cook St, Portaferry




Appendix 4 ANDBC H&S Policy Statement

ARDS AND NORTH DOWN BOROUGH COUNCIL

	Corporate Health and Safety Management Systems.	Rev: 2	Page 2 of 2
	Section 1.3: Health and Safety Policy Statement.	Date of Issue: Feb 2018	

- (g) Develop and implement a sensible risk assessment approach which is proportionate to the risks applicable to each Council directorate.
- (h) Remind the workforce of their health and safety responsibilities and provide guidance and instruction to employees and, so far as is reasonably practicable, other persons to:-
 - I. Take reasonable care for the health and safety of themselves and other persons affected by their activities by complying with all Council Health and Safety rules and procedures;
 - II. Co-operate with the Council in complying with legislative requirements;
 - III. Not intentionally or recklessly interfere with, or misuse any plant, equipment or facilities provided by the Council for the purpose of Health and Safety;
 - IV. Report any accident, dangerous occurrence or injury to the appropriate immediate supervisor and take appropriate action, as the case may be, to deal with or report any matter which is or could be a risk to Health and Safety.
- (i) Co-operate fully with Safety Representatives appointed by recognised Trade Unions and any Safety Committee (s) / Working Group (s) and value the co-operation of those appointed.
- (j) Bring the policy statement and details of where the Directorates Health and Safety Risk Assessments and Codes of Practice can be obtained to the notice of the employees and, where relevant, other persons.
- (k) Monitor the effectiveness of the policy and notify employees of revisions made.



 Chief Executive
 On behalf of Ards and North Down Borough Council

Date of Review 9/2/18

Appendix 5- Incident Report Form

ACC 1/R/18

**ARDS AND NORTH DOWN BOROUGH COUNCIL
INTERNAL INCIDENT REPORT FORM**

THIS FORM MUST BE SIGNED BY THE PERSON IN CHARGE OF THE AREA AND RETURNED TO THE RISK MANAGER NOT LATER THAN THE 1ST DAY AFTER THE INCIDENT

1. NAME OF DEPARTMENT / CENTRE: _____

2. PERSONAL DETAILS (injured person / person involved):

Name:		Date of Birth:	Age:	Sex:
Address:			Telephone No:	
			Staff No:	
Type (tick as appropriate):	Direct Employee	Agency Worker	Summer Scheme	Member of Public
Is person a Government Trainee/Work Experience? YES/NO (If so Specify Scheme)				

3. INCIDENT DETAILS:

Type (tick as appropriate):	Injury	Near Miss	Dangerous Occurrence	Property Damage	Environmental Incident
Date and Time of Incident					am/pm
Date and Time Reported					am/pm
To Whom in Authority was the Incident Reported?					

4. ON THE DAY OF INCIDENT:

Exact Location of Incident					
Normal Working Hours (if an employee):	FROM	am/pm	TO	am/pm	
Hours Actually Worked (if an employee):	FROM	am/pm	TO	am/pm	
Describe How the Incident Occurred _____					

5. THE TASK (if applicable):

Was the person Authorised to be in the location at the time of the Incident?	YES / NO
Was the person Authorised to be Carrying Out this Activity?	YES / NO
What tools / equipment / substances are required to carry out this task?	
What PPE is required to carry out this task? (i.e. face-shield / gloves / safety boots / hearing protection)	
Was PPE being worn / used at the time of the incident	YES / NO

6. DESCRIBE NATURE OF INJURY (underline appropriate areas):

Type of injury:	Fractured Bone / Dislocation / Bruise/ Puncture, Laceration, Abrasion wounds.
Additional Details:	
Head:	Face/skull/hair/right eye/left eye/right ear/left ear/nose/mouth/teeth/right cheek/left cheek/jaw
Neck:	Muscles/bones/collar bone/right shoulder/left shoulder
Trunk:	Chest/ribs/abdomen/spine/lower back/muscles/discs/pelvic area/groin
Arm:	Right/left/both/upper/lower/elbow/hand/fingers/wrist/tendon/muscle
Leg:	Right/left/both/thigh/hip/knee/lower leg/ankle/foot/toes/muscle/tendons/cartilage
Other:	Circulatory/respiratory/hearing/digestive/nervous/voice/skin/mental/artificial aids

7. TREATMENT DETAILS:

ACC 1/R/18

What treatment did the injured person receive?		
First-Aid <input type="checkbox"/>	Hospital <input type="checkbox"/>	Doctor <input type="checkbox"/>
Name of hospital Attended		
Detained in Hospital for more than 24 Hours YES / NO		
Has the injured person returned to work? YES / NO (If yes state date)		

8. DETAILS OF PROPERTY LOSS OR DAMAGE:

Nature of property lost/damage:
Details of circumstances:
Approximate value:
Any further information or details:

9. OTHER FACTORS:

Did the incident occur OUTSIDE <input type="checkbox"/> or INSIDE <input type="checkbox"/> describe the conditions:							
Daylight <input type="checkbox"/>	Light <input type="checkbox"/>	Dark <input type="checkbox"/>	Floodlit <input type="checkbox"/>	Street Lighting <input type="checkbox"/>			
Surface:	Dry <input type="checkbox"/>	Raining/Wet <input type="checkbox"/>	Slippery <input type="checkbox"/>	Ice <input type="checkbox"/>	Frost <input type="checkbox"/>	Snow <input type="checkbox"/>	Other <input type="checkbox"/>
Comments:							

10. WITNESS (give the names and addresses of all witnesses):

11. SIGNATURES:

Report completed by:	Signature:	Print Name:	Date:
"I have read and agree that this is a true account of the incident"			
Signature of the person about whom this report has been made		Signature:	Date:

Privacy Notice:

Ards and North Down Borough Council has collected the information on this form for the purpose of meeting its requirements under the Health & Safety at work Order (NI) 1978. Your details may be passed to the HSENI. In addition, this information will be shared, when required, to relevant bodies for the purposes of preventing or detecting fraud or crime as well as to all other relevant parties in the defence of any civil claim arising. Your information will be held for 25 years for a minor and 7 years for an adult. You have a right to see and review the information held on you. If you wish to request your personal information or have a data protection query, please put your request in writing to: Data Protection Officer, Ards and North Down Borough Council, Town Hall, The Castle, Bangor, BT20 4BT, Email: dataprotection@ardsandnorthdown.gov.uk Tel: 0330 013 3333. If you are not satisfied with how the Council has handled this matter, you may refer it to the Information Commissioner's Office at 02890278757 or email ni@ico.org.uk.

ACC 3/AI/18

ARDS AND NORTH DOWN BOROUGH COUNCIL

STATEMENT OF (tick as appropriate): a) Injured Person / Person Involved () b) Witness () c) Manager / Supervisor () d) Member of Staff ()

Incident Ref. No []

Name of Injured Person: _____

Date of Incident: _____ Time of Incident: _____ am/pm

Incident Location: _____

*Statement of (Full Name): _____

Address: _____

(Write in your own words EXACTLY what happen, including where available, details of injuries / damage, equipment and people involved, distances, heights, weather conditions etc)

[Large empty rectangular box for writing the statement]

The above statement is true and correct.

*Signature of the above named: _____ Date: _____

Witnessed by: _____ Date: _____

ACC 2/R/18

ANDBC MOTOR INCIDENT REPORT FORM

All the relevant sections must be completed. The form must be completed and returned to the Risk Management Section within one working day. Where injuries occurred your line manager must be informed immediately. In the case of personal injuries to ANDBC employees complete and attach an ANDBC Incident Report Form for each person injured.

Date of Incident:		Time of Incident:	
		Date & Time reported:	

Type of Incident (tick all that apply)

Damage to ANDBC Vehicle	Property Damage	Theft	Hijacking
Third Party vehicle Damage	Windscreen	Other (specify)	
Personal injury, 3 rd Party	Personal injury, ANDBC		

ANDBC Details

ANDBC Driver Name		Staff No	
Job Title		Section	
ANDBC Vehicle Type		Registration	
ANDBC Passengers			

Third Party Details

Third party name:		Contact telephone no:	
Address:			
Vehicle type		Vehicle registration	
Name of Insurer:		Passenger names:	

Details of third party injuries reported at the scene:

Other Witnesses – please give name and a contact number for other witnesses

Was this incident reported to the police? YES / NO

Police Incident no:		Police station reported to:	
---------------------	--	-----------------------------	--

Exact location of Incident:

ACC 2/R/18

ANDBC MOTOR INCIDENT REPORT FORM

Brief Description of Incident:

Sketch:

Damage to Third Party Property / vehicle

Damage to ANDBC vehicle

Details of theft / hijacking


Was the vehicle locked? Yes / No	If NO – please state reason	
Were keys left in the ignition? Yes / No	If YES – please state reason	

Report Completed by:

The above account is true to the best of my knowledge. I have read and agree with the above privacy statement Signature of ANDBC Driver:	Date:
Signature of line manager / supervisor receiving this report:	Date:

Ards and North Down Borough Council has collected the information on this form for the purpose of meeting its requirements under the Health & Safety at work Order (NI) 1978. Your details may be passed to the HSENI. In addition, this information will be shared, when required, to relevant bodies for the purposes of preventing or detecting fraud or crime as well as to all other relevant parties in the defence of any civil claim arising. Your information will be held for 25 years for a minor and 7 years for an adult. You have a right to see and review the information held on you. If you wish to request your personal information or have a data protection query, please put your request in writing to: Data Protection Officer, Ards and North Down Borough Council, Town Hall, The Castle, Bangor, BT20 4BT, Email: dataprotection@ardsandnorthdown.gov.uk Tel: 0330 013 3333. If you are not satisfied with how the Council has handled this matter, you may refer it to the Information Commissioner's Office at 02890278757 or email ni@ico.org.uk

No of pages attached to this report: _____

 <p>Ards and North Down Borough Council</p>	Incident form _____ report number _____
<h2>Harbour Incident Report Form</h2>	

Section A			
Date of incident		Time of incident:	
		UTC	
		Local time	
Name of vessel			
Port of registry if applicable		Flag of vessel	
Type of vessel (yacht, motor sailer, rib, power boat or fishing vessel etc.)			
Type of incident			
Location of incident (e.g. name of Harbour, berth Number, or other geographic reference <i>including lat/long,)</i>			

Did the incident occur within the operational limits of a port?			
Natural light	Visibility	Sea state	Wind force Wind direction

Consequences of incident (*tick as many boxes as apply*)

- No injury or damage
- Fatal injury
- Non-fatal injury
- Vessel damaged
- Vessel lost or abandoned
- No injury or damage
- Pollution type

Pollution – if ticked please state quantity

Section B: Vessel Details

Name & address of owner.					
Name:					
Address:					
Tel:					
Email:					
IMO number <i>(if applicable)</i>				Call sign:	
Fishing vessel port letters and numbers <i>(if applicable)</i>				RSS/SSR number	
Length of vessel (in metres):				Gross tonnage:	
LOA or registered length:				Year of build <i>(if known)</i> :	
Type of vessel				Hull material:	
Classification society <i>(if applicable)</i> :				Certification class <i>(if applicable)</i> :	
Hours vessel was not under command <i>(if applicable)</i> :		Please specify if, following the incident, either of the following were needed for the safety of your vessel:			
		Towage			
		Shore assistance			
Number of crew on board:				If applicable, number of passengers on board:	
Departure from last port	Date			Voyage	From:
	Time:				To:

	UTC or local time?				
If applicable, name of ship(s) & port of registry or flag of any other vessel(s) involved					

Section C: Details of person(s) killed, missing or injured

How many persons suffered injuries preventing performance of normal full range of duties for more than 72 hours (3 days) after the day of the accident		How many persons killed or missing	
--	--	------------------------------------	--

Person 1

Position (e.g. rank, rating, passenger, shore worker, contractor):		Gender:		Age:	
		Nationality:			
What was injured? (e.g. left leg, finger):		Kind of injury (or enter "fatal" or "missing" if appropriate):			
Place on vessel where injury sustained:		Did injury mean more than 72 hours off work or greater than 24 hrs in hospital?			
On / off duty?					

Person 2

Position (e.g. rank, rating, passenger):		Gender:		Age:	
		Nationality:			
What was injured? (e.g. left leg, finger):		Kind of injury (or enter "fatal" or "missing" if appropriate):			

Place on <u>vessel</u> where injury sustained:		Did injury mean more than 72 hours off work or greater than 24 hrs in hospital?	
On / off duty?			

If more than 2 persons suffered reportable injuries please continue in free text area:

Section D: Please give a brief description of the sequence of events leading to the incident

Section E

E.1. Please state why you think the incident happened:

E.2. Has any action been recommended by you or anyone else as a result of this incident and if so, what and by whom

E.3. Has any action been taken and if so what, by whom and when

Section E

Person completing form			
Name:		Date	
Position:			
Tel:			
Email:			
All information is true and complete to the best of my knowledge (please tick box): <input type="checkbox"/>			

Designated person (if applicable):			
Name:		Address:	
Tel:			
Email:			

Section G - for completion by Safety Representative (if applicable)

If the incident involved a reportable personal accident and there is an elected Safety Representative on board the vessel, they must be shown the completed report and allowed to write in this section any comments which they may wish to make.

If the injured persons are represented by different Safety Representatives, each may make additional comments if desired in the space below (but in any event, they should all declare all information is true and complete to the best of their knowledge):

Name (Safety Representative):		Date	
---	--	-------------	--

All information is true and complete to the best of my knowledge (please tick box)

Guidance Note

Please use the terms in the shaded areas when completing Section A of the Incident report form

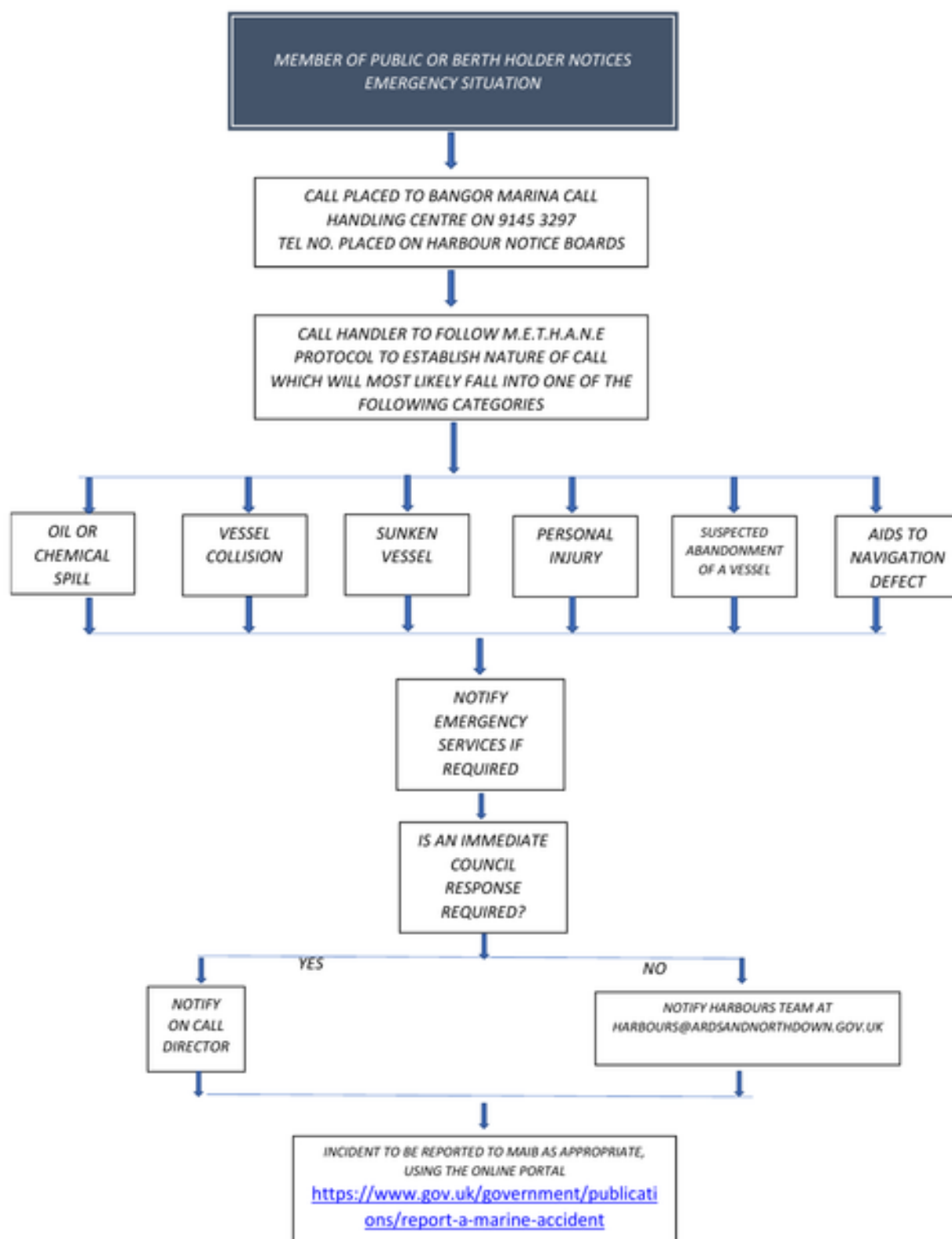
Beaufort Scale			
0	Calm	knot (0-1)	m/s (0-1)
1	Light air	knot (1-3)	m/s (1-2)
2	Light breeze	knot (4-6)	m/s (2-3)
3	Gentle breeze	knot (7-10)	m/s (4-5)
4	Moderate breeze	knot (11-16)	m/s (6-8)
5	Fresh breeze	knot (17-21)	m/s (9-11)
6	Strong breeze	knot (22-27)	m/s (11-14)
7	Near gale	knot (28-33)	m/s (14-17)
8	Gale	knot (34-40)	m/s (17-21)
9	Strong gale	knot (41-47)	m/s (21-24)
10	Storm	knot (48-55)	m/s (25-28)
11	Violent storm	knot (56-63)	m/s (29-32)
12	Hurricane	knot (+64)	m/s (+33)
Unknown			

Sea state		
0	Calm glassy	(0m)
1	Calm rippled	(0 - 0.1m)
2	Smooth	(0.1 - 0.5m)
3	Slight	(0.5 - 1.25m)
4	Moderate	(1.25 - 2.5m)
5	Rough	(2.5m - 4m)
6	Very rough	(4.0 - 6.0m)
7	High	(6.0 - 9.0m)
8	Very high	(9.0 - 14.0m)
9	Phenomenal	(+14m)
Unknown		

Very poor	Vis < 0.5nm
Poor	0.5 <= Vis <= 2.0nm
Moderate	2.0 <= Vis <= 5.0nm
Good	5.0 <= Vis <= 25.0nm
Very good	Vis >= 25.0nm
Unknown	

Daylight
Twilight
Night
Unknown

Appendix 6- Protocol for Handing Out of Hours Emergency Calls originating at Harbours



Unclassified

122

ITEM 12

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	04 October 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets & Property Services
Date of Report	20 September 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Marine Water Safety Training Scheme
Attachments	

Background

Members may recall that in October 2021 it was agreed that income from the slipway permit system would be invested back into the community in the form of a Marine Safety Training Scheme (MSTS).

The concept of the scheme was to use income generated from slipway permits (approx. £2k per year) to fund various marine based activities that would help engage with users and improve safety in the waters around our marine facilities.

In order to ensure relevant and desirable activities are delivered, Harbours staff use information collected by berth holder surveys and general feedback from users.

This report aims to update members on activities funded this year under the MSTS.

Not Applicable

123

Scheme Update

In April this year we held an information session at Groomsport Harbour. In addition to Harbour staff there was Bangor Coastguard, Belfast Kayak Club, Ultimate SUP NI, Safer Waters and the RNLI in attendance, each bringing a different perspective of marine safety.

In order to encourage attendance, the Harbour team offered 2 prizes of life jackets; with all attendees who provided their details being entered into the draw.

A total of 35 people attended the event to listen to the safety briefs and discuss any concerns. Officers believe that this attendance, given the weather on the day, was reasonable but were keen to improve for future events.

One of the questions asked of attendees was their suggestions for any safety related training that they wished to receive.

This question was also asked to our berth holders as part of their annual survey.

Officers reviewed both sets of responses and there was a consensus that VHF Radio, Sea Survival and First Aid were in demand. A VHF Radio course was subsequently arranged with local training provider "Safer Waters" for October and the Marine Safety Training Scheme will heavily subsidise the fees, encouraging local berthholders and slipway users to attend.

Safer waters said *"By completing the VHF radio course it vastly improves vessel safety at sea and minimises the number of bogus or ill-advised blue light call outs. It also helps ensure that the correct distress calls are made and in a timely manner."*

A second strand of work to engage with users and improve marine safety was to offer subsidised Stand Up paddleboard lessons and "come and try" kayaking sessions within Donaghadee Recreational Area. The recreational area was set up by Council several years ago to give people a safe area to carry out their non-motorised recreational activities and keep clear of the inner harbour where vessels manoeuvre.

All attendees would be briefed on the safe use of the equipment, and any general marine safety tips, prior to commencing the session.

Unfortunately, these sessions have had to be postponed twice due to poor weather, but officers will rearrange at the earliest opportunity.

The original scheme agreed in 2021 was to be reviewed to ensure it was fit for purpose. Officers are happy with the scheme and its outworking's so far and see no reason to change it at this time.

RECOMMENDATION

It is recommended that Council notes the progress made on marine safety via the MSTS and approves its ongoing implementation as part of our Marine Safety Management System.

Not Applicable

Unclassified

125

ITEM 13**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	04 October 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets & Property Services
Date of Report	19 September 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Reinforced Autoclaved Aerated Concrete (RAAC)
Attachments	

RAAC is a lightweight form of precast concrete, frequently used in public sector buildings in the UK from the mid-1960s to the 1990s.

It is mainly found in roofs, occasionally in floors and walls. Visually, RAAC planks may look the same as pre-cast concrete, and may be hidden above false ceilings.

It is less durable than traditional concrete and there have been problems as a result, which could have significant safety consequences.

Research has shown that this material has a far lower structural loading capacity than other generic reinforced concrete products. Its condition deteriorates further if water is present, due to leaks from roofs etc, which can compromise the reinforcement bars contained within RAAC planks.

The lifespan of such planks has been estimated to be around 30 years.

Not Applicable

126

Recent reports in the media referencing closures of public sector buildings in GB due to fear of collapse, prompted officers to undertake an inspection of the relevant buildings within our Estate.

A majority of our estate is of traditional construction, being brick/block walls with timber floors and roofs. These buildings will not contain any RAAC products.

Several of our buildings are of the correct era and construction type to possibly contain RAAC products, so these buildings were inspected by Technical Officers.

Suspended ceilings were lifted and access panels removed, and no RAAC products were found within any of our buildings.

Whilst the inspections were not intrusive; (i.e., plaster ceilings were not broken to facilitate inspection) Officers are confident that the surveys were robust enough to reasonably conclude that no RAAC products are present. Officers will however look out for RAAC as part of our routine condition surveys, similar to the approach taken for asbestos.

At the time of writing this report, no RAAC has been identified within any public sector building in Northern Ireland. Officers believe that it may never have been produced or used here and would suggest that the surveys carried out to date are sufficient for now but would reassess the situation if RAAC is discovered elsewhere in the Northern Ireland Public Sector Estate.

RECOMMENDATION

It is recommended that Council note the content of this report.