

ARDS AND NORTH DOWN BOROUGH COUNCIL

30 August 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, 6 September 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 by Kevin Baird – Port Marine Safety Code
4. Environment Directorate Budgetary Control Report – April to June 2023 (Report attached)
5. Update on Fleet Decarbonisation Agenda (Report attached)
6. Proposed Street Naming – Crawfordsburn Gate, Bangor (Report attached)
7. Proposed Street Naming – Gransha Lane, Bangor (Report attached)
8. Result of Court Proceedings – NET (January to March 2023) (Report attached)
9. Result of Court Proceedings – NET (April to June 2023) (Report attached)
10. NET Q4 Activity Report (January to March 2023) (Report attached)
11. NET Q1 Activity Report (April to June 2023) (Report attached)
12. Response to Notice of Motion on Park and Ride Proposal - Bangor Sportsplex (Report attached)
13. Transfer of Entertainment Licence (Report attached)

14. Review of Pavement Café Licensing (Report attached)
15. Review of Road Closure Legislation for Special Events (Report attached)
16. Public Recycling at Council Events (Report attached)
17. Northern Ireland Local Authority Municipal Waste Management Statistics, January to March 2023 and Quarterly Update on Recycling Progress (Report attached)
18. EU Interreg VA Programme – FASTER EV Charger Network (Report attached)
19. Notices of Motion
- 19.1. Notice of Motion submitted by Alderman Adair, Councillors Edmund and Kerr
- That Council task officers to bring back a report on the costing to install signage identifying the townlands of Ballyblack and Kirkistown and that officers are tasked to bring forward proposals to incorporate townland signage across our Borough.
20. Any Other Notified Business
- **IN CONFIDENCE****
21. Car Parking Enforcement Contract Update (Report attached)
22. Tender Award Report for arc 21 Bring Bank Servicing Contract 2023 (Report attached)
23. Governance Arrangements for Management of Council Harbours – Appointment of 'Duty Holder' (Report attached)

MEMBERSHIP OF ENVIRONMENT COMMITTEE (16 Members)

Alderman Carson	Councillor Greer
Alderman McDowell (Chair)	Councillor Irwin
Alderman M Smith	Councillor Johnson
Alderman Armstrong-Cotter	Councillor Woods (Vice Chair)
Councillor Boyle	Councillor MacArthur
Councillor Cathcart	Councillor McAlpine
Councillor Cummings	Councillor McKee
Councillor Edmund	Councillor Smart

Unclassified

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ITEM 4

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Finance
Date of Report	07 August 2023
File Reference	FIN45 / 40012
Legislation	Section 5 Local Government Finance Act (NI) 2011
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input checked="" type="checkbox"/> If other, please add comment below:
Subject	Environment Directorate Budgetary Control Report - April to June 2023
Attachments	None

The Environment Directorate's Budgetary Control Report covers the 3-month period 1 April to 30 June 2023. The net cost of the Directorate is showing an underspend of £149k (2.2%) – box A on page 3.

Explanation of Variance

Environment's budget performance is further analysed on page 3 into three key areas:

Report	Type	Variance	Page
Report 2	Payroll Expenditure	£82k favourable	3
Report 3	Goods & Services Expenditure	£130k favourable	3
Report 4	Income	£63k adverse	3

Not Applicable

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Explanation of Variance

The Environment Directorate's overall variance can be summarised by the following table (variances over £15k): -

Type	Variance £'000	Comment
Payroll	(82)	Mainly due to vacant posts across the Directorate which should be filled as the year progresses.
Goods & Services		
Waste & Cleansing	(85)	Waste disposal costs. Mainly due to tonnages being mostly less than budget: - Landfill down (298T). Blue bin waste down (45T). Garden waste up 12T. Food waste down (361T).
Assets & Property	(40)	Electricity – (£39k) – cost per kwh lower than budget. Gas – (£12k) – cost per kwh lower than budget. Vehicle fuel – (£63k) price per litre has fallen 20% since end of 2022. Vehicle maintenance - £17k. Technical Services – £53k – statutory work.
Income		
Regulatory Services	68	Car Park income £45k. NET – fine income £25k.

Not Applicable

REPORT 1 BUDGETARY CONTROL REPORT						
Period 3 - June 2023						
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance	
	£	£	£	£	%	
Environment DIR.						
200 Environment DIR.	50,804	50,800	4	204,600	0.0	
210 Waste and Cleansing Services	4,329,646	4,375,400	(45,754)	16,716,200	(1.0)	
220 Assets and Property Services	2,040,168	2,161,950	(121,782)	10,937,000	(5.6)	
230 Regulatory Services	77,999	59,250	18,749	297,300	31.6	
Total	6,498,617	6,647,400	A (148,783)	28,155,100	(2.2)	
REPORT 2 PAYROLL REPORT						
	£	£	£	£	%	
Environment DIR. - Payroll						
200 Environment DIR.	42,098	42,100	(2)	168,400	(0.0)	
210 Waste and Cleansing Services	2,264,695	2,224,800	39,895	8,840,300	1.8	
220 Assets and Property Services	497,733	574,900	(77,167)	2,308,700	(13.4)	
230 Regulatory Services	505,597	550,600	(45,003)	2,202,600	(8.2)	
Total	3,310,123	3,392,400	B (82,277)	13,520,000	(2.4)	
REPORT 3 GOODS & SERVICES REPORT						
	£	£	£	£	%	
Environment DIR. - Goods & Services						
200 Environment DIR.	8,706	8,700	6	36,200	0.1	
210 Waste and Cleansing Services	2,434,423	2,519,600	(85,177)	9,341,700	(3.4)	
220 Assets and Property Services	1,634,676	1,674,750	(40,074)	8,882,200	(2.4)	
230 Regulatory Services	144,742	149,300	(4,558)	606,500	(3.1)	
Total	4,222,548	4,352,350	C (129,802)	18,866,600	(3.0)	
REPORT 4 INCOME REPORT						
	£	£	£	£	%	
Environment DIR. - Income						
200 Environment DIR.	-	-	-	-		
210 Waste and Cleansing Services	(369,472)	(369,000)	(472)	(1,465,800)	(0.1)	
220 Assets and Property Services	(92,242)	(87,700)	(4,542)	(253,900)	(5.2)	
230 Regulatory Services	(572,341)	(640,650)	68,309	(2,511,800)	10.7	
Totals	(1,034,054)	(1,097,350)	D 63,296	(4,231,500)	5.8	

RECOMMENDATION

It is recommended that the Council notes this report.

Unclassified

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ITEM 5

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets and Property Services
Date of Report	04 July 2023
File Reference	79001
Legislation	Climate Change Act (2022)
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Update on Fleet Decarbonisation Agenda
Attachments	None

1.0 Background

The Council currently operates a fleet of 182 vehicles to deliver its services. These vehicles consume approximate 757661 litres of diesel and emit around 2538 tonnes of CO² every year. Our annual fuel bill is around £1,032,353.

Due to the significance of this cost and CO² emissions, measures to increase efficiency and reduce CO² emissions are ongoing and have been the subject of various reports to the Council in the past.

The first step in the hierarchy of actions to reduce CO² emissions, is to reduce the amount of fuel being used by limiting the number of vehicles and the mileage that they travel. These measures largely lie within the control of each service unit that deploys the vehicles in the delivery of their respective services, but a challenge process is built into our vehicle replacement policy whereby the Fleet Manager robustly assesses any vehicle purchase/replacement request to ensure that the

Not Applicable

vehicle purchase/replacement is essential and if so that the proposed vehicle is suitably specified, before authorising its procurement. Furthermore, the service unit that deploys most vehicles in the Council's fleet, Waste Collections, has undertaken a major review of the collection routes to ensure they are optimised, and this process of route efficiency optimisation is now ongoing – facilitated by sophisticated route planning software deployed by the Council.

This report aims to highlight additional measures implemented by the fleet management service unit and areas of focus for further investigation.

2.0 Measures Taken to Date

2.1 Solar Power

Eight of our Refuse Collection Vehicles (RCVs) have been fitted with solar panels which produce renewable energy to reduce the amount of power that the alternator requires from the engine to operate the vehicle (including bin lifters, compactors). For the month of June 2023 these solar panels saved 1.2 tonnes of CO² emissions, and 440 litres of diesel, producing 220 KWh of solar energy. This innovation is now incorporated into the standard specification for all new RCV's procured by the Council.

2.2 Driver Telematics

A number of smaller vehicles (50 no.) have been fitted with the 'Lightfoot' vehicle telematics system which is designed improve petrol and diesel fleet with real-time driver coaching and gamification. It helps deliver higher fuel savings, lower emissions, reduced downtime, increased road safety, and enhanced efficiency, by guiding our fleet drivers towards a smoother driving style. The system typically provides fuel savings between 5 and 35%. Unfortunately, the system is not available for heavier vehicles but trials with the manufacturer are ongoing.

3.0 Current Investigations

3.1 Alternative Fuels

Officers have reviewed the potential for HVO (hydrotreated vegetable oil) as a direct replacement for diesel. Claims are made by the manufacturers that HVO can result in a 92% saving in emissions but this includes the manufacturing process. Presently the Council would not have the capacity to test the emissions from its vehicles if we made the switch, as we do not have the necessary test equipment. It is estimated that there is a tail pipe reduction in greenhouse gasses of between 7 and 31% depending on the vehicle. Officers met with the supplier in Ireland in July and obtained more detail and evidence of reductions in greenhouse gases. Presently, HVO is approximately 50ppl more expensive than diesel and there is currently no duty relief on HVO. This may change when the Autumn statement is announced. On one of the vehicles which would be a large consumer of diesel, an extra 50ppl fuel cost for HVO would equate to an additional fuel bill of £60,305 over the life of the vehicle.

Not Applicable

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3.2 LGV Electrification

Electrification of the LGV fleet would require a significant investment in both vehicles and infrastructure. At present electric van prices are on average 50% more expensive than the diesel equivalent, meaning they are difficult to justify in financial terms and requiring vehicles to be incurring significant annual mileage before the additional capital purchase cost can be recouped. Officers are routinely reviewing payback calculations when replacing each van on a case-by-case basis, to assess the financial viability of switching to an EV model. To date it has been concluded that it would not be economically beneficial to switch to EV for any of our van purchases/replacements, but as indicated this is being continually reviewed in the light of changes in EV vehicle costs etc. We are currently looking at EV leasing options as well as outright purchase.

Before procuring any electric vans, we would need an EV charging infrastructure installed. Vans which are required to tow trailers at present are not suitable for change, as electric vans presently have no towing capacity. With electric vans the batteries are guaranteed for eight years and at present we keep vans for at least ten years under our vehicle replacement policy. As manufacturers are not quoting costs for replacement batteries so that we can budget for potential maintenance spend after year 8, this is a further challenge that needs to be overcome. We are also presently unsure as to residual value of EVs or potential disposal costs.

4.0 Future Measures

4.1 Electric Trucks

Electric trucks are presently between two and three times more expensive than the diesel equivalent (for example a standard diesel powered RCV costs c£250,000, compared to an electrically powered RCV at 500,000). This is a significant consideration, and currently it would not be possible to secure financial payback of the additional capital purchase cost through fuel cost savings; rather the net financial cost to the Council would be considerable.

At present there is no charging infrastructure available to make the transition, and our existing power network would not be adequate to meet the additional electricity demand. Officers have met with NIE regarding requirements for upgrade to the existing substations, and we would now require engagement of consultants to determine a specification for the chargers before NIE could provide a cost. Officers have made initial contact with a company that is offering initial consultation free of charge as part of our endeavours to explore and progress the issue. NIE has also indicated that due to the high current requirement we would most likely need to install power banks on site, which would be charged by solar and then would assist with the overnight charging of vehicles. NIE has advised that these measures will also require two to three years to implement.

4.2 Hydrogen Powered Trucks

Hydrogen is also being explored as another alternative fuel source. As with electric, the cost of vehicles is more than double that of diesel equivalents and there is

Not Applicable

presently no infrastructure in place for the production and distribution of hydrogen fuel. However, at this stage this seems like a more viable option for decarbonisation of heavy vehicles in the medium to longer term future.

4.3 CNG (Compressed Natural Gas)

CNG vehicles have been reviewed, with a site visit to Virginia, County Cavan to look at infrastructure and vehicles using CNG from the gas network. There would be a large cost for infrastructure and the vehicle cost is in the region of 30% higher than diesel. The gas network is at present using fossil fuels which achieves a 20% reduction in emissions. Gas from renewable means such as anaerobic digestion plants is possible, but there is presently uncertainty of supply. Currently, officers do not think this is a viable long-term solution.

5.0 Feasibility Studies

We are working with East Border Region (EBR) as part of a consortium which is looking at alternative fuels for the Council's fleet. The consortium is led by Louth County Council, and EBR has secured 100% funding for this project. Objectives include:

- Develop an internal knowledge base and expertise within the participating Authorities in regard to current available technologies, as well as technologies under development that may allow the Authorities to develop a zero-carbon roadmap for HGVs and other large plant and equipment.
- Develop a baseline for the carbon use of each participating Authority. The baseline will consider inter alia vehicle types and numbers, the work that the vehicles are involved in, consumption rates etc., and will provide a benchmark against which any future savings can be measured.
- Develop options for decarbonising the fleet. The options should align with government policy of both jurisdictions.
- Develop bespoke solutions for each Authority including cost projections whilst considering the regional needs and implications of the study.
- Develop a realistic timeline for implementing the findings of the study.
- Present the study's findings to each of the Authorities.

Officers will present the consultant's findings in due course.

Attached at Appendix 1 is a letter that has recently been received from the DfI Permanent Secretary regarding our participation in a working group, which DfI is content to lead, to bring forward an Action Plan for the decarbonisation of the local council public sector fleet. The Director of Environment will represent the Council on this group and will move forward on the subject.

RECOMMENDATION

It is recommended that the Council notes this update report in relation to the journey towards decarbonisation of its fleet.

**From the Permanent Secretary
Dr Julie Harrison**

Council Chief Executives

Room 701
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 1175
Email: perm.sec@infrastructure-ni.gov.uk

Your reference:
Our reference: SSUB-0210-2023
25 August 2023

Dear Chief Executive,

DECARBONISING PUBLIC SECTOR FLEET

The Department for Infrastructure led on the transport elements of the Executive's Energy Strategy, including the actions to be taken forward to achieve a cleaner, greener transport system.

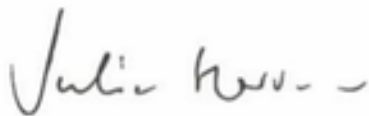
We have also been leading on the transport inputs to the Climate Action Plan, a requirement of the Climate Change Act (Northern Ireland) 2022, which sets the legal target for net-zero greenhouse gas emissions by 2050.

The UK Government has put in place a ban on the sale of all new petrol and diesel cars and vans by 2030 and all PHEVs (Plug-in Hybrid Vehicles) by 2035.

Given the Department for Infrastructure's role in transport decarbonisation, and the need for the public sector to lead, engagement and collaboration with local councils is desirable to bring forward a strategic approach for decarbonising the whole of the NI public sector fleet in line with zero emission targets.

I am, therefore, requesting nominations from all local councils to sit on a working group, which DfI is content to lead, to bring forward an Action Plan for the decarbonisation of the local council public sector fleet.

Please provide contact details for your nomination to represent your Council in this working group, to Tim Weir, head of Transport Decarbonisation Unit, email Tim.Weir@infrastructure-ni.gov.uk by close of play 04 September 2023.

A handwritten signature in black ink that reads "Julie Harrison". The signature is written in a cursive style with a horizontal line at the end.

JULIE HARRISON

Unclassified

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ITEM 6

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	28 June 2023
File Reference	FP/2023/1235/MAST / 91200
Legislation	The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995.
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input checked="" type="checkbox"/> If other, please add comment below:
Subject	Proposed Street Naming – Crawfordsburn Gate, Bangor
Attachments	None

A small development comprising of five dwellings is currently under construction on lands at 131 Crawfordsburn Road, Bangor. One dwelling will be addressed as a replacement for 131 Crawfordsburn Road.

An existing dwelling addressed 2a Wandsworth Road, Bangor, will now be accessed from the new street due to the developer changing their drive access, and the occupier wants to remain 2a Wandsworth Road. Therefore, when the street sign is erected, it will read 'Crawfordsburn Gate, leading to 2a Wandsworth Road'.

The developer has suggested the name Crawfordsburn Gate, for the remaining four dwellings which is in keeping with the general neighbourhood.

Not Applicable

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RECOMMENDATION

It is recommended that the Council:

- (a) adopts the street name of Crawfordsburn Gate for this development.
- (b) accepts the general name and delegates acceptance of suffixes to the Building Control department.

Unclassified

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ITEM 7

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	21 August 2023
File Reference	FP/2023/1861/MAST / 91200
Legislation	The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995.
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input checked="" type="checkbox"/> If other, please add comment below:
Subject	Proposed Street Naming – Gransha Lane, Bangor
Attachments	None

A small development comprising of nine dwellings is currently under construction on lands at 80 and 82 Gransha Road, Bangor.

The developer has suggested the name Gransha Lane, which is in keeping with the general neighbourhood and the new street is accessed off the main Gransha Road.

RECOMMENDATION

It is recommended that the Council:

- (a) adopts the street name of Gransha Lane for this development.
- (b) accepts the general name and delegates acceptance of suffixes to the Building Control department.

Unclassified

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ITEM 8

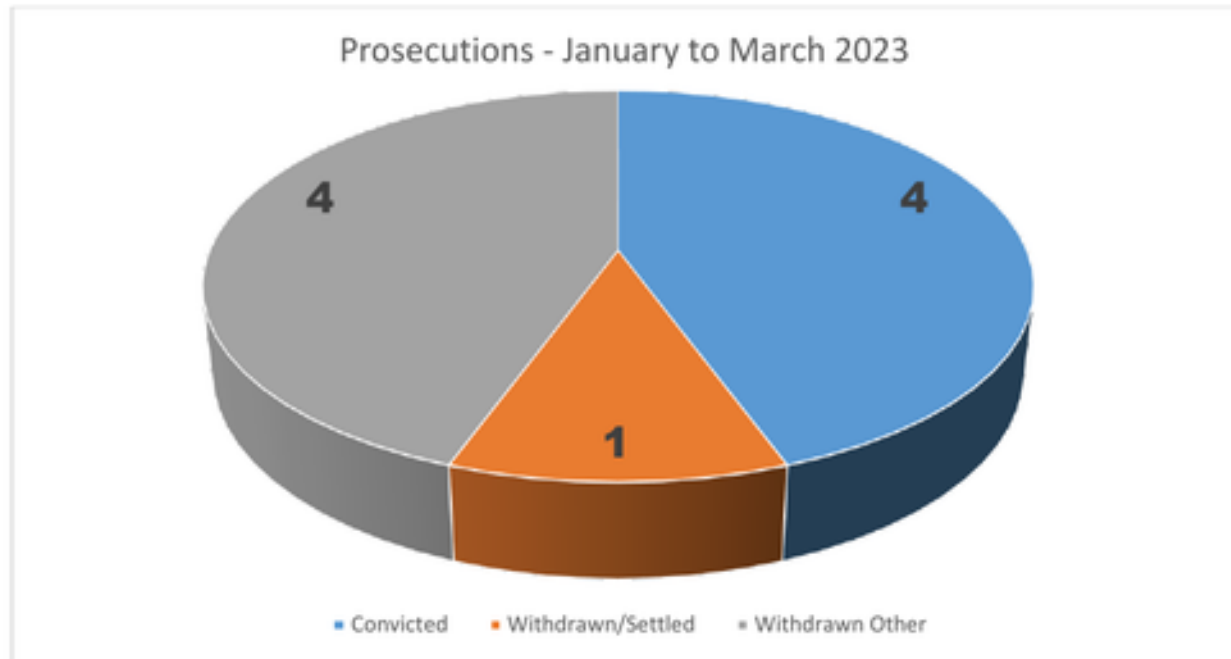
Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	07 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	03 May 2023
File Reference	90202
Legislation	Dogs NI Order 1983 Dogs (Amendment) Act (Northern Ireland) 2011 Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 Litter (NI) Order 1994 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	Result of Court Proceedings - Neighbourhood Environment Team from 1 January to 31 March 2023
Attachments	Appendix A

The following convictions were secured at Newtownards Magistrate's Court between 1 January 2023 and 31 March 2023. See Appendix A attached.

Not Applicable

In accordance with the instructions of the Resident Magistrate, the Council's solicitor will notify defendants upon first appearance in court in response to a summons, that they may seek to have the matter withdrawn upon payment of legal costs and any fixed penalty notice previously offered. The cases are then adjourned to permit a further opportunity for payment. This has resulted in a number of cases being settled on the day of court upon payment of all costs and fines. Please note there was no departmental court day in March 2023 due to the Bank Holiday.

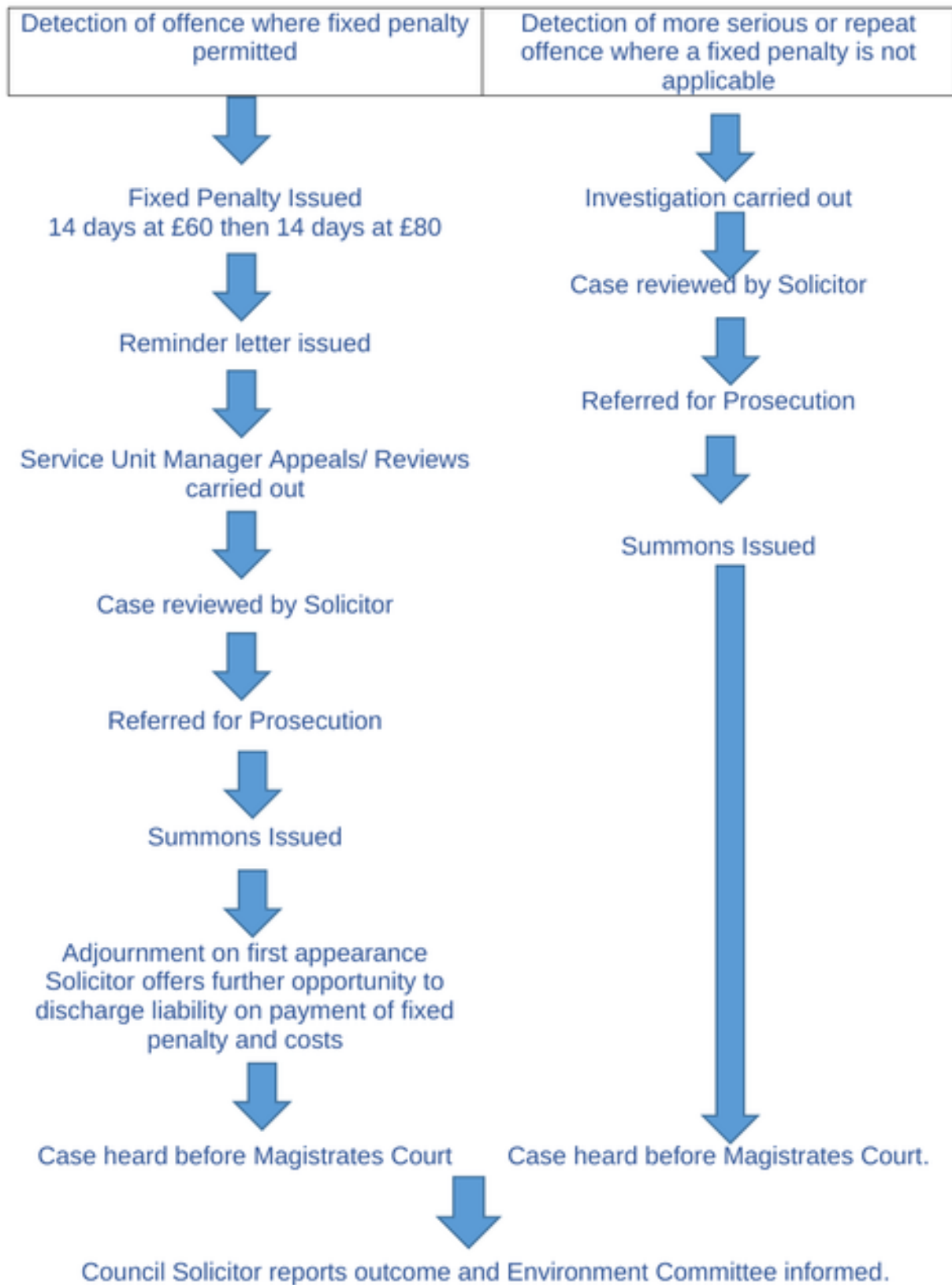


The above pie chart outlines each of the nine prosecution cases which were disposed of during the period of the report. Convictions were secured against four defendants during this period.

Please note in some cases a defendant may be prosecuted for more than one offence. One further case was 'Withdrawn/Settled', i.e., withdrawn following payment of the relevant fixed penalty sum along with Court and Council legal costs, and four cases were withdrawn for various procedural/evidential reasons.

Not Applicable

The enforcement process carried out by the NET is as follows:



RECOMMENDATION

It is recommended that the Council notes the report.

Not Applicable

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Appendix A

Result of court proceedings from 1 January 2023 until 31 March 2023

Ref:	Offence	Date of Incident	Fine	Legal Costs	Service Fee	Offender Levy	Comments	Cost to Council
Court Date – 20 January 2023								
247207	Littering	21/03/2022	£75 x 2	£350	£38	£15		£668
254787	Littering	14/06/2022	£100	£150	£30	£15		£210
257045	Littering	11/07/2022	£100	£150	£26	£15		£206
Court Date – 17 February 2023								
253429	Littering	28/05/2022	S&WD	S&WD	S&WD	S&WD	Settled & Withdrawn	£240
255782	Littering	24/06/2022	Withdrawn	Withdrawn	Withdrawn	Withdrawn	Current Address Details - unavailable	£124
257801	Littering	20/07/2022	Withdrawn	Withdrawn	Withdrawn	Withdrawn	Current Address Details - unavailable	£120
258799	Fouling x 2 & Failure to Provide Details	29/07/2022	£50 & £100 (Fouling) £150 (Failure to Provide Details)	£225	£46	£0	Allowed the defendant 20 weeks within which to pay, making a Collection Order, and indicating 14 days' imprisonment in the event of default in respect of paying the monies in accordance with the Collection Order.	£316
258886	Fouling	01/08/2022	Withdrawn	Withdrawn	Withdrawn	Withdrawn	Police in Wales returned summons unserved "Not At Address"	£90
261086	Littering	29/08/2022	Withdrawn	Withdrawn	Withdrawn	Withdrawn	Current Address Details - unavailable	£116

Unclassified

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ITEM 9

Ards and North Down Borough Council

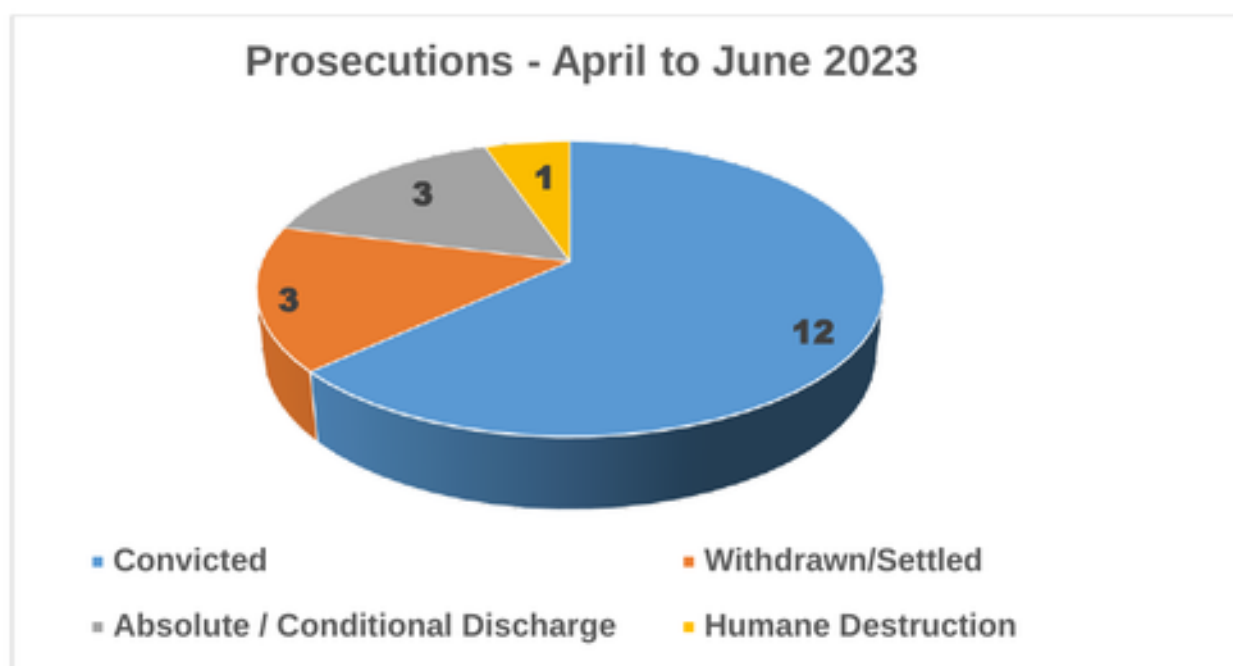
Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	28 July 2023
File Reference	90202
Legislation	Dogs NI Order 1983 Dogs (Amendment) Act (Northern Ireland) 2011 Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 Litter (NI) Order 1994 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	Result of Court Proceedings - Neighbourhood Environment Team from 1 April to 30 June 2023
Attachments	Appendix A

The following convictions were secured at Newtownards Magistrate's Court between 1 April 2023 and 30 June 2023. See Appendix A attached.

In accordance with the instructions of the Resident Magistrate, the Council's solicitor will notify defendants upon first appearance in court in response to a summons, that they may seek to have the matter withdrawn upon payment of legal costs and any fixed penalty notice previously offered. The cases are then adjourned to permit a further opportunity for payment. This has resulted in a number of cases being settled on the day of court upon payment of all costs and fines.

Not Applicable

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The above pie chart outlines each of the 19 prosecution cases which were disposed of during the period of the report. Convictions were secured against twelve defendants during this period.

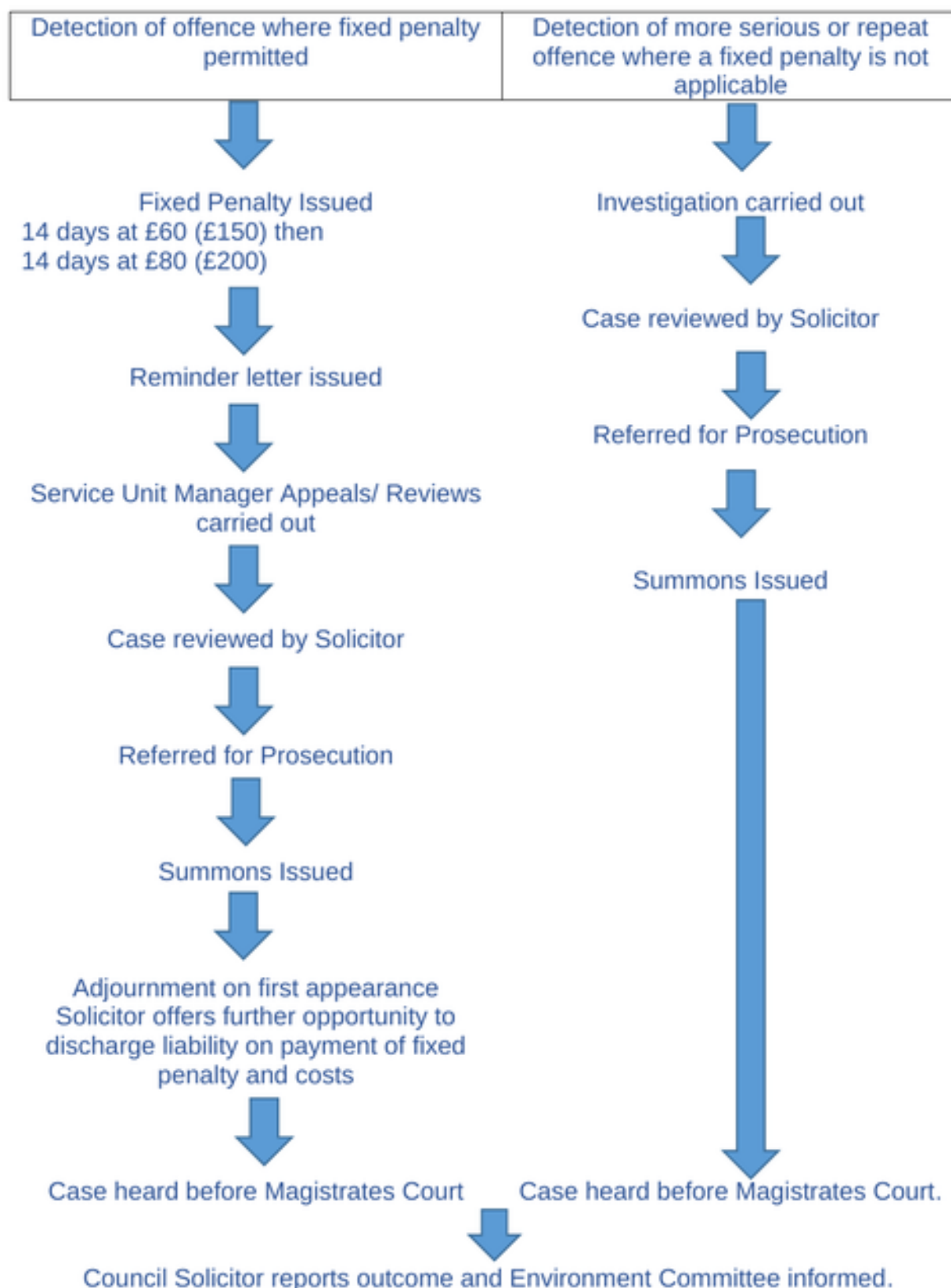
Please note in some cases a defendant may be prosecuted for more than one offence. In total three cases were 'Withdrawn/Settled', i.e., withdrawn following payment of the relevant fixed penalty sum along with Court and Council legal costs and in one case the criminal prosecution of the defendant was withdrawn in accordance with legal advice following the dog destruction order being imposed.

Two cases were heard in respect of a person being the keeper of a dog with no valid dog licence held and these resulted in one case granted an absolute discharge and the other a conditional discharge.

In a further case in which a dog had attacked another dog, and a person, and breach of control conditions the Judge convicted the defendant of permitting two dogs to attack a person and a dog and sentenced the defendant to three months' imprisonment. However, due to a previously clear record, he suspended the sentence for two years. He conditionally discharged the defendant for two years in respect of the remaining charges of keeping dogs which had attacked another animal and the breaches of the control conditions. The defendant was ordered to pay £50 and £250 pounds, by way of compensation orders. £250 was awarded towards the Council's legal costs, together with the court fee of £42. The Judge also made a contingent dog destruction order. He informed the defendant that if they committed another offence they would be brought back to court and face a custodial sentence, and the dogs would be destroyed.

Not Applicable

The enforcement process carried out by the NET is as follows:



RECOMMENDATION

It is recommended that the Council notes the report.

Not Applicable

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Ref:	Offence	Date Of Incident	Fine	Legal Costs	Service Fee	Offenders Levy	Comments	Cost to Council
Court Date - 21 April 2023								
258107	Straying	23/07/2022	S&WD	S&WD	S&WD0	S&WD	Settled & Withdrawn	£210
270705	Straying	12/12/2022	Withdrawn	Withdrawn	Withdrawn	Withdrawn	Witnesses Unavailable	£0
257979	Litter	21/07/2022	£80	£40	£0	£15	Judge "capped" our costs in this case	£206
255048	Straying & No Licence	16/06/2022	£200 / £120	£175	£30	£15		£240
264596	Litter	11/10/2022	£250	£150	£34	£15		£214
261085	No Licence	19/08/2022	£200	£150	£34	£15		£214
Court Date - 19 May 2023								
265886	Straying	28/10/2022	£60	£0	£0	£15		£202
254805	Litter	14/06/2022	£80	£50	£60	£15		£240
267296	Straying	12/11/2022	£25	£30	£30	£15		£210
266555	No Licence	17/11/2022	Conditional Discharge	Conditional Discharge	Conditional Discharge	Conditional Discharge	Conditionally Discharged for 12 months	£210
267932	No Licence	23/11/2022	Absolute Discharge	Absolute Discharge	Absolute Discharge	Absolute Discharge	Absolute Discharge & no contribution towards the Council's legal costs and outlays	£202
256598	Litter	05/07/2022	£80	£75	£60	£15	Collection Order & 26 wks to pay	£240
262390	Litter	12/09/2022	£80	£0	£0	£15	Collection Order & 8 wks to pay	£240
Court Date - 16 June 2023								
259934	Fly-Tipping	11/08/2022	£150	£300	£38	£0	Compensation to Council of £120 for clean-up costs	£398
270128	Litter	07/12/2022	£25	£100	£30	£15		£210

Not Applicable

23

Ref:	Offence	Date of Incident	Fine	Legal Costs	Service Fee	Offenders Levy	Comments	Cost to Council
277419	Attack on Person	10/02/2023	Destruction Order	Destruction Order	Destruction Order	Destruction Order		£874
277419	Attack on Person	10/02/2023	Withdrawn	Withdrawn	Withdrawn	Withdrawn	The criminal prosecution of the defendant - withdrawn, in accordance with legal advice following consent to the dog destruction order	£790
276103	Dog on Dog Attack	01/02/2023	£50	£150	£54	£15		£294
266437	Dog on Dog Attack	04/11/2022	Conditional Discharge for 2 years	£250	£42	£0	Compensation cost to injured parties £50 & £250. Judge also made a contingent dog destruction order. If the defendant commits another offence they will be brought back to court and sent to prison and the dogs would be destroyed.	£714

Unclassified

24

ITEM 10**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	10 August 2023
File Reference	92009
Legislation	Dogs NI Order 1983 Dogs (Amendment) Act (Northern Ireland) 2011 Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 Litter (NI) Order 1994 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	Activity Report for Neighbourhood Environment Team from 1 January 2023 to 31 March 2023
Attachments	Appendix A - List of Fixed Penalties Issued by Type and Location

Introduction

The information provided in this report covers, unless otherwise stated, the period 1 January to 31 March 2023. The aim of the report is to provide members with details of some of the key activities of the team, the range of services it provides along with details of level of performance.

Not Applicable

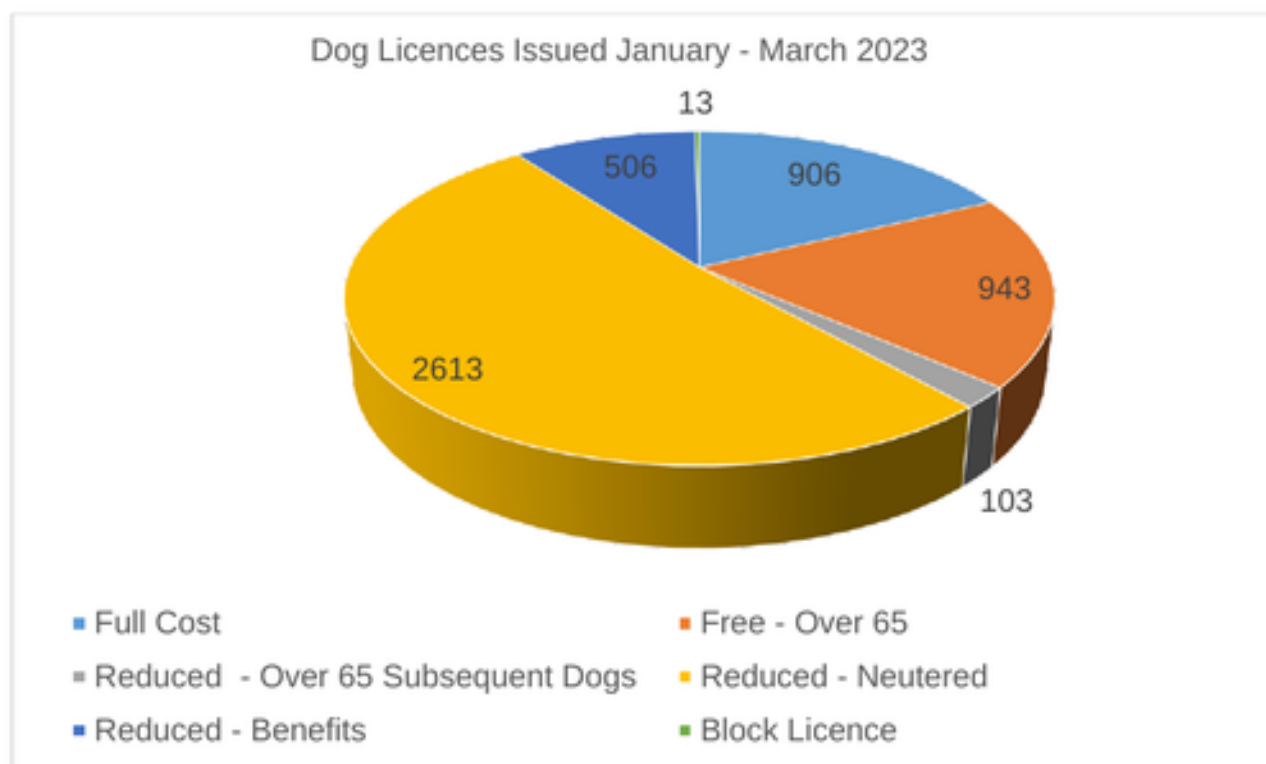
Applications to the Neighbourhood Environment Team

The Dogs (NI) Order 1983

It should be noted that these figures include block licences where one licence can be issued for multiple dogs in specific circumstances.

	Period of Report January – March 2023	Period of Report January – March 2022	Comparison
Dog licences issued during the three months	5089	4950	▲

Concessionary licences remain at 82% of dog licences issued over the period. This includes the categories of neutering (£5) / over 65 (Free – first dog) / over 65 subsequent dog (£5) and income related benefits (£5). Standard dog licence £12.50 and block licence £32.




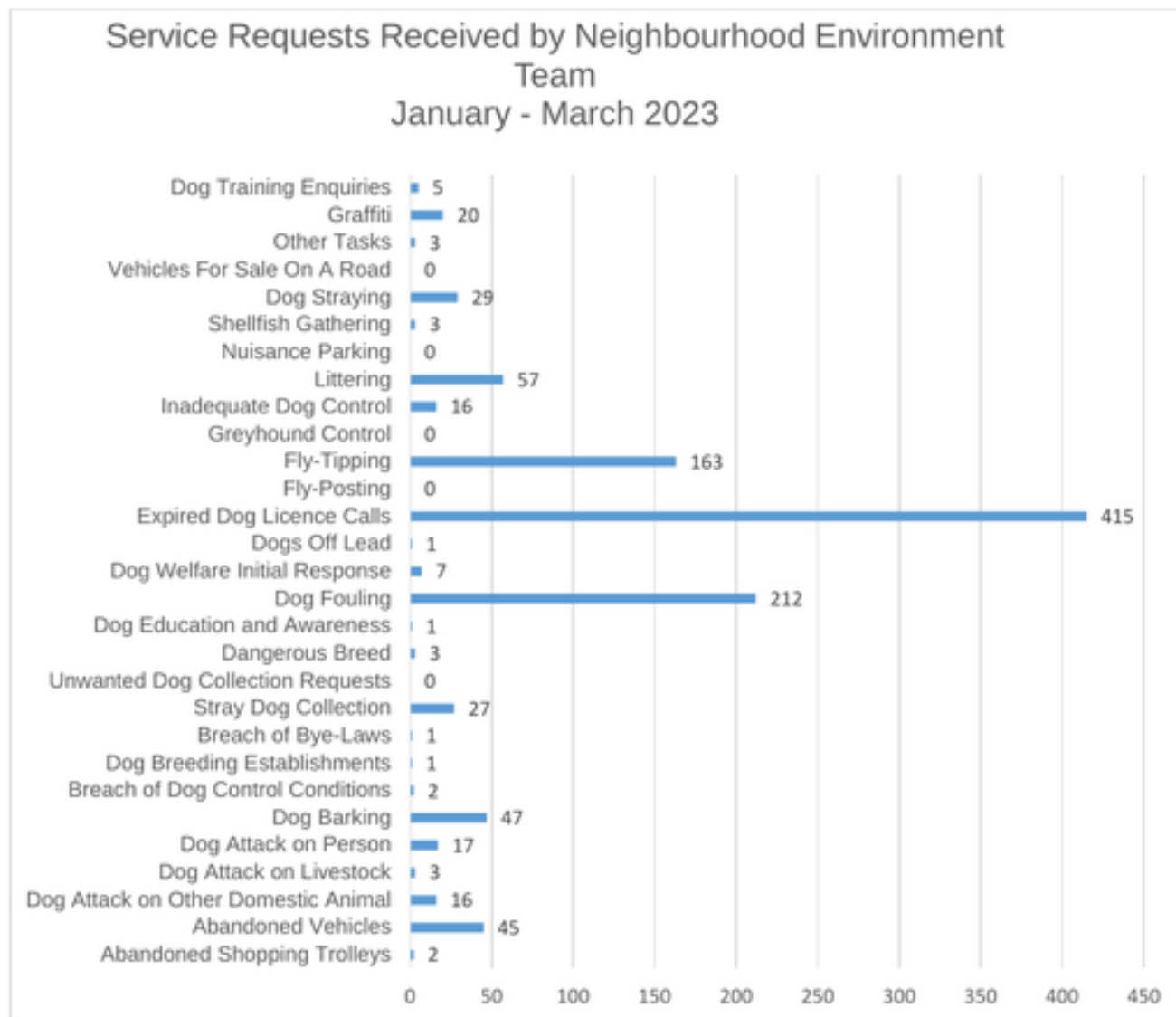
Investigations

The Neighbourhood Environment Team responds to a range of service requests. In terms of time spent, some types of service requests will be completed immediately whilst others require a longer-term strategy to find a resolution. The total number of service requests have been outlined together with a sample of the types of requests received.

Not Applicable

This report includes a number of service requests dedicated to addressing 415 expired dog licences. The aim of this exercise is to reduce this to a minimal number for future reports.

	Period of Report January – March 2023	Same 3 months 2022	Comparison
Service Requests received the three months	1116	932	



Not Applicable

27

Non-Compliance**Prosecutions**

	Period of Report January – March 2023	Same 3 months 2022	Comparison
Total Prosecutions	9	10	▼

Fixed Penalty Notices

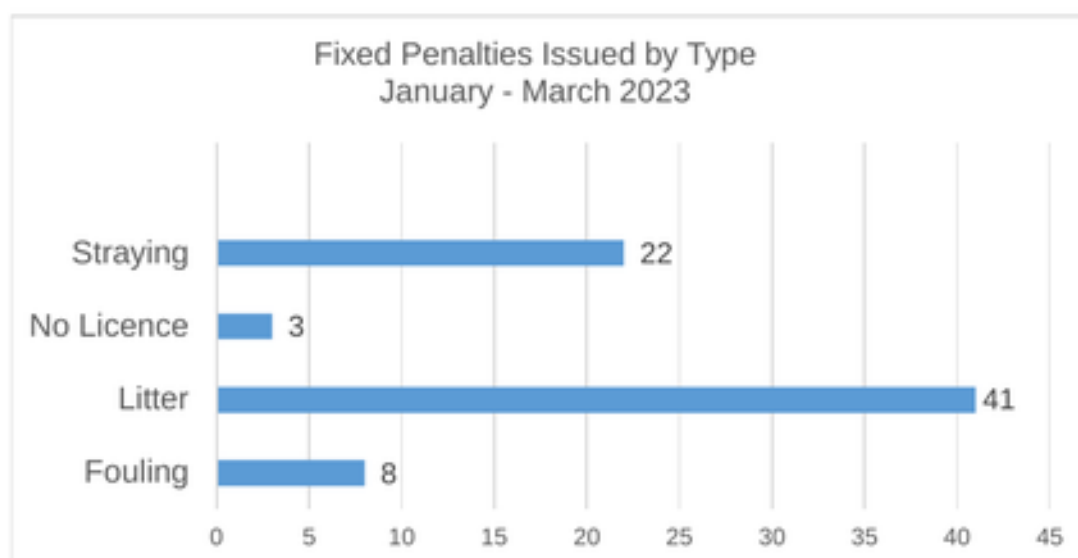
In addition to cases being prosecuted through the court, 74 fixed penalty notices have been issued in respect of various matters. This continues to demonstrate a sustained Council focus upon detecting and punishing those who persist in committing environmental offences in the Borough.

The main categories of fixed penalties are shown below. Other categories exist i.e., breach of dog control conditions, exclusion order and off lead offences. The offer of an £80 Fixed Penalty Fine is an opportunity to discharge liability to prosecution. A payment period of 28 days is permitted. If paid within 14 days the fine is discounted to £60. As staff recruitment and retention remains a challenge this has impacted significantly on the number of notices issued during the reporting period.

	Period of Report January – March 2023	Same 3 months 2022	Comparison
Fouling	8	15	↓
Litter	41	58	↓
No Dog Licence	3	49	↓
Straying	22	21	↑

The following graphs demonstrate:

1. The total number of fixed penalties issued by the Neighbourhood Environment Team during each month of the period of report.
2. The fixed penalties issued during the period of report by type.

Not Applicable

Appendix A to this report provides a street level location for each of the penalty fines issued during the period of report 1 January to 31 March 2023.

RECOMMENDATION

It is recommended that the Council notes the report.

Not Applicable

29

Type	Location	Town
Litter	McDonalds Car Park	Newtownards
Fouling	Ballywalter Road Beach Car Park	Millisle
Straying	Stanwell Road	Newtownards
Litter	Castlebawn Car Park	Newtownards
Litter	Movieland Car Park	Newtownards
Straying	Ballywalter Road Beach Car Park	Millisle
Litter	Springhill Shopping Centre	Bangor
Straying	Rocklyn Drive	Donaghadee
Straying	Skipperstone Road	Bangor
Litter	Ballywalter Road Beach Car Park	Millisle
Litter	Balloo Drive	Bangor
No Licence	Abbey Court	Millisle
Straying	Ballyblack Road East	Newtownards
No Licence	Brown's Brae	Holywood
Litter	Straiddorn Green	Comber
Litter	Ards Shopping Centre	Newtownards
Litter	Lord Wardens Chase	Bangor
Straying	Demesne Road	Holywood
Litter	Cairnwood Forest Park	Craigantlet
Litter	Quinton Park	Newtownards
Litter	Kiltonga Naure Reserve	Newtownards
Litter	Bridge Street Link	Comber
Litter	Enterprise Road	Conlig
Litter	Kircubbin Community Centre	Kircubbin
Straying	Ballyhay Road	Donaghadee
Straying	Church Street	Newtownards
Straying	Belfast Road	Newtownards
Litter	Groomsport Harbour	Groomsport
Straying	Gransha Road	Bangor
Litter	Movieland Car Park	Newtownards
Litter	High Street	Newtownards
No Licence	Church Street	Newtownards
Litter	Ards Shopping Centre	Newtownards
Litter	Market Lane	Bangor
Litter	Bloomfields Shopping Centre	Bangor
Litter	Asda Shopping Centre	Bangor
Litter	Asda Shopping Centre	Bangor
Litter	McDonalds Car Park	Bangor
Litter	Castlebawn Shopping Centre	Bangor
Straying	Victoria Road	Bangor
Litter	Movieland Car Park	Newtownards
Straying	Demesne Avenue	Holywood

Not Applicable

30

Straying	Glenn Vets	Bangor
Litter	Pit Stop Car Park	Bangor
Litter	Kingsland Car Park	Bangor
Litter	Kingsland Car Park	Bangor
Fouling	Millisle Beach	Millisle
Litter	Kingsland Car Park	Bangor
Litter	Bloomfields Shopping Centre	Bangor
Litter	Ards Shopping Centre	Newtownards
Straying	Warren Grove	Bangor
Litter	Asda Entrance	Bangor
Straying	Windrush	Groomsport
Straying	McDonalds, Ards Shopping Centre	Newtownards
Litter	Ards Shopping Centre Car Park	Newtownards
Fouling	Banks Lane beach	Bangor
Fouling	Drumfad Avenue	Millisle
Litter	Ards Shopping Centre Car Park	Newtownards
Straying	Ringhaddy	Newtownards
Straying	Helenswood Way	Bangor
Litter	Movilla Road	Newtownards
Straying	Ballyeasborough Road	Portavogie
Straying	Craigdarragh Road	Helens Bay
Fouling	Banks Lane	Bangor
Straying	Marquis Manor	Bangor
Fouling	Banks Lane Beach	Bangor
Litter	KFC car park	Newtownards
Litter	Belfast Road Spar	Bangor
Litter	Belfast Road Spar	Bangor
Straying	Willowbrook Dr	Bangor
Litter	Ards Shopping Centre Car Park	Newtownards
Litter	Belfast Road Spar	Bangor
Fouling	Ballymenoch Park	Hollywood
Fouling	William Street	Newtownards

Unclassified

31

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

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	28 July 2023
File Reference	92009
Legislation	Dogs NI Order 1983 Dogs (Amendment) Act (Northern Ireland) 2011 Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 Litter (NI) Order 1994 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	Activity Report for Neighbourhood Environment Team from 1 April 2023 to 30 June 2023
Attachments	Appendix A - List of Fixed Penalties Issued by Type and Location Appendix B - Project Ella Flyer

Introduction

The information provided in this report covers, unless otherwise stated, the period 1 April to 30 June 2023. The aim of the report is to provide members with details of some of the key activities of the team, the range of services it provides along with details of level of performance.

Not Applicable

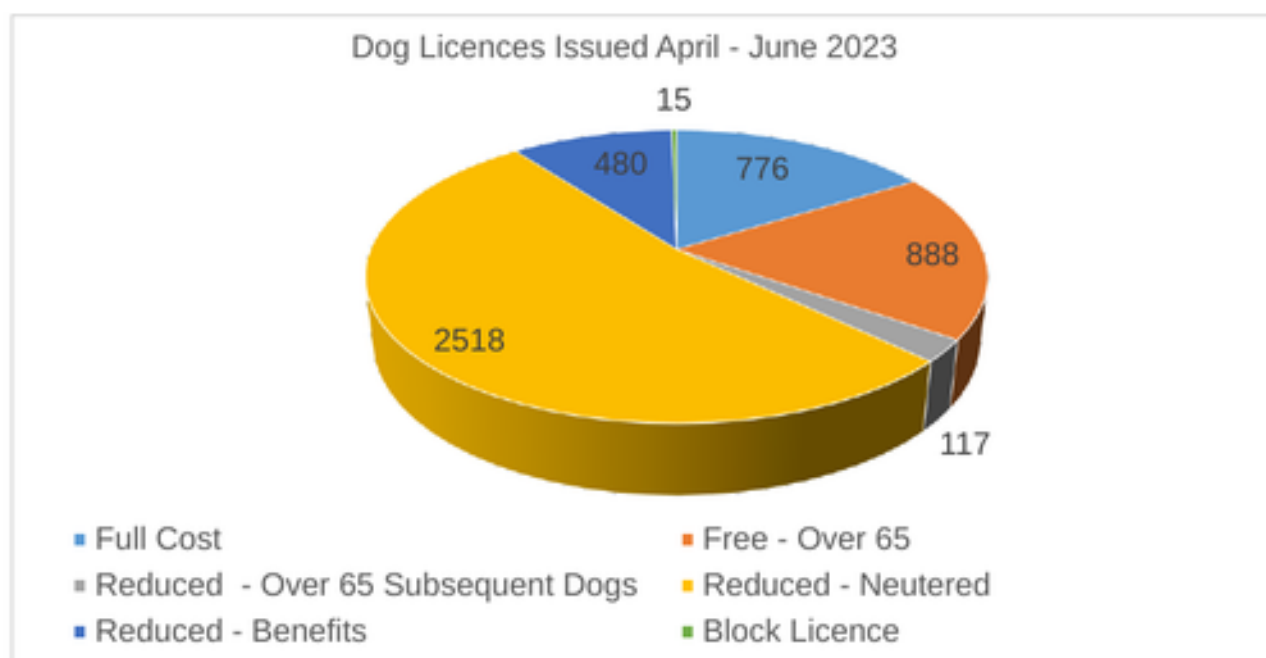
Applications to the Neighbourhood Environment Team

The Dogs (NI) Order 1983

It should be noted that these figures include block licences where one licence can be issued for multiple dogs in specific circumstances.

	Period of Report April – June 2023	Same 3 months April – June 2022	Comparison
Dog licences issued during the three months	4794	4953	↓

Concessionary licences remain at 83% of dog licences issued over the period. This includes the categories of neutering (£5) / over 65 (Free – first dog) / over 65 subsequent dog (£5) and income related benefits (£5). Standard dog licence £12.50 and block licence £32.




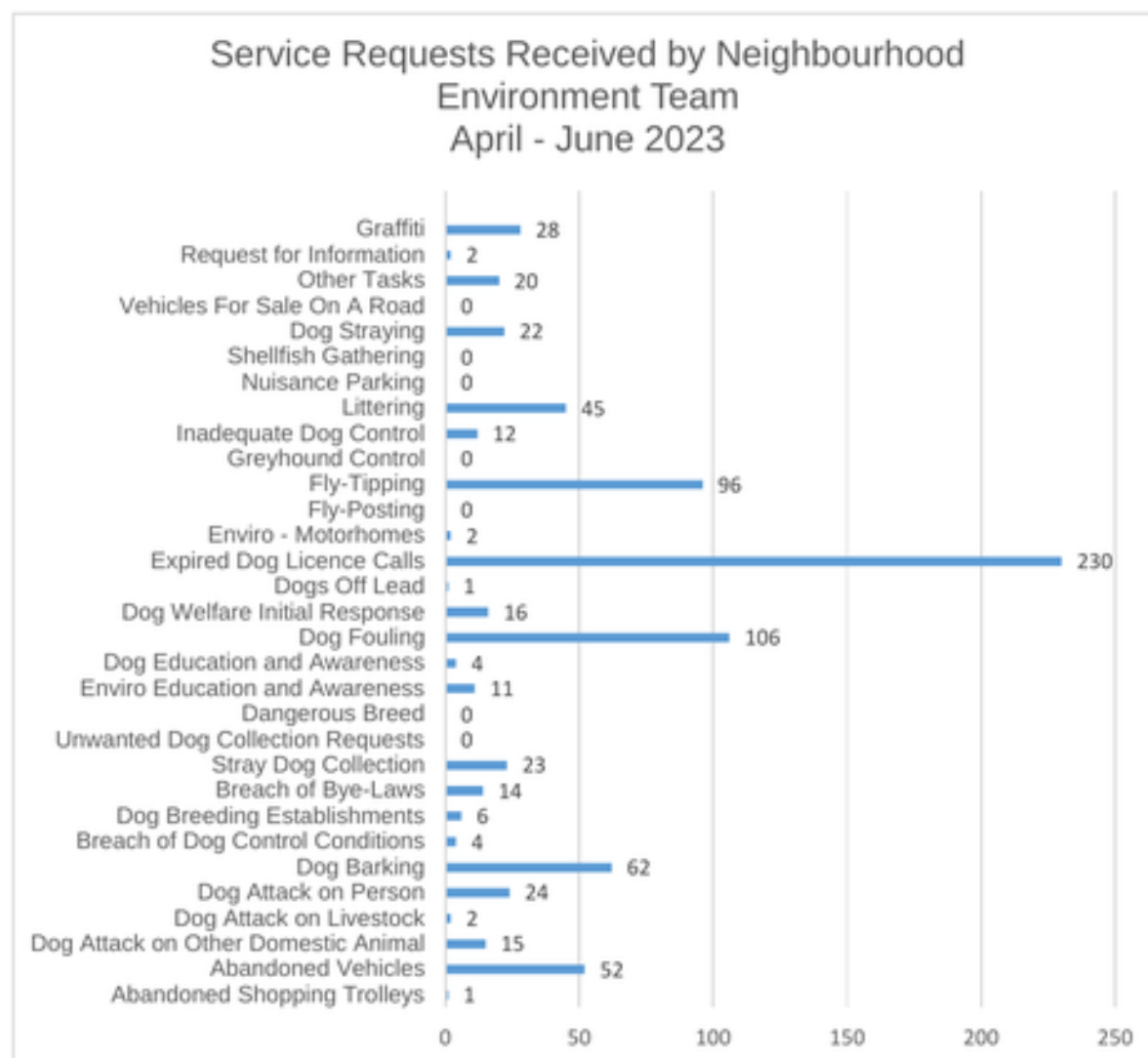
Investigations

The Neighbourhood Environment Team responds to a range of service requests. In terms of time spent, some types of service requests will be completed immediately whilst others require a longer-term strategy to find a resolution. The total number of service requests have been outlined together with a sample of the types of requests received.


	Period of Report April – June 2023	Same 3 months April - June 2022	Comparison

Not Applicable

Service Requests received the three months	798	832	
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Non-Compliance Prosecutions

	Period of Report April – June 2023	Same 3 months April – June 2022	Comparison
Total Prosecutions	19	17	






Fixed Penalty Notices

In addition to cases being prosecuted through the court, 51 fixed penalty notices have been issued in respect of various matters. This continues to demonstrate a sustained Council focus upon detecting and punishing those who persist in

Not Applicable

committing environmental offences in the Borough and highlights one patrolling outcome of the Neighbourhood Environment Team achieved despite the reduction in staffing levels due to sickness and vacant posts.

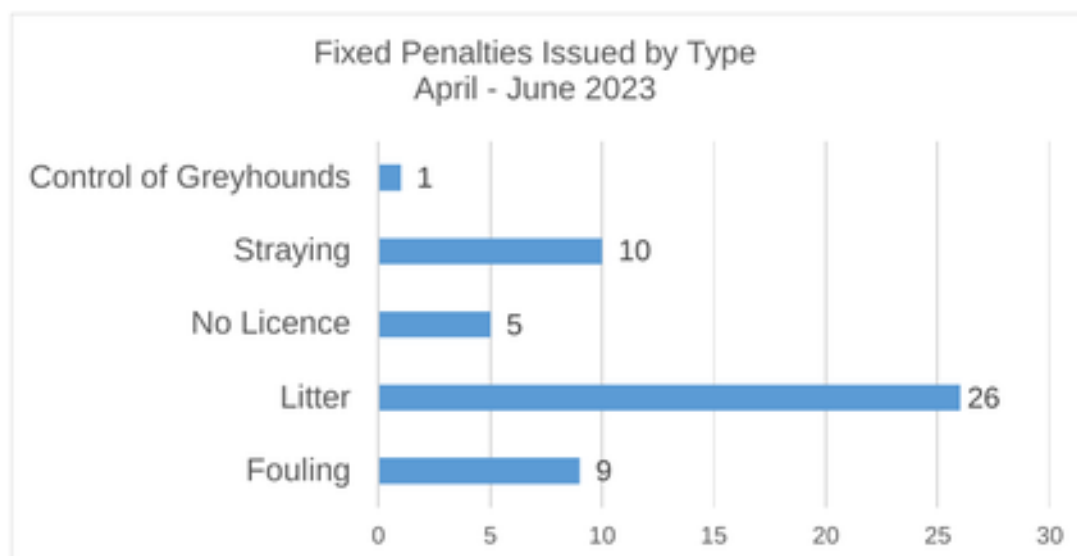
The main categories of fixed penalties are shown below. Other categories exist i.e., breach of dog control conditions, exclusion order and off lead offences. The offer of an £80 Fixed Penalty Fine is an opportunity to discharge liability to prosecution. A payment period of 28 days is permitted. If paid within 14 days the fine is discounted to £60. As staff recruitment and retention remains a challenge this has impacted on the number of notices issued during the quarter. Over the past year additional efforts have been made to reduce the dog licence renewal backlog and we now see fewer unlicensed dogs as a result. The higher fixed penalty fines for litter and fouling offences apply from 1 June 2023 i.e. £200 reduced to £150 if paid within 14 days.

	Period of Report April – June 2023	Same 3 months April – June 2022	Comparison
Fouling	9	14	
Litter	26	81	
No Dog Licence	5	11	
Straying	10	15	
Control of Greyhounds	1	0	

Not Applicable

The following graphs demonstrate:

1. The total number of fixed penalties issued by the Neighbourhood Environment Team during each month of the period of report.
2. The fixed penalties issued during the period of report by type.



Appendix A to this report provides a street level location for each of the penalty fines issued during the period of report 1 April to 30 June 2023.

Environmental Education Programme – Preliminary Actions

Members will recall that the Neighbourhood Environment Team has been working on a revamped Environmental Education Programme, Project ELLA (Environmental, Learning, Lifestyle and Action). This project seeks to provide new and innovative solutions in the delivery of environmental education and awareness.

The launch event took place on Friday 9 June 2023 at Pink's Green playpark in Donaghadee with P4 pupils from Donaghadee Primary School who were joined by the Mayor, Councillor Jennifer Gilmour, David Lindsay (Director) and staff from Neighbourhood Environment. The children engaged in rockpool events and litter picking which was a great success on a lovely sunny day.

An email will be sent to all primary schools within the borough attaching a link to the on-line flyer (Appendix B) which will provide details of project ELLA and invite teachers to contact the department to arrange for school visits, presentations and workshops.

It would be the intention to undertake promotional work and to engage with schools from September to December 2023 and begin with Year 7 presentations in schools in January 2024.

Not Applicable

RECOMMENDATION

It is recommended that the Council notes the report.

Not Applicable

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APPENDIX A

Offence	Area	Town
Litter	Seapark Road	Holywood
Fouling	Banks Lane	Bangor
Fouling	Banks Lane Beach	Bangor
Litter	Ards Shopping Centre Car Park	Newtownards
Fouling	Valentine Playing Fields	Bangor
Straying	Monea Way	Bangor
Fouling	Ballymenoch Park	Holywood
Litter	Ballywalter Road Car Park	Millisle
Litter	Bloomfield Shopping Centre Car Park	Bangor
Litter	Bloomfield Shopping Centre Car Park	Bangor
Fouling	Crawfordsburn Country Park	Helens Bay
Straying	Ballyhisikin Road	Millisle
Straying	Ballyhisikin Road	Millisle
Straying	Sandy Cove Caravan Park	Millisle
Litter	Castlebawn Shopping Centre Car Park	Newtownards
Litter	Castlebawn Shopping Centre Car Park	Newtownards
Fouling	Millisle Beach Car Park	Millisle
No Licence	Auster Park	Newtownards
Litter	Movieland Car Park	Newtownards
Litter	Ards Shopping Centre Car Park	Newtownards
Litter	Ferry Car Park, Loughshore Road	Portaferry
Litter	Millisle Car Park	Millisle
Fouling	Banks Lane Beach	Bangor
Fouling	Seapark Beach	Holywood
Fouling	Ballyholme Road	Bangor
Litter	Ards Hospital	Newtownards
Litter	Spar Car Park, Belfast Road	Bangor
Litter	Main Street	Greyabbey
No Licence	Church Street	Newtownards
Straying	Bangor Rd/North Road	Newtownards
Litter	Ards Shopping Centre Car Park	Newtownards
Litter	Bingham Street	Bangor
Straying	Ardvanagh	Conlig
Litter	Kiltonga Nature Reserve	Newtownards
Litter	Church Street	Newtownards
Litter	Castlebawn Shopping Centre Car Park	Newtownards
Litter	Castlebawn Shopping Centre Car Park	Newtownards
Straying	Ards Blair Mayne	Newtownards
Litter	Castlebawn Shopping Centre Car Park	Newtownards
No Licence	Park Avenue	Ballywalter
No Licence	Park Avenue	Ballywalter

Not Applicable

Offence	Area	Town
Litter	Ards Shopping Centre Car Park	Newtownards
Litter	Castlebawn Shopping Centre Car Park	Newtownards
Litter	Bloomfield Shopping Centre Car Park	Bangor
Litter	Spelga Place	Newtownards
Litter	Ards Shopping Centre Car Park	Newtownards
Straying	Balloo Road	Bangor
Straying	Balloo Road	Bangor
No Licence	Seacliff Road	Bangor
Straying	Regency Park	Newtownards
Control of Greyhound	Beach at Ballywalter Road, Ballywhiskin	Millisle

APPENDIX B – ATTACHED



Environment
Learning
Lifestyle
Action



PROJECT ELLA

Environment Learning Lifestyle Action

Project ELLA is a new and innovative environmental awareness project designed and delivered by Ards and North Down Borough Council specifically for schools in the Borough.

Themes include:

Environment – developing and fostering an understanding of the importance of landscape protection, our place in the natural world, and the need to conserve ecosystems.

Learning – a school-based package of unique presentations and activities to enhance and promote environmental education.

Lifestyle – encouraging group/ community and personal accountability to improve the local environment.

Action – increasing the number of residents undertaking positive solutions to improving the Ards and North Down Borough Council area.

Primarily a school's-based programme, ELLA offers pupils the opportunity to learn about the importance of environmental protection and the role residents can play to improve and enhance our Borough by way of positive environmental action and behaviour.

A programme of both classroom and fieldwork-based activities will encourage younger residents to understand the importance of our beautiful landscape, and the need to ensure that more sustainable lifestyle decisions become a part of daily life.

Project ELLA is a concept that is designed to improve and protect our local environment by way of education and community engagement. This in turn will help tackle many of the issues facing us today both locally and globally.

For the project to work we need you to be part of it!

Details of what is on offer can be found below, take a look and contact ProjectELLA@ardsandnorthdown.gov.uk to be a part of this exciting new Project.



Cry of the Wolf

Gain an understanding of human impacts and mindsets and how this shaped our ancestor's views of the landscape and the grey wolf.



Anti-Litter Presentation

Explore the increasing need to protect and conserve the local environment from litter and other forms of pollution.



Beach Cleans, Scavenger Hunts and Rock Pooling

Hands on activities in our beautiful outdoor spaces.



Around the Borough in 500 million years

Classroom-based activity where pupils can gain an understanding of the geology and landscape processes that shaped our local area.



Environmental Debating Forum

Pupils will have the opportunity to debate an issue of environmental concern and to vote accordingly inside the Council Civic buildings.



The Really Rubbish Quiz

Who can make it to the end of the quiz that's all about litter and waste? Get a question right and you stay in the game, get it wrong and you are out! A fun interactive quiz for everyone.



Sea Trout Conservation Project

A hands-on project where pupils will learn about biological life cycles and why the conservation of many species is so important.

“For several years we as a school have worked with the Neighbourhood Environment Team at ANDBC, undertaking litter picks and rock pooling in Donaghadee. Having the support and knowledge from the Council has enabled the children to learn more about the dangers and implication litter has on our beaches as well as being able to identify different sea creatures when rock pooling. The children have really begun to take more care of the local school grounds as well as the local environment.

It is never too late to start taking learning outdoors!!!!”

Alison Octave, Head of Key Stage 1 Donaghadee PS



To book an activity or for further information on Project ELLA please email ProjectELLA@ardsandnothdown.gov.uk or visit www.ardsandnorthdown.gov.uk/ProjectElla

Unclassified

43

ITEM 12

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	15 August 2023
File Reference	90303
Legislation	
Section 75 Compliant	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Response to Notice of Motion on Park and Ride Proposal - Bangor Sportsplex
Attachments	None

A Notice of Motion debated at Corporate Services Committee in March 2022 and subsequently ratified by Council stated:

“We ask this Council to engage with Translink to establish the possibility of using part of the car park at Bangor Sportsplex as a park and ride. This is to, hopefully, find a way to mitigate the parking issues residents and commuters are facing daily, in Bangor West. A bus service departing from here to Belfast or/and the train station using a booking system could potentially offer a solution to the ongoing problems.”

A letter was subsequently sent from the Chief Executive on 20 April 2022 to the Chief Executive of Translink and a reply was received on 17 May 2022 giving details of their contact officer.

Not Applicable

Officers from the Environment Directorate were to initiate contact and report future progress through the Environment Committee.

Following an unfortunate delay in communications regarding follow up on the matter, the Licensing and Regulatory Services Manager, who has responsibility for car parking matters, immediately contacted the Translink Officer requesting a site meeting.

The Translink Officer indicated that the most pertinent matter at this stage was the issue of funding the service, with a service operating at peak hours only costing in excess £100k per year. Neither DfI nor Translink are currently in a position to fund this and therefore a new/additional funding stream would need to be sourced from elsewhere.

A meeting was held to discuss the matter further and the following issues were raised in addition to the funding issue already raised by Translink:

- The Council would not be in a position to provide funding or assist in sharing the funding as outlined by Translink, at this time.
- This proposal was to try to mitigate the parking issues around the train stations in Bangor West, Carnalea and Bangor. It was considered that the reason for people driving to and parking near to the stations, was for convenience. They would be unlikely to add 15/20 mins to their travel times in each direction to make use of this car park and bus service.
- The Sportsplex car park is used for sporting events and people accessing the playground etc. Using it for an all-day parking place would interfere with the current usage.

For the above-mentioned reasons, it is recommended that no further action be taken at this stage to progress the proposal for a Park and Ride facility at Bangor Sportsplex.

RECOMMENDATION

It is recommended that Council take no further action at this stage to progress the development of a Park and Ride facility at Bangor Sportsplex.

Unclassified

45

ITEM 13

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	15 August 2023
File Reference	LR 100 / 90101
Legislation	The Local Government (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	Transfer of Entertainment Licence
Attachments	None

An application has been received for the transfer of an Entertainment Licence as follows:

The Grand Social, 17-21 High Street, Bangor

Applicant: Mr Damian Fusco, 3 Downshire Court, Bangor

Days and Hours: Monday to Sunday during the permitted hours when alcohol may be served on these premises under the Licensing (NI) Order 1996

Type of entertainment: Indoor dancing, singing and music.

There are no objections to this application.

Not Applicable

RECOMMENDATION

It is recommended that the Council grants the application.

Unclassified

47

ITEM 14**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	15 August 2023
File Reference	90101
Legislation	Licensing of Pavement Cafes Act (Northern Ireland) 2014
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Review of Pavement Café Licensing
Attachments	Survey form

The Department for Communities is undertaking an evaluation to help determine the broad level of stakeholder awareness of the statutory licensing scheme for the regulation of pavement cafés by district councils, and how successful the legislation which established the scheme has been in delivering its original policy objectives.

The Licensing of Pavement Cafés Act (Northern Ireland) 2014 (the Act) was commenced on 1 October 2016. The Act introduced a statutory licensing scheme for the regulation of pavement cafés by district councils. In effect, the Act makes provision for the regulation by district councils of the placing in public areas of furniture for use for the consumption of food or drink.

The aim of the legislation is to facilitate the controlled expansion of suitable premises, such as cafés, restaurants, and pubs, in support of the creation of a vibrant daytime and evening economy and for the general well-being of communities.

Not Applicable

48

An online survey has been provided by the Department and a draft response to it provided below. Completed surveys are requested by the 29 September 2023.

A copy of the full survey is attached.

RECOMMENDATION

It is recommended that the Council considers the replies as indicated in Appendix A to the Department's survey.

Pavement Café Act (NI) 2014 - Survey

Introduction

1. Please confirm which Council you are replying on behalf of
Ards and North Down Borough Council
2. Please confirm your name
David Brown
3. **Please confirm your email address**
4. What is your job title?
Licensing Services Manager

Awareness And Guidance

5. Has your Council produced any guidance in relation to pavement cafés licensing in your area?
Yes

Guidance Material

5a How has this guidance been made available?

- On-line through council website
- Printed guidance
- Advice sessions

Promotion of the Act

6. Since October 2016, has your Council carried out any promotion of pavement cafés licensing law to make stakeholders, retailers or the general public aware of its implications?

Yes

6a How has this been done?

- Online through council website
- Adverts
- Printed promotional material
- In person promotional events
- Site/ premises visits

Applications

7. Since the introduction of the Act, has your Council received any applications for a pavement café licence?

Yes

Applications Received

7a How many pavement café licences have been issued by your Council since 1 October 2016 to date?

84

Applications Refused

7b Has your Council refused any pavement café licences since 1 October 2016?

Yes

Refusal Of Licences

7c How many pavement café licences has your Council refused since 1 October 2016?

4

7d Which parts of section 4(2) of the Act have been applied when refusing any licence applications? (Tick all that apply)

- The area proposed in the application is unsuitable.
- The area proposed in the application would be likely to result in undue interference or inconvenience to persons or vehicles in the vicinity, or in disorder.

7e Has your Council received any appeals against refusing pavement café licence applications since 1 October 2016?

No

Refusal of licence – Appeals

7f Have any appeals been successful?

N/A

Successful Appeals

7g Please briefly summarise the main grounds for any successful appeals?

N/A

28 Day Notice

Section 11(2) of the Act requires that, where an application for the grant, renewal or variation of a pavement café licence is made, the applicant must ensure that, on the day when the application is sent to the council, the required notice is fixed to the premises specified in the application so as to be easily visible and legible to the public from outside the premises. This notice must also remain in position and be visible and legible until the end of the period allowed for representations. The period allowed for representations is specified in Section 10(5) of the Act as meaning 28 days beginning with the first working day after the date when the application is received by the Council. The Council is also required to make applications available to be viewed by the public until the end of the period allowed for representations.

8 Does your council guidance inform applicants of the requirement to make notices of application visible to public?

Yes

9 Does your Council make applications for pavement café licences available to be viewed by the public for the full period allowed for representations?

Yes

28 Day Notice For Public

9a How do you do this?

The applicant signs a statement that they have erected to Notice for the required period and an Officer carries out random checks.

9b As this is a requirement of the Act, how do you intend on doing this going forward?

Continue with the same approach.

28 Day Notice – Objections

10. Have you received any objections to applications?

Yes

10a Have any objections been successful?

No

28 day notice - Reasons for successful objections

10b Please advise on the key grounds on which the objections have been successful. (Tick all that apply)

N/A

Fees

Please note this relates to the period prior to Covid and the suspension of fees by most/all councils

11 Prior to the Covid-19 Pandemic, did your Council charge a fee for a pavement café licence?

Yes

Fees Structure

11a Please provide details of any fees which had been agreed.

- Grant fee - £225 (£147 admin plus £78 refundable fee)
- Renewal fee - £150
- Variation fee - £85

11b Prior to the Covid-19 Pandemic, did your Council publicise the fees associated with pavement café licences?

Yes

11c How did your Council publicise the associated fees?

- Council webpage
- Literature and guidance produced by the council

Flexibility

The Licensing of Pavement Cafés Act (Northern Ireland) 2014 was designed to combine robust regulation of pavement cafés with the necessary flexibility to allow councils to respond to local circumstances and to help with the cost of administration. It was also designed with the intention of limiting burdens on businesses and enabling enforcement action to be proportionate to the risks involved.

*Please note your responses should reflect the views of the Council.

12 In your opinion, has the flexible approach worked well for your Council?

Yes

13 What are the main benefits, if any, of the flexible approach to the Act? Please comment in the box below.

Every situation and street scene is different and each premises tries to be different.

14 What are the main drawbacks, if any, of the flexible approach to the Act?

- Getting agreement from the other statutory bodies – especially the Department for Infrastructure
- Setting the boundaries and dealing with premises owners

Community Well-Being

One of the aims of the Licensing of Pavement Cafés Act (Northern Ireland) 2014 was to support general community well-being by permitting pavement cafés to operate under licence, support the creation of a vibrant daytime and night-time economy whilst also giving local communities opportunities to have a say in the expansion of pavement cafés in their areas should they wish.

*Please note your responses should reflect the views of the Council.

15 In your opinion, does the Act give those within the community a chance to voice their opinion on how licensing decisions might affect them?

Yes

- When drafting our guidance we held extensive meetings with disabled groups who had direct influence on the guidance and offered good advice to the council.
- Groups have been advised how to complain about problems with specific cafes.

16 In your opinion, does the Act support efforts to improve the economic outlook in your council area?

Yes

- The café areas are well used by patrons
- They show that the area is open for business
- People like to sit in the outdoors to eat and drink

17 In your opinion, has having pavement cafés open and operating helped towns and villages within your council area to become more vibrant?

Yes

- The café areas are well used by patrons
- They show that the area is open for business
- People like to sit in the outdoors to eat and drink

18 In your opinion, has having pavement cafés open and operating helped to enhance the appeal of the towns and villages within your council area to visitors and tourists?

Yes

- They show that the areas are open for business

- Look attractive

19 Are you aware of any negative impacts for the local communities in your council area, as a result of pavement cafés?

Yes

Community Well-Being - Negative Impacts

19a What have these been? (Tick all that apply)

Additional littering

Enforcement

20 Since 1 October 2016 has your Council ever had to deal with any enforcement issues, with regards to the Act?

Yes

Enforcement Issues

20a Which of the following enforcement issues have you had to deal with? (Tick all that apply)

- Removal of furniture
- Any other compliance issues when completing an on-site visit.

21 Has your Council had to revoke any pavement café licences at any time since the 1 October 2016?

No

Enforcement - Revoking Of Licence

21a How many licences have been revoked since 1 October 2016?

Nil

21b What have been the reasons for revoking licences?

N/A

Covid

During the Covid pandemic many councils introduced a temporary process for pavement café licence applications, with no associated fee, to help businesses recover.

* Please note your responses should reflect the views of the Council.

22 During the Covid-19 Pandemic, did your Council introduce a temporary process for pavement café licence applications, with no associated fee?

Yes

- 23** Since the beginning of the Covid-19 Pandemic in March 2020, have you noticed an increase in applications for pavement café licences?

Yes, there has been an increase.

- 24** In your opinion, did the Act help the Council to support businesses in the hospitality industry throughout the Covid-19 pandemic?

Yes

- 25** In your opinion, did the flexible approach with regards to pavement café licences, make it easier for the Council to support local businesses in the hospitality industry throughout the pandemic?

Yes - it made things easier.

- 26** In your opinion, what were the main benefits, if any, of adopting a flexible approach throughout the Covid-19 pandemic?

- Allowed pavement cafes to operate on a temporary basis in areas that would not normally have been considered for that use
- Meant pavement café could open very quickly with reduced admin

- 27** In your opinion, what were the main negatives, if any, of adopting a flexible approach throughout the Covid-19 pandemic?

Getting the support/ agreement of the other statutory bodies especially the Department for Infrastructure

- 28** Since the easing of restrictions on indoor services in bars, restaurants etc. on 26 July 2021 have you noticed any change in the number of applications for pavement café licences?

Yes - there has been an increase

- 29** Since the easing of restrictions on indoor services in bars, restaurants etc. on 26 July 2021 have you noticed any change in the number of renewals for pavement café licences?

Yes - there has been an increase in renewals

Any Other Comments

- 30** Do you have any other comments regarding the pavement café licensing scheme?

There is still a need to find agreement between councils and the Department for Infrastructure as each use their own guidance.

Unclassified

57

ITEM 15**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	22 August 2023
File Reference	90101
Legislation	Roads (Miscellaneous Provisions) Act (NI) 2010
Section 75 Compliant	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Review of Road Closure Legislation for Special Events
Attachments	1. Review of the Operations of the Roads Act Findings 2. Departmental Response

The Roads (Miscellaneous Provision) Act (Northern Ireland) 2010 amended the Road Traffic Regulation (Northern Ireland) Order 1997 (RTRO) to provide the specific power to hold Special Events on public roads.

The legislation was enacted on 13 August 2010 and the parts specifically related to the holding of Special Events on roads were commenced on 4 September 2017. This gave the authority to Councils to make road closure orders for Special Events.

A 'Special Event' is defined as sporting, social or entertainment event, or film making. The Council can make an Order if such events take place on a public road.

Not Applicable

58

In response to concerns raised by a number of local Councils, NILGA, SOLACE and some sporting bodies, the Department committed to carrying out a review of the operation of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 legislation.

As part of the review, the Department sought the views of those with an interest or involvement in planning and running Special Events. A copy of their findings is attached at Appendix A.

The Department has now formally responded to the views received and has set out possible actions that could potentially help to resolve the issues raised by stakeholders. A copy of their Response document is also attached at Appendix B.

RECOMMENDATION

It is recommended that the Council notes the review and findings.



Review of the Operation of the Roads (Miscellaneous Provisions) Act (NI) 2010

Findings

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1. Background to the Review

The Roads (Miscellaneous Provision) Act (Northern Ireland) 2010 amended the Road Traffic Regulation (Northern Ireland) Order 1997 (RTRO) to provide the specific power to hold Special Events on public roads.

The legislation was enacted on 13 August 2010 and the parts specifically related to the holding of Special Events on roads were commenced by an order made on 25th January 2017 with a commencement date of 4th September 2017.

In response to concerns raised by a number of local Councils, NILGA, SOLACE and some sporting bodies, the Department committed to carrying out a review of the operation of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 legislation.

As part of the review, the Department sought the views of those with an interest or involvement in planning and running Special Events. This document presents a summary of the views received. The separate Departmental Response document presents what the Department intends to do having taken account of the views received.

There was a high level of engagement in this process as there were 795 responses to the online questionnaire along with 14 pieces of correspondence received by the Department.

2. Methodology

The review primarily used an on-line questionnaire to seek the views of those involved with the organising and holding of Special Events on public roads. Respondents could also reply in writing. In addition, DfI wrote directly to sporting bodies and other key stakeholders to ask them to participate in the review.

The survey was developed in partnership with those who are responsible for the Special Events policy, and the Analysis, Statistics and Research Branch within the Department.

The review was launched by the Infrastructure Minister, Nichola Mallon on 27 July 2020 and was open for an 8-week period with a closing date for responses of Thursday 24 September 2020 (<https://www.infrastructure-ni.gov.uk/news/mallon-announces-commencement-review-special-events-legislation>). It was promoted using the Social Media channels of the Department.

All the comments made by respondents have been considered, and grouped into common issues for the purposes of compiling this report. It should be noted that the numbers responding to each question in the survey is not always the same. Some respondents answered all of the questions; others chose to comment on the questions (or sections) of particular relevance to their organisation, sector or field of interest. The report indicates the number of respondents who commented on each question.

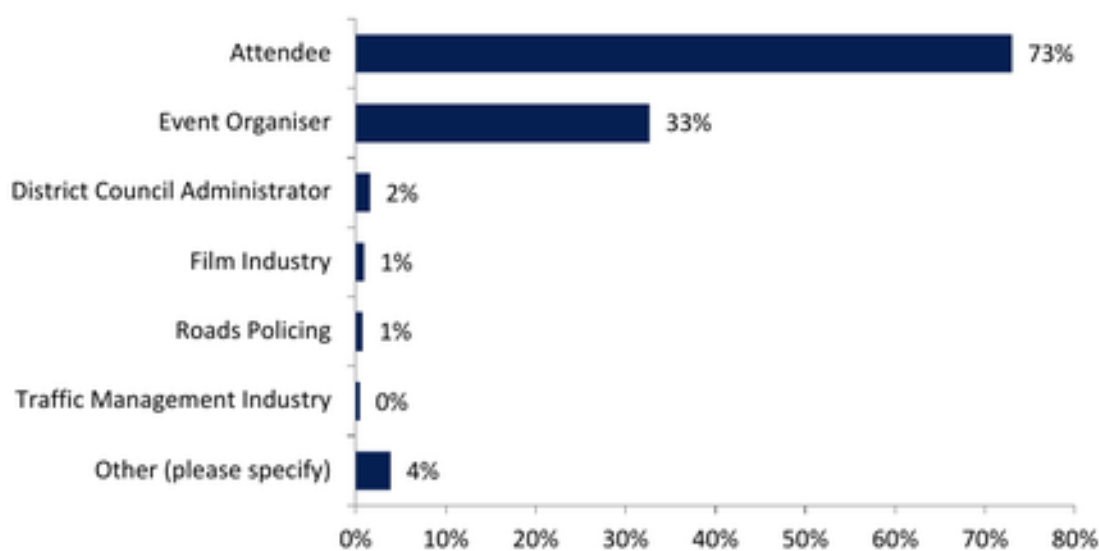
3. Summary of Response to the Questionnaire

This section of the report summarises the responses to each question in turn.

Q1 - In what capacity are you responding to this questionnaire?

In order to provide context, respondents were asked what their involvement was with Special Events (they could provide more than one answer). The majority of respondents (73%) attended Special Events, 33% of respondents were event organisers. Figure 1 shows the breakdown of responses to this question:

Figure 1: In what capacity are you responding to this questionnaire?



*respondents could choose more than one answer

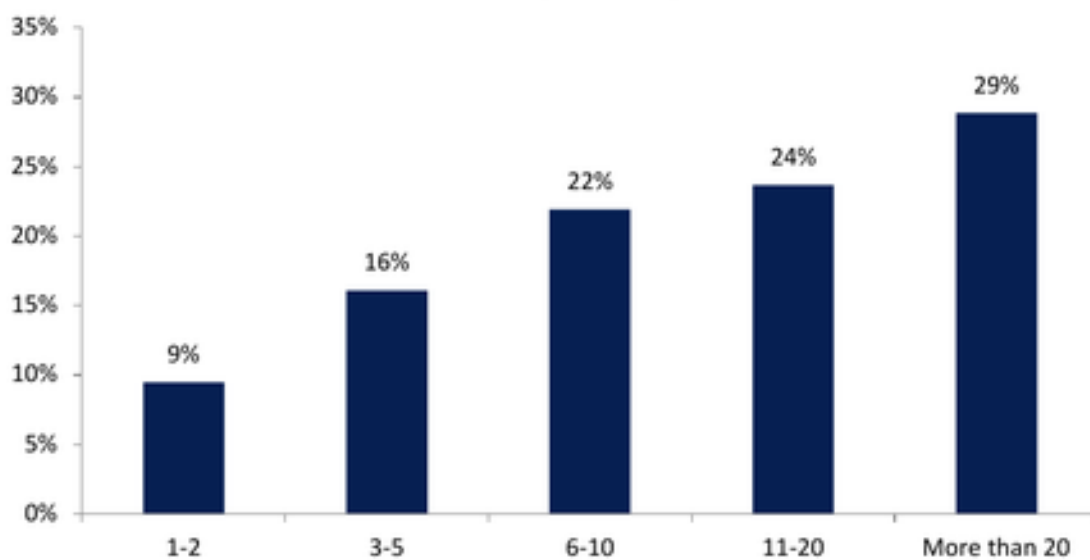
Base=777

Of the 30 respondents who stated, 'other', the majority of these described themselves as either: 'runners'; 'involved in street play'; or, 'traffic management consultants'.

Q2 - How many events have you been involved in / attended in the past two years?

Figure 2 below shows that over half (53%) of respondents have attended more than 10 events during the past 2 years (2018 and 2019). Just over a fifth (22%) have attended between 6 and 10 events, while the remaining 25% of respondents had attended 5 or fewer events. Figure 2 shows the breakdown of responses to this question:

Figure 2: How many events have you been involved in / attended the past two years?

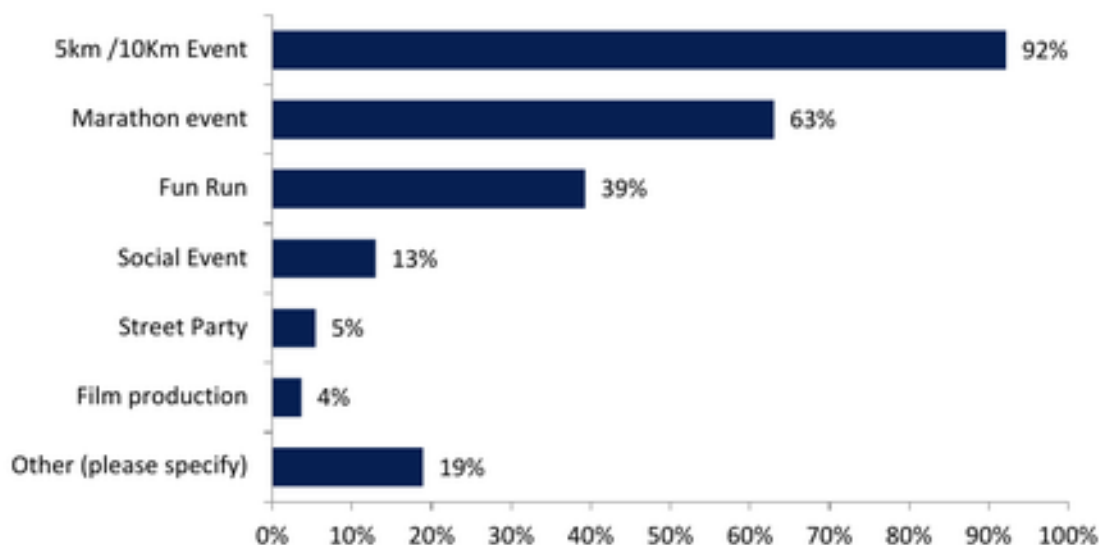


Base=790

Q3 - What types of events were you involved in / attended?

Sporting events featured strongly in the response, with 92% of respondents involved in '5k/10k events', 63% in 'Marathon events' and 39% in 'Fun Runs'. Figure 3 shows the breakdown of responses to this question:

Figure 3: What types of events were you involved in / attended?



Respondents could choose more than one answer.

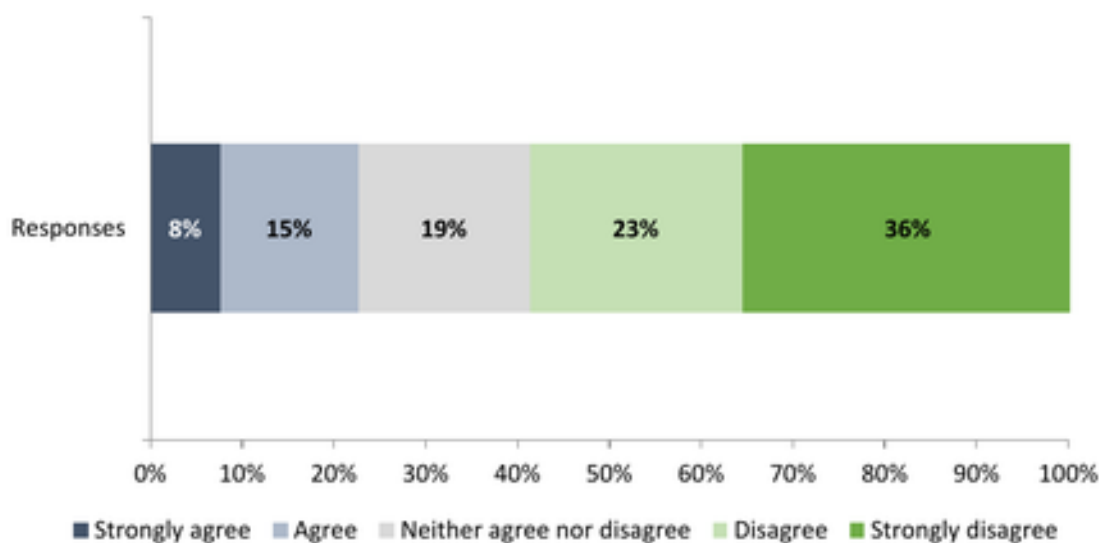
Base=741

Of the 19% of respondents who indicated they were involved in 'other' events, sporting events such as 'triathlon', 'cycling' events and other running events accounted for the majority of these responses.

Q4 - How strongly do you agree or disagree that the Special Events process met your needs?

Almost 6 out of 10 (59%) felt that the Special Events process did not meet their needs (23% disagreed with the statement while 36% strongly disagreed). Just under a quarter (23%) of respondents either agreed (8%) or strongly agreed (15%) that the process met their needs while 19% neither agreed nor disagreed with the statement. Figure 4 shows the breakdown of responses to this question:

Figure 4: How strongly do you agree or disagree that the Special Events process met your needs?



Base=552

There were 195 free text comments made in addition to the responses to this question in the survey, the vast majority of which indicating that the process did not meet their needs. A significant number of comments from respondents indicated that the process had introduced excessive costs, was overly bureaucratic and had led to the cancellation of a large number of Special Events, many of which were well-established and had taken place for a number of years.

There was a recurring theme that many charity and fundraising events were now considered unviable due to the introduction of the Special Events legislation.

A number of specific parts of the process were highlighted:

i. Appointment of traffic management companies:

Many felt that this was unnecessary for all events and was overly expensive making events unviable. Feedback included the following comments:

- *"No requirement to employ a traffic management team to supervise local road races. Plenty of experienced volunteers willing to perform these duties."*
- *"Very expensive to organise contractors to risk assess."*

- *"The prohibitive cost of enlisting a traffic management company is discouraging groups at the least from organising events and in some cases causing them to cancel altogether."*
- *"The requirement for qualification to NHSS 12AB is over and above what would be required for community events."*

ii. Consistency of approach:

A number of respondents identified an inconsistency of approach among stakeholders and feedback included the following comments:

- *"A lack of common approach across the local Councils"*
- *"Council and Police Service of Northern Ireland (PSNI) differing approaches"*
- *"not all the consultees are interpreting the legislation the same"*

iii. 12-week time period for notifications:

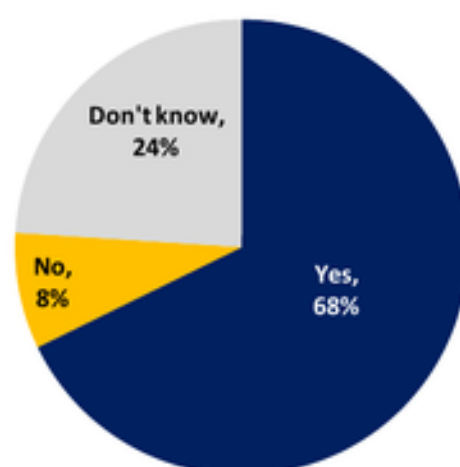
Respondents identified concerns with the requirement for the 12-week notification period and the need to advertise in the newspapers as being unrealistic, and not fit for purpose, feedback included the following comments:

- *"The process takes too long and is expensive to administer"*
- *"The Notice requirements need to be reviewed and provision to allow Notices to be processed in a short period of time to better accommodate film companies etc."*
- *"The 12 week period is too long. the costs while there may be justifiable are prohibitive"*
- *"The lead in time is almost impossible to work too for us as our schedule can be changed by so many factors outside of our control"*
- *"The need for a newspaper advertisement is outdated"*

Q5 - Do you think there are any aspects of the process that you feel could be improved?

Almost seven in ten (68%) responded 'yes' to this question, a further 24% of respondents didn't know and the remaining 8% felt that no improvements were needed. Figure 5 shows the breakdown of responses to this question:

Figure 5: Do you think there are any aspects of the process that you feel could be improved?



Base = 544

There were 224 comments in addition to the responses provided to this question, the majority highlighting a number of areas of the process that could be improved. There were synergies between the responses to this question and the themes extracted from responses to question 4.

The following specific parts of the process were highlighted:

i. Costs/need for traffic management:

There was a recurring theme about the costs involved in providing traffic management, and the use of a dedicated traffic management company. It was suggested that these requirements were making events unviable and should be only

applied to the largest events. A number of comments suggested support for road closures should be provided free of charge by PSNI and Council.

Feedback included the following comments:

- *“Remove cost, Remove bureaucracy. Only apply to the largest events Remove requirement for traffic management companies. Have a common approach for all Councils Remove discrimination with other public events where this legislation doesn’t apply”*
- *“Remove the traffic management part of the process”*
- *“reduce cost and need for traffic management company”*
- *“It is crippling for local clubs to have to bear the cost of traffic management”*
- *“Support by local Council and PSNI to help with the safety aspects of road closures, free of charge”*
- *“The risk assessment and road policing document - cost to compile and then implement is extortion especially for smaller events”*
- *“Removing the need for Events. Management company to take care of traffic management for charity road races and fun runs.”*

ii. Size of event:

Respondents were of the view that the one-size fits all approach to all Special Events did not work. They expressed the opinion that the size of Special Events should dictate the requirements involved for the running of such events. They suggested that the current arrangements should be amended and a scaled approach should be adopted for dealing with Special Events. A number of respondents expressed the view that there should be exemptions for community, charity and voluntary groups.

Feedback included the following comments:

- *“A submitted risk assessment and spot checking to ensure compliance would be more than sufficient without creating an industry in traffic management for a relatively small event.”*
- *“Exemptions for small community group/schools organising fundraisers”*

- *“the one size fits all approach does not work. A procedure that caters for almost 20,000 people on the streets of Belfast doesn't work for 200 on the country roads”.*
- *“Ideally smaller events should be exempt from the process but if any process is deemed necessary it should be less complicated and not involve the use of expensive traffic management consultants. Requirements should be in proportion to the scale of the event and its potential disruption. It should also take account of whether the organiser is a voluntary club, a charity or a commercial organisation”*
- *“Exemption for small local races. Ability to be managed by volunteers”*
- *“There should be room for differentiation between large events and smaller community events”*
- *“I think any non-profit organisation where ALL communities are or can attend should be exempt from fees, however those that are not cross community inclusive should be charged and also pay for the policing of such events/parades”*
- *“There is an understanding that for large scale major sporting events, specific legislation is required. We feel that this need to be on a scaled approach and small, local events should be exempted.”*
- *There should be a standardised application process with fees aligned depending on the size/type the event.*
- *“There should be some way of being able to assess the level of control needed at an early stage of the process so that smaller community events which are unlikely to cause significant disruption being treated differently and more leniently than the larger events which require higher levels of Traffic management etc”*

iii. Consistency of approach and cost:

Respondents indicated there is an apparent inconsistency of approach adopted and different fees charged across Council areas. They suggested a standardisation of rates across all Council areas. Some respondents highlighted the need for clearer guidelines on what Councils expect and the introduction of an online form that covered all aspects of the application would be helpful.

Feedback included the following comments:

- *“Varying costs between Councils, should be blanket costs.”*
- *“Standardisation between local government, Council, community and event organisation”*
- *“One direct point of contact that liaises with the separate bodies “*
- *“Commonality of the procedure between different Council areas. Integration of all the various steps into an online portal system. More transparency. More choice. Clearer requirements”*
- *“There remains an inconsistent approach from Council to Council, with some Councils not being fully briefed, creating uncertainty and last minute issues for volunteer race organisers”.*
- *“Clarity of roles, responsibilities and procedures”*
- *“Different Council areas charge different rates “*
- *“There is inconsistency in the approach between Councils and Dfl with respect to Special Events and utility works. Dfl have had systems and procedures in place for years to deal with road closures for utility works and the like. The Road Traffic Regulation (Northern Ireland) Order 1997 Article 7 refers”.*
- *“Clear guidelines on Council expectations and decision making”*
- *“The legislation should be administered by one body, Dfl. The involvement of Councils is unnecessary, time consuming and costly, and they have no involvement in the decision making process.”*
- *“Consistency and enforcement.”*

iv. Advertising Costs:

There was a recurring theme among the respondents that advertising fees were excessive which added unnecessarily to the costs of running a Special Event. A significant number of replies detailed that the requirement to include a printed advertisement in local paper was unnecessary, added to the cost, and was outdated. They suggested use of online notification and social media would be a more reasonable approach that could be used to meet notification requirements.

Feedback included the following comments:

- *“the removal of the need for printed adverts and switch to online notification only - similar to Dfl permits for off road events”*
- *“The cost of a newspaper public notice in this day and age is not a good use of money”*
- *“The need to publish a public notice in a newspaper adds additional cost which could be avoided through the use of websites or other social media platforms”*
- *“The advertising requirements are too onerous and expensive”*
- *“The requirement under the legislation to publish at least one notification of the proposed road closure in the local press is considered an outdated, unnecessary expense”*
- *“Definitely the advertising. It should be online advertising now. And less of a lead in time to the event “*
- *“I would suggest that the process of notice in a newspaper should be changed to an online notice and a letter drop around the area “.*

v. Notification period:

Respondents identified an issue with the requirement to provide a 12-week notification of a Special Event. They suggested this needed to be reconsidered as it had led to significant difficulties to the organising of some Special Events e.g. the film industry.

Feedback included the following comments:

- *“12 week notification process is too long “*
- *“Lead in times need to be reconsidered. In our Council area applications and accompanying risk assessments must be submitted 12 weeks in advance”*
- *“Council has found that even with a shortened turnaround timescale of 6-8 weeks from application to Order, this is still too long for certain film projects. Council have had several occasions where film industry were asking Council to process and issue road closures order in 4 weeks or less which is not possible within the confines of the existing process.”*

vi. Training for event organisers:

A significant number of respondents identified that a potential improvement to the process would be to provide training for Special Events promoters and volunteers. They highlighted that this would give Special Events promoters the option of dealing with traffic management without including the cost of having to appoint an external traffic management company.

Feedback included the following comments:

- *"provide training for event organisations"*
- *"There could be training for marshals for clubs to attend not marshals from just one company that repairs roads"*
- *"Give options to use volunteers rather than traffic management companies"*
- *"Ensure club volunteers are well trained in marshalling and hence no need for external companies. When gaining a permit for an event the checklist should be available then."*
- *"Maybe Council areas could organise marshalling courses "*
- *"Pre-application support would be really helpful to volunteer organisers if available. Applicants for road running races are generally volunteers who would benefit from such support. Practical assistance with for example provision of approved temporary signage and pedestrian barriers from the locals Council or roads service depot or even chapter 8 trained streetworks supervisors and operatives to set up traffic management at junctions."*

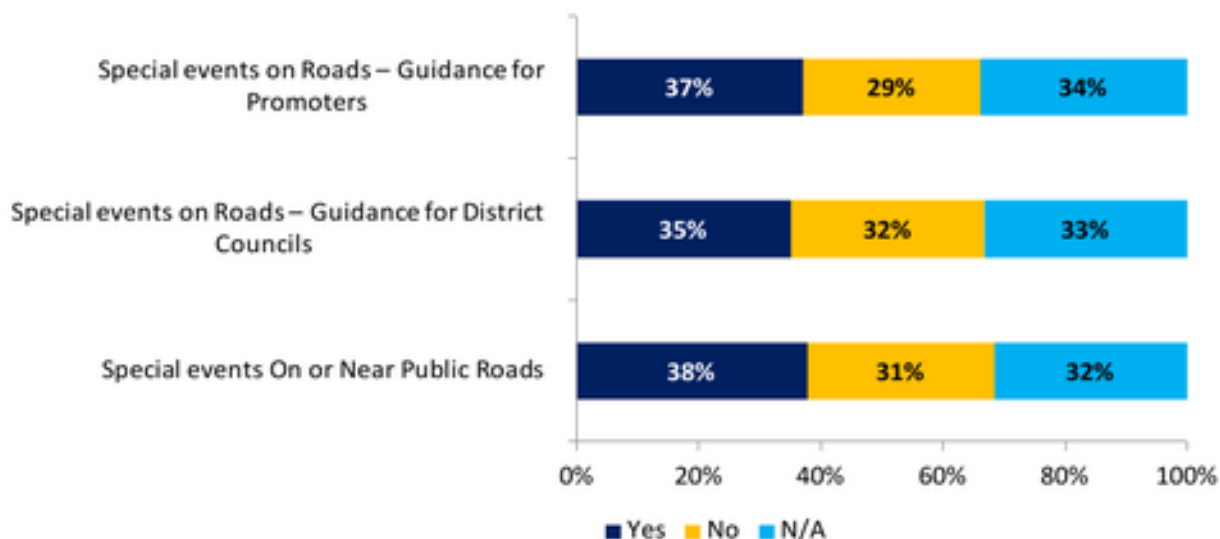
Q6 - Did you use the Department's guidance documents at any time?

Respondents were asked if they had used any of the three guidance documents available:

- 'Special Events on Roads – Guidance for Promoters'
- 'Special Events on Roads – Guidance for Councils'
- 'Special Events on or Near Public Roads'

For each of the guidance documents, results were broadly similar with over a third of respondents having used each document. Figure 6 shows the breakdown of responses to this question:

Figure 6: Did you use the Department's guidance documents at any time?

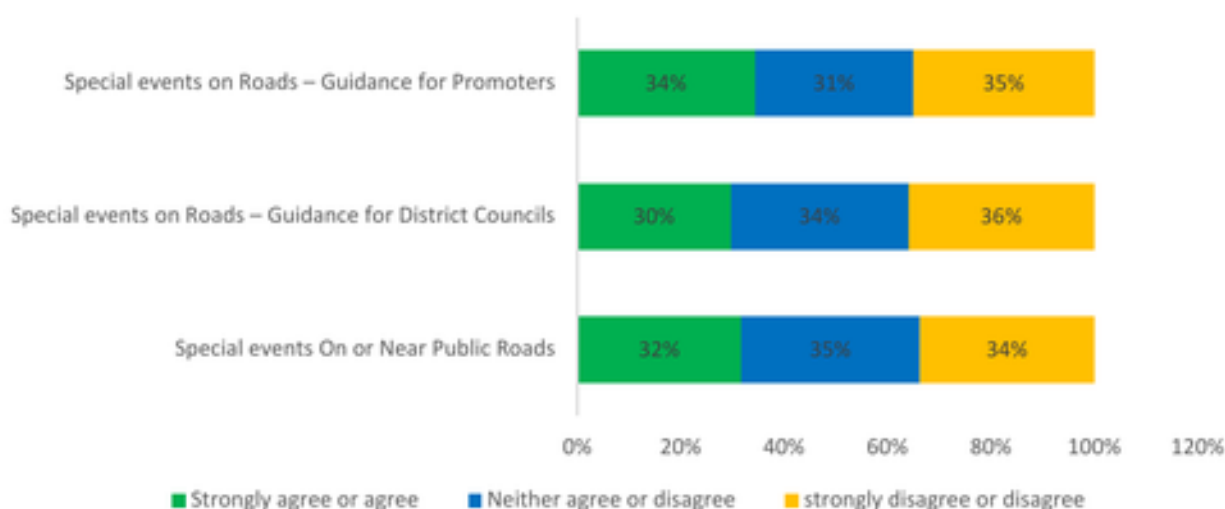


Base =390

Q7 - How strongly do you agree or disagree with the statement - 'The Department's guidance documents were useful?'

Figure 7 shows the results for each of the three guidance booklets for those who said, 'yes' to Question 6:

Figure 7: How strongly do you agree or disagree with the statement - 'The Department's guidance documents were useful?'



Bases: Guidance for promoters = 137, Council = 128, On or near roads 142

Of the respondents who had used '*Special Events on Roads: Guidance for Promoters*' and had provided an answer to the question, around a third (34%) agreed¹ that the documents were useful, and a similar proportion disagreed² with this statement. The remaining 31% neither agreed nor disagreed with this statement.

Of the respondents who had used '*Special Events on Roads: Guidance for Councils*' and had provided an answer to the follow-up question, just under a third (30%) agreed³ that the documents were useful, while 36% disagreed⁴ with this statement. The remaining 34% neither agreed nor disagreed with this statement.

Of the respondents who had used '*Special Events on Roads: Guidance for on or near public roads*' and had provided an answer to the follow up questions, responses about how useful the documents were broadly similar. Roughly, a third of respondents (32%) agreed, 34% disagreed and neither agreed nor disagreed (35%) that the documents were useful

¹ Strongly agree and agree have been combined
² Strongly disagree and disagree have been combined
³ Strongly agree and agree have been combined
⁴ Strongly disagree and disagree have been combined

There were 71 comments made in addition to the responses to this question. There was a mixture of comments with many finding the documents a useful tool while others found them difficult to understand and not of much benefit.

The comments on the question could be summarised as follows:

i. Negative responses:

Many felt the documents were difficult to understand, did not use plain English and were too technical. Many had cited that the use of examples in the documents would have been helpful with particular reference to guidance on the use of Traffic Management Plans.

Feedback included the following comments:

- *"documents are far too cumbersome for a community organisation of volunteers. The entire process requires significant expertise, which is obviously very costly"*
- *"They are not clear in many respects and do not give guidance around the Traffic Management Plan"*
- *"the way they were written was too technical, the process was overly complicated,"*
- *"the guidance is too onerous and takes a very black and white view".*
- *"Document can be difficult to understand if unfamiliar with it."*
- *"More clarity is required as to Traffic Management Plans."*
- *"Guidance should have come with practical examples or training or support from the Council"*
- *"The way in which the guidance is written does not follow 'plain english' rules - ie it is difficult to read and understand"*
- *"Confusing and inconsistent"*

ii. Positive Comments:

Many respondents felt the guidance was useful, easy to understand; fit for purpose in detailing the process involved and had practical advice.

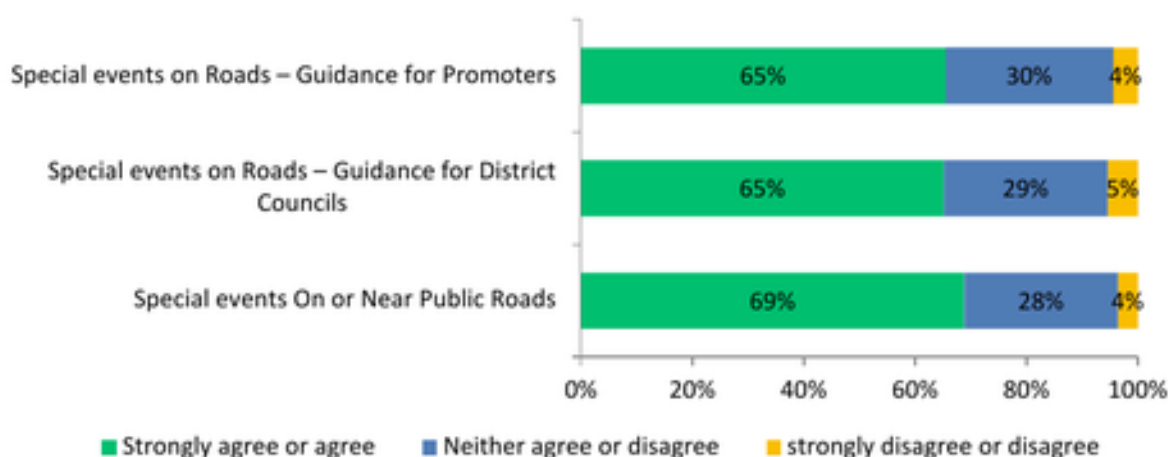
Feedback included the following comments:

- “The documents had practical advice.”
- “Made me aware of the general requirements”
- “Easy to understand for those of us not legally minded “
- “They were useful in that they made you aware of the process”
- “The guidance was simple to follow”
- “ found the documents very useful to follow the process,”
- “The guidance is clear,”
- “Were suitable for purpose”

Q8 - How strongly do you agree or disagree with the statement - 'The Department's guidance documents could be improved?'

Figure 8 shows the results for each of the three guidance booklets for those who said, 'yes' to Question 6.

Figure 8: How strongly do you agree or disagree with the statement - 'The Department's guidance documents could be improved?'



Bases: Guidance for promoters = 136, Council = 129, On or near roads = 141

When asked if the guidance document: 'Guidance for Promoters' could be improved, almost two thirds (65%) agreed that it could, while a small proportion (4%) disagreed with this statement.

When asked if '*Guidance for Councils*' could be improved, 65% agreed that it could, while 5% disagreed. The remaining 29% neither agreed nor disagreed with the statement.

When asked if the guidance documents for '*Special Events on Roads: Guidance for on or near public roads*' could be improved, 69% agreed that it could, while 4% disagreed. The remaining 28% neither agreed nor disagreed with the statement.

There were 69 comments made in addition to the responses to this question, mostly expressing the view that the documents could be improved. There were a number of areas highlighted for improvement and these are summarised as follows:

i. Use of Sample applications:

Many respondents had different views on the use of sample application forms in the guidance. Some suggested that the sample application forms should be removed as a number of Councils use their own form and this is causing confusion. Others suggested that sample examples of documentation were needed and should be included to help clarify what was required of applicants.

Feedback included the following comments:

- *"Sample Application Form (Appendix 3) could be removed as some Councils will have developed their own form and this may lead to some confusion"*
- *"Examples of documentation that may be required may be beneficial,"*
- *"it would be more appropriate for the Council to make its own, specific application form available to event promoters"*
- *"A typical example provided as a template would be helpful."*
- *"Clarity required on activities subject to regulation under the Order"*

ii. Documents too detailed /complicated:

Respondents felt the documents were too detailed, technical and difficult to understand. Suggestions included the use of plain English in documents to help clarify the process, and the use of flow charts and template documents in the guidance.

Feedback included the following comments:

- *"Too detailed and too many obstacles in the way"*
- *"They need simplified and a new system overall in place"*
- *"make them less technical, ie write them in lay man's terms"*
- *"Needs to be more concise"*
- *"I think the process needs more clarity and be simplified"*
- *"Guidance is long and not easy for regular volunteering organisations to decipher. As previously mentioned, a flowchart for the promotor to follow that quickly gets them to their relevant areas of responsibility in terms of organising their event."*
- *"Template documents"*
- *"The way in which the guidance is written does not follow 'plain english' rules - ie it is difficult to read and understand"*
- *"Simplification of the language and clarification of the process"*

iii. Changes required - Withdrawn documents /Links not working:

A couple of respondents identified that the guidance needed updating as some of the links within the document were not working and highlighted that one of the documents referenced in guidance had now been withdrawn.

Feedback included the following comments:

- *"Guidance for Promoters: • Reference to the Home Office document 'The Good Practice Safety Guide – for small and sporting events taking place on the highway, roads and public places' should be removed, as it is understood that this document (although considered to be very useful) has now been withdrawn."*
- *"More user friendly. Less legal. More encouraging – less off-putting. Include some successful examples. Links are broken or don't work"*

iv. Use of tailored approach with exception clauses depending on size of event and training:

Some respondents were of the view that the issue with the guidance was that it applied to all Special Events equally and did not take account of the size of the Special Events. They suggested a tailored approach with exemptions depending on the size of the Special Events.

Other respondents also highlighted the potential benefit of running workshops involving all stakeholders involved in the process.

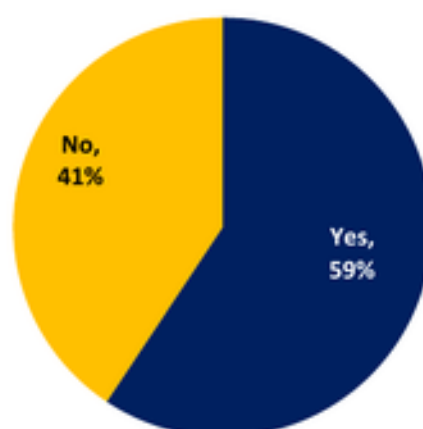
Feedback included the following comments:

- *"It could provide an "Exemption" or "Exception" clause for small local races to enable them to proceed without reference to the detailed instructions/ requirements of the Act."*
- *"The problem is not the guidance as such but rather the overall application to a wide range of different events in scale and magnitude, which need tailored approaches"*
- *"The guidance seems to put all races into 1 bracket. It doesn't take into consideration a race on quiet country roads compared to a race through a town centre"*
- *"Workshops with sporting governing bodies, community groups, culture organisations and statutory agencies"*

Q9 - Are you aware of the underlying legislation associated with the Special Events – Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010?

Almost 3 in five (59%) of respondents who answered this question were aware of the underlying legislation associated with Special Events with the remaining 41% not familiar with the legislation. Figure 9 shows the breakdown of responses to this question:

Figure 9: Are you aware of the underlying legislation associated with the Special Events – Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010?



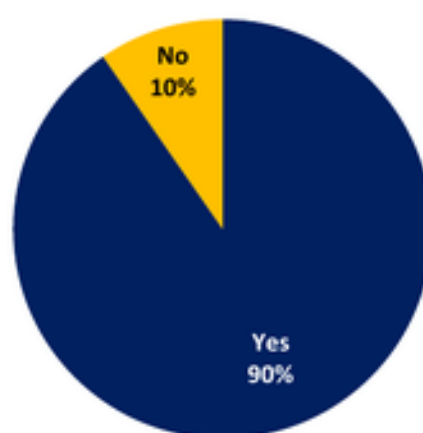
Base=358

Q10 - If you answered yes to the previous question, are there any aspects of the legislation that you feel could be improved?

Of the 176 respondents who were aware of the legislation associated with Special Events, the majority (90%) felt that aspects of the legislation could be improved.

Figure 10 shows the breakdown of responses to this question:

Figure 10: If you answered yes to the previous question, are there any aspects of the legislation that you feel could be improved?



Base = 176

There were 117 comments made in addition to the responses to this question. There were a number of synergies between the responses to this question and the themes emerging from the responses to previous questions in the survey. These are summarised as follows:

i. Costs:

There was a recurring theme amongst comments about the increased costs involved in organising Special Events due to the introduction of the legislation. Respondents suggested a number of possible options that ranged from Councils covering costs for community-run Special Events, abolition of costs for non-profit making organisations and the introduction of a set pricing structure for Special Events across the province.

Feedback included the following comments:

- *"The abolition of amateur non-profit organisations having to pay for marshalling events"*
- *"For running events which support community health and wellbeing and bring visitors to the local Council area, it would be beneficial if the Special Events Road Closure costs should continue to be covered by local Councils for events organised by volunteers from local running clubs."*
- *"The application of the Legislation, especially to small local races ranging in distance from 5K to 10K mostly, is totally inappropriate and should be amended to reflect this."*
- *"there should be a set pricing structure for all of NI."*
- *"The compulsory use of multiple layers of agencies and associated required hefty payments is killing small clubs and charity fundraisers"*

ii. Differentiation between sizes of events and types of events:

Respondents commented that the legislation should differentiate between the types of events included under the Special Events definition, the type of road that a Special Event is to be organised on and whether the Special Event is for financial gain or promoting health. They also highlighted the legislation should be softened to take account of the size and scale of the Special Event and assessed accordingly.

Feedback included the following comments:

- *"I think that there should also be specific legislation covering athletics road races that would focus on the unique requirements of such events rather than including them in with disparate events such as street parties and filmmaking."*
- *"The application of the Legislation, especially to small local races ranging in distance from 5K to 10K mostly, is totally inappropriate and should be amended to reflect this"*
- *The nature of the events it relates to. It should not apply to small scale running events. A risk assessment by local law enforcement should suffice.*
- *"Not all roads are the same but the legislation does not differentiate between A,B,C or D roads. Subsequently using the same legislation across every road*

doesn't make sense, they should be assessed on their own merits and lead in time assessed accordingly"

- *As referred to earlier, small rural events should not be considered similar to larger urban-based events with large numbers of participants. A lack of differentiation between large and smaller events. Compelled to use traffic management companies (even for minor events).*
- *I believe the legislation needs softened to take account of differing types of events.*
- *A difference should have been made between those events run for pure economic gain and those to benefit sport development.*

iii. Traffic Management:

As with previous responses to earlier questions, the issue of traffic management featured prominently among the comments. There was a recurring theme in the comments that costs involved in providing traffic management and the use of a dedicated traffic management company were making Special Events unviable. Suggestions included the use of trained volunteers and club marshals to undertake traffic management duties and the organising of training events for volunteers to obtain relevant qualifications. Other comments included the suggestion to group road closures into a number of categories with the level of traffic management required adjusted accordingly.

Feedback include the following:

- *"Removal of requirements to employ traffic management firms to oversee local races should be removed as responsible local volunteers can carry out the same function for free."*
- *"A training event for organisers who have H&S at the forefront anyway should give enough qualification to satisfy all requirements. The traffic management companies sent a bunch of minimum wage guys who don't care or know the area."*
- *"Club training for marshals."*
- *"Councils should be given the power to categorise a closure into one of say 4 categories depending on their assessment of the impact the closure will have on traffic flows and the community and taking account of the road in question,*

the usual traffic flow, alternative routes available, the days and times of closure and the length of time it is being closed. Each category could have a set of requirements against it - eg a minor road may only require a notification to residents and stewarding whereas a main arterial route could require traffic management plans, adverts in the press etc."

- *"The current legislation doesn't seem suited to the specifics of organising a road race. For example, a race usually closes a small section of road for a short duration (sometimes minutes), almost always outside of working hours, and with the support of the local community. These specifics don't seem to have been taken into consideration by the current legislation. The effect is an expensive, difficult process that has made many races unviable."*

iv. Appeal Process:

A number of respondents highlighted that an appeals process should be included in the legislation as currently there is no in-built mechanism for appeals on any decisions made by the statutory authorities.

Feedback included the following comments:

- *"The legislation has no built in appeal mechanism."*
- *"The legislation should permit an appeal mechanism against refusal to issue a road closure Order, in the interest of transparency."*
- *"A decent appeal process or complaint process with Belfast city Council being followed up on in their failure to manage closures."*

v. Remove advertising requirement:

As with previous responses to other questions, the need for advertising in local newspapers was highlighted with respondents indicating the legislation should be amended to remove this requirement allowing other means of promoting Special Events to be used.

Feedback included the following comments:

- *"The legislation should be amended to remove the requirement for notification of a road closure to be published in at least one newspaper, permitting other means, e.g. websites and social media channels."*
- *"Also using newspaper as the medium for the commercials is a slow, cumbersome and ineffective method of informing the residents or community of the proposed closure or restriction."*
- *"I believe the need for printed newspaper adverts is within the legislation, this needs removed."*

vi. Relevant Authority:

The subject of relevant authority making the decision on a Special Event was highlighted in a number of comments. Respondents suggested specific actions to mitigate the problem this was causing, these included increasing resources and powers of the relevant authority dealing with the Special Events or changing the responsibility to a shared responsibility for all of the key stakeholders in the process.

Feedback include the following:

- *"Share responsibility between the organiser, PSNI, local authority and roads service."*
- *"If making DCs a relevant authority - equip them with the appropriate resources and powers."*

Q11 - If you have any further comments specifically in relation to the legislation that you feel would be useful, please provide them below.

There were 58 comments made in addition to the answers to this question, the majority of which replicated suggestions that had previously been included in replies to earlier questions.

The comments can be summarised by the following:

i. Reconsider costs for voluntary and community events:

Respondents again identified the cost implications the legislation had for voluntary, community and charitable sectors in organising Special Events and asked they be reconsidered to make Special Events more viable.

Feedback included the following comments:

- *“Elected members would ask the Department to consider the costs of road closures to event organisers, especially those with the voluntary, community and charitable sectors, as part of this review into road closures.”*
- *“Need to make it possible for small community events to take place without extortionate costs eg policing.”*
- *“Treat each case separately- acknowledge efforts by race organisation and promotor who plan for as little disruption as possible.”*

ii. Marshalling and road closure training:

A recurring theme in the comments related to the use of marshals by organisers and potential training events for organisers to help negate requirement to employ traffic management companies at events. Further suggestions included the production of a risk template that could be used by organisers to lead them through the process.

Feedback included the following comments:

- *“Review of the marshalling and road closure procedure.”*
- *“A training event for organisers who have H&S at the forefront anyway should give enough qualification to satisfy all requirements.”*
- *“Produce a risk template that guides the organisers through the process. This would make events much smoother without any increase in risk.”*

iii. Unnecessary Legislation:

A numbers of comments did not offer any suggestions for improvement to the current legislation but felt that the legislation had been rushed through, had not been properly consulted on, was unnecessary and was having a significant detrimental impact on health in the community.

Feedback included the following comments:

- *"The legislation should never have been passed. We want to promote a health and active lifestyle but this legislation stops thousands of people in NI taking part in events that not only promoted health and well-being but was also a huge part of people's social lives."*
- *"This was an unnecessary piece of legislation that was rushed in with a complete lack of consultation."*
- *"The legislation treats all events as if they were the same and this is completely unnecessary and damaging to many very positive community events which contribute to public harmony, health and wellbeing."*

iv. Resource issues for statutory authority:

There were also general comments about resource and cost issues for Council when implementing the process that had not been considered before the introduction of legislation.

Feedback included the following comments:

- *"Although DfI have reported that the role for Council is administrative in nature and thus there are "no significant resource implications" Council would strongly contest this. From 2017, Causeway Coast and Glens Borough Council have received a total of 44 road closure order applications for Special Events on roads to date, and have provided advice and assistance to approximately 20 other groups who have made enquiries. The resource implications of validating and processing applications, advising organisers, undertaking consultations with statutory consultees, facilitating and attending SAG meetings, arranging notifications, reviewing representations made and seeking resolutions, is very significant. It is particularly concerning as this cost has had to have been absorbed by Council, as to pass these costs to event organisers would result in their events not being viable"*

v. Reconsider costs for voluntary and community events:

Respondents again identified the cost implications the legislation had for voluntary, community and charitable sectors in organising Special Events and asked they be reconsidered to make Special Events more viable.

Feedback included the following comments:

- *“Elected members would ask the Department to consider the costs of road closures to event organisers, especially those with the voluntary, community and charitable sectors, as part of this review into road closures.”*
- *“Need to make it possible for small community events to take place without extortionate costs eg policing.”*
- *“Treat each case separately- acknowledge efforts by race organisation and promotor who plan for as little disruption as possible.”*

Q12 - If you have any further general comments in relation to Special Events issues that you feel would be useful, please provide them below.

There were 74 comments made in addition to the answers to this question. There were a number of specific parts of the process that were highlighted and these are summarised as follows:

i. Equality of all events:

Many respondents felt that the legislation was discriminatory especially in relation to running events – they highlighted that any Special Events that required the closure of a public road should be treated equally. A number of individuals suggested that running races on roads should not be classified as Special Events but gave no specific reason why they should be excluded. Again, the suggestion was made that tailoring of requirements for Special Events should be considered depending on the type and size of the event.

Feedback included the following comments:

- *“Treat any event requiring closure of public roads with the same legislation is the only fair resolution of the issues.”*
- *“The legislation seems to discriminate against running clubs who are trying to promote health and fitness within their communities.”*

- *"I do not believe that a road race should be treated as a Special Event for the purposes of this legislation and also that there was no consultation with the relevant authorities, in this case, the governing body, Athletics NI, or any of its affiliated clubs before the Legislation was passed into law. Had it been then many of the objections raised in this submission would no doubt have influenced the outcome, to the extent that it would NOT have included road races as Special Events."*
- *"There needs to be a recognition of the difference between local fun run & charitable events and the larger sportiff/challenge events, and a tailoring of the application requirements/criteria to same."*
- *"The process and legislation should apply to ALL or NONE. (No shortcuts for contentious events)"*

ii. Training:

As previously highlighted respondents identified that a potential improvement to the process would be to provide training for Special Events organisers and volunteers. One respondent suggested a specific Lantra course for volunteers that dealt with community-organised Special Events that would meet full requirements and reduce the overall costs of running an event.

Feedback included the following comments:

- *"A training event for organisers who have H&S at the forefront anyway should give enough qualification to satisfy all requirements."*
- *"The course has been specifically designed by Lantra for community events with the contents covering all the required subject matter and assessments required to enable event organisers to plan, manage and provide a safe community event, while also fulfilling their legal obligations. This is the most practical and effective way in terms of finance and the training time involved, enabling communities to train and obtain suitable qualifications, as most community events are organised by volunteers and their time for training would be limited."*

- *"More information, support and training should be available to stewards (working on event roads)."*

iii. Costs:

Respondents again highlighted the increased costs of running Special Events since the introduction of the legislation. A number of possible options were put forward which ranged from removing all costs for smaller community Special Events, providing a fixed cost for all Special Events to facilitate ease of organising and the introducing of costs only for Special Events that attracted a certain number of participants.

Feedback included the following comments:

- *"The cost of running events has meant that they have become economically impossible to run, this needs to be fixed to enable smaller community events to continue."*
- *"The cost to running clubs have left the sport decimated."*
- *"Try to cut out the new excessive costs imposed by Councils and PSNI, etc on road races so that more events are accessible to the public."*
- *"charge for events that have over 1000 runners and close down towns or cities, but if there smaller or in a wee small village, Don't charge them as there isn't much traffic."*

iv. Relevant authority:

The issue of the relevant authority was again highlighted. One respondent identified that the Council may not be the appropriate relevant authority to deal with the legislation. They identified that expertise in dealing with traffic management lay with Department for Infrastructure (DfI) and PSNI, and that Councils were only operating as secretariat for DfI.

Feedback included the following comments:

- *"The purpose of the legislation is essentially one of traffic management and public notification rather than event safety, which is dealt with under other"*

procedures ---. Council believes that both these remits fundamentally lie with PSNI and Department for Infrastructure with Council having neither the role or responsibility or even knowledge/expertise in these matters. Council are acting as secretariat to Department for Infrastructure (Dfi) in a bureaucratic and costly process"

4. Written Correspondence

In addition to the survey monkey questionnaire responses, the Department received a further 14 letters and emails. Of these additional pieces there were:

- 9 from local Councils;
- 1 from a political party;
- 2 from MLAs; and
- 2 from individuals.

The information contained in these responses replicated many of the topics highlighted in the survey monkey comments, which have been detailed in this review report and can be summarised as follows:

i. Advertising Issues/Notification:

- Advertising Costs/timeline: The requirement for a newspaper advertisement was questioned and other options were suggested such as neighbourhood notification or advanced notice road signage, using social media or a website.
- The issue of a lack of flexibility if a Special Event had to be postponed – events currently need to be re-advertised which attracts further costs.
- Reconsider costs, including advertising costs, for voluntary and community Special Events with possible exemptions.
- Clarification needed on minimum length notification period e.g. film industry 12 weeks period too long – needs reconsidered with reduced time frame to be used, when appropriate.

ii. Training:

- Training for Special Events organisers with workshops required for all stakeholders.
- Possible Marshalling and road closure training e.g. "traffic management for community events".

iii. Consistency of approach across all areas:

- Consistency between requirements for DfI utility works road closure order and Special Events road closure order.
- Consistency and quality of traffic management plans needs addressed.

- Inconsistency of approach across province by PSNI.
- Consistency of approach in terms of the cost of making an order, the costs applied by Councils should be standardised across all Council areas

iv. Role of Council in process and resource issues:

- A number of Councils highlighted that they had no recognised role in the process, only administrative with no monitoring of events or enforcement powers. They also highlighted the lack of an Appeal Process.
- Administering the process is causing issue with resources for the statutory authorities.

v. Cost of Specials Events:

- Some Councils highlighted that the cost of organising an event has made many unviable and were being cancelled. Some local Councils are currently covering costs for community run events and suggested abolition of costs for non-profit making organisations. The introduction of a set pricing structure for Special Events across the province was highlighted.
- A tailored approach is required with exemptions and exceptions depending on the size of the event and location.
- Reconsider costs for voluntary and community events with possible exemptions.

vi. Legislation not fit for purpose /Equality Issues:

- Some Councils felt the Legislation is unnecessary and not fit for purpose.
- Equality of all events in terms of requirements e.g. parades commission 11/1 events and road closures for roadworks.
- Councils believe that an updated equality assessment is required.

vii. Updating Guidance documents

- Councils have noted that a refresh of the documents may be required, as they have discovered that when dealing with certain applications for Special Events, they are not covered in guidance.
- Redrafting of application forms to stop double handling of paperwork by statutory authorities.

As part of the review, the Department wrote directly to local Councils to provide information on the number of Special Events they had been involved in and typical administrative costs and advertising costs for these events to help inform the review. Four Councils responded and Table 1 details a breakdown of the information provided.

Local Council Area	Number of approved events	Number of Road Closure Orders issued	Average administrative costs (£)	Average Advertising costs (£)
Ards and North Down	35	34	125	123
Belfast	74	57 out of 69 (number of orders not issued due to Covid)	491	640
Mid Ulster	33	25	320	221
Armagh / Banbridge and Craigavon	60	43	123	146

Table 1: Local Council Special Events Breakdown.



Review of the Operation of the Roads (Miscellaneous Provisions) Act (NI) 2010

Departmental Response

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1. Background to the Review

The Roads (Miscellaneous Provision) Act (Northern Ireland) 2010 amended the Road Traffic Regulation (Northern Ireland) Order 1997 (RTRO) to provide the specific power to hold Special Events on public roads.

The legislation was enacted on 13 August 2010 and the parts specifically related to the holding of Special Events on roads were commenced by an order made on 25th January 2017 with a commencement date of 4th September 2017.

In response to concerns raised by a number of local Councils, NILGA, SOLACE and some sporting bodies, the Department committed to carrying out a review of the operation of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 legislation.

As part of the review, the Department sought the views of those with an interest or involvement in planning and running Special Events.

This document presents the Department's formal response to the views received and sets out possible actions that could potentially help to resolve the issues raised by stakeholders. A summary of the findings from the request for views is presented in the separate 'Findings' report.

There was a high level of engagement in this process as there were 795 responses to the online questionnaire along with 14 pieces of correspondence submitted to the Department.

2. Methodology

The review primarily used an on-line questionnaire to seek the views of those involved with the organising and holding of Special Events on public roads. Respondents could also reply in writing. In addition, DfI wrote directly to sporting bodies and other key stakeholders to ask them to participate in the review.

The survey was developed in partnership with those who are responsible for the Special Events policy, and the Analysis, Statistics and Research Branch within the Department.

The review was launched by the Infrastructure Minister, Nichola Mallon on 27 July 2020 and was open for an 8-week period with a closing date for response of Thursday 24 September 2020. <https://www.infrastructure-ni.gov.uk/news/mallon-announces-commencement-review-special-events-legislation>. It was promoted using the Social Media channels of the Department.

3. Response to the Issues Raised

This report summarises the responses on the review on the operation of The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 under which Special Events can be held on public roads.

The response rate was good encompassing a broad range of organisations and individuals with an interest in the operation of Special Events legislation.

The Department has used the responses and suggestions to identify areas where improvements can be made to facilitate the practical operation of the Special Events legislation.

For analysis and commentary purposes the Department has grouped the main issues raised as follows:

1. Legislation unnecessary and needs to be suspended or revoked.
2. Legislation not properly consulted on.
3. Equality screening needs revisited.
4. Choice of Relevant Authority and the associated resource burden.
5. Councils lack monitoring and enforcement powers.
6. The need to advertise orders and the associated costs.
7. Lack of appeals process.
8. No flexibility if an event is postponed.
9. Consistency of approach between different legislation controlling different types of event being held on a public road.
10. Guidance too detailed and complicated, and in some areas out of date.
11. Provide sample completed application forms.
12. 12 week lead-in period for applying for Special Events considered to be too long.
13. Temporary Traffic Management (TTM)
 - a. Need for Temporary Traffic Management.
 - b. Temporary Traffic Management Plans.
 - c. Temporary Traffic Management Companies.
14. Tailored approach for community and other smaller Special Events.
15. Consistency of approach between Councils.
16. Consistency of approach between local policing districts.

17. Reconsider the application of costs for voluntary/community Special Events.
18. Training/Workshops for Special Events organisers.
19. Councils still need the Department's consent before making an order.

1. Legislation Unnecessary and Needs to be Suspended or Revoked

The legislation provided a new power which was requested by several Councils, the PSNI and the film industry.

Until its introduction roads had been closed for events by the Police Service of Northern Ireland (PSNI) using general policing powers which were never wholly appropriate for the purpose. The previous approach also placed an undue burden on the PSNI at a time when their resources were already stretched. It was deemed unnecessary to use finite PSNI policing resources to close roads for the purposes of a Special Events when other methods existed, and the provisions provided a defined legal basis under which Special Events can be held on roads.

The general public has a right to travel unimpeded along a public road and, where this right of way is impeded, it must be done within a defined legal framework. The Act provides such a framework and it is right and proper that this is adhered to when it is proposed to restrict or prohibit traffic using a road for the purposes of holding a Special Event.

Possible remedy – The Department is content that a legal basis for holding Special Events on roads is still required, and that the principles of this legislation are necessary. Without the Act, Special Events could not legally be held on roads.

Action: none possible.

2. Legislation not properly consulted on

The Roads (Miscellaneous Provision) Act (Northern Ireland) 2010 was enacted on 13 August 2010. The new legislation was subject to the full rigour of the Assembly legislative process, including detailed scrutiny by the then Committee for Regional Development, link to archive as follows:

http://archive.niassembly.gov.uk/regional/2007mandate/reports/report_59_09_10r.htm

Both the policy provisions and the draft legislation were also subject of full public consultation. Councils were specifically written to at the time and offered the opportunity to meet with officials

Possible remedy – As the legislation was subject to the normal NI Assembly process no remedy in this area is required.

Action: none proposed.

3. Equality screening needs revisited

Before enactment, the draft Act was subject to the full rigours of the NI Assembly's legislative process which included screening for equality of opportunity. Any new policy or legislative change as a result of this review will also be screened.

Possible remedy – As the legislation was subject to the normal NI Assembly process, no remedy in this area is required.

Action: none proposed.

4. Choice of Relevant Authority and the Associated Resource Burden

Some respondents questioned the decision to make the local Council the relevant authority for administering orders for holding Special Events on public roads suggesting that either the Department or the PSNI were better placed to perform this function.

The Act, in part, amends the Road Traffic Regulation (Northern Ireland) Order 1997 to provide the relevant authority with the power to prohibit or restrict, by order, traffic using a public road for the purpose of holding a Special Event, such as a street party, or sporting event. In most cases the relevant authority will be the Council for the area in which the road is located. The exceptions being any Special Events proposed for a special road, which are mainly motorways, for which the Department for Infrastructure is responsible.

The Act represented the will of the Assembly that these matters should be the responsibility of Councils and reflected an overall desire to devolve more local decision making to Councils. The Northern Ireland Local Government Association (NILGA) has indicated previously in a meeting with the DfI Permanent Secretary on 12 March 2019 that the power was now with the right people but has asked that the requirements and procedures be reviewed. In their responses to this exercise some Councils raised the issue of an increased level of resource burden on them without any associated financial assistance from central government. There is no specific budget available for this work which is in part the reason why a discretionary power was included in the Act to allow relevant authorities, including Councils to recover costs associated with administering applications for Special Events.

Possible remedy – it is considered that Councils, apart from applications for events on special roads, are still best placed to make these locally based decisions so no change is proposed.

Action: none proposed.

5. Councils Lack Monitoring and Enforcement Powers

There are two offence provisions in the Act, one for using a vehicle in contravention of any restriction or prohibition imposed by an Order, and the other for any promoter who fails to comply with any requirement imposed by an Order. In both cases any punishment would be handed down by the PSNI. In making the Order the Council would be best placed to identify any contraventions, and would be in a better position to witness any potential offences. In this respect it was always envisaged that the Council would be involved in the enforcement process but would not be the enforcement authority. As both offences will primarily be committed on the public road, and could potentially lead to serious consequences, it is considered that the offence provision is correctly assigned.

Possible remedy – no changes to the legislation identified.

Action: Councils could be reminded of the responsibility that would normally be associated with making an order.

6. The Need to Advertise Orders and the Associated Costs

The Act requires that the relevant authority publish a notice in at least one local newspaper circulating in the district in which any affected road is situated. The notice publishes relevant details of the Special Events and the roads affected and invites written representations during a 21 day period following the publication of the Notice.

Respondents have raised concerns about the cost of placing an advertisement which can range from a few hundred pounds to over a thousand pounds depending on the detail needing to be included and the type of newspaper. Costs vary as rates for local provincial papers will be cheaper than for the three main national daily papers.

Respondents have also indicated they feel there are more effective and cost efficient ways of doing this by either using Council websites or social media platforms.

The 21 day period was also cited as being overly long especially for Special Events that need to be put in place quickly. This is particularly relevant in the film and advertising industry which works at pace, often with very short lead-in times for film crews.

Possible remedy – this issue could be eased by removing the need to publish the Notice in a newspaper, and by shortening the time provided to allow people to provide representation within the legislation. However care still needs to be exercised as adequate public notification would still be required.

Action: pursue possible options for change with a view to amending legislation.

7. Lack of Appeals Process

The Act does not contain provision for an appeals process should an application for a Special Event be rejected, or indeed is accepted and goes ahead despite the concerns of others.

The Act was drafted on the basis that all decisions taken when processing applications for Special Events be made in the most democratic local forum available, the Council. Decisions would be made with the best interests of local people by local representatives.

Possible remedy – either amend the legislation to build in an appeals process or add commentary on how appeals could possibly be handled in the guidance to Councils.

Action: in the short term pursue the option of including an informal appeals process in the guidance to Councils with a possible longer term solution of writing it into the Act.

8. No Flexibility if a Special Event is Postponed

While the advertised Notice only requires the time and date of the proposed Special Event to be listed, it does not seem unreasonable to include an alternative date or dates, if these are available. However it would be difficult to cater for unexpected postponements, unless the notification period is reduced.

Possible remedy – provide a means of introducing some flexibility.

Action: include alternative dates in Notice when possible, and look to reduce the statutory notice period from 21 days.

9. Consistency of approach between different legislation controlling different types of event being held on a public road

The procedures introduced by the Act differ from other pieces of legislation in that the PSNI is no longer involved with the approval and control process. The legislation which controls public processions, and cycle races on roads are two examples.

Under the Act the relevant authority will stipulate in the Order what requirements will fall to the promoter/event organiser, and this will generally include a requirement to adequately control and manage the movement of traffic.

Public resources are generally not available to help promoters put on Special Events so promoters should properly bear the costs associated with holding an event on roads, this would be no different to the Special Event being held elsewhere or off-road.

The Department, while not proposing to change the legislation to shift the responsibilities associated with holding Special Events away from their promoters, does accept that other legislation places some of the burden on others.

Possible remedy – none proposed in terms of amending the different pieces of legislation governing different types of events. However, the Department will explore possible options to see if temporary traffic management arrangements can be delivered in a more cost effective way, and see if it is possible to remove the need to advertise closures for Special Events in local newspapers.

Action: pursue possible changes identified elsewhere in this review report.

10. Guidance Too Detailed and Complicated and in Some Areas Out of Date

The ability to provide guidance for Special Events promoters and Councils is a discretionary power within the Act.

The current guidance was drafted under the auspices of a Society of Local Authority Chief Executives for Northern Ireland working group comprising a number of representatives from local Councils, the PSNI and the Department. While care was taken to seek to make each them accessible in terms of readability, it is accepted that the guidance documents are extensive and quite detailed. The nature of the subject area does not readily lend itself to providing concise and brief guidance. The questions asked by the working group during drafting drove the content that was provided and ultimately the level of detail.

While the Act requires Councils to have regard to any guidance when deciding to make an Order, the guidance was largely intended to be an aid to Councils and promoters, and that through time levels of experience would grow and it will become more of a 'trouble-shooting' tool rather than a document that needs to be read front to back. Involving the main stakeholders in the administering of Special Events was intended to ensure consistency in applications.

Possible remedy - the Department would be content to revisit the guidance with a view to making it more accessible and readable. This would be done in partnership with Councils and the PSNI. It will update any redundant or out-of-date references or links. The revision will look to see if flowcharts or other templates could be used to help illustrate the processes.

Action: revise and update guidance and, where possible, include sample templates.

11. Provide Sample Completed Application Forms

Some respondents requested that a sample completed application form be provided as a guide to applicants.

Possible remedy – consider when revising guidance.

Action: provide sample forms in guidance.

12. Twelve Week Lead-in Period for Applying for Special Events Considered Too Long

The Guidance for Councils and Special Events Promoters suggests that the relevant authority needs at least 12 weeks to give it enough time to properly process an application.

The 12 week period is not stipulated in legislation so it is not a mandatory requirement. It was included in the guidance as an aid to management bearing in mind that relevant authorities will have other applications to process, and other competing work to deal with. The 12 week period allows for factors such as the scale and complexity of Special Events, the possible need to guide new promoters through the process, and the need to resolve any issues along the way, especially those required where the needs of local residents and businesses need particular consideration. It also adequately accommodates the 21 day statutory Notice period.

It was envisaged that most Special Events promoters, particularly those organising regular or annual Special Events, will make contact with the relevant authority as early as possible.

It is recognised that the film industry, in particular, can be subject to very short timescales dictated by their clients or the availability of resources or the weather, and it was envisaged that relevant authorities should apply a degree of flexibility, within in the confines of the Act, when considering applications.

The 12 week period was never envisaged as a reason to reject applications, however it is recognised that some Councils may feel this is the minimum length of time they need to properly discharge their statutory duties under the Act.

Possible remedy – revise wording in the guidance to reflect the intention of the 12 week period but respecting the needs of Councils. This would be done in

partnership with Councils and the PSNI.

Action: reword guidance.

13. Temporary Traffic Management (TTM)

The provision of TTM along with the need to advertise Special Events are the two elements of the process that give rise to the majority of costs to promoters/applications and consequently attract the most negative reaction.

For the purposes of this review report and for ease of access the topic has been split into a number of discrete areas:

a. The need for temporary traffic management arrangements

This arises due to the fundamental need to direct and keep safe traffic using the road.

When traffic on a road is restricted or prohibited, traffic signs are needed to indicate the extent of the prohibition and barriers are utilised to prevent traffic from entering the area. It is a statutory requirement to warn of danger to traffic and it is essential this is done to the appropriate standards.

Before the commencement of the Act the management of traffic was largely handled by the PSNI which was in attendance at the Special Events. Following the introduction of the Act, the onus has been put on to the promoter to provide the temporary traffic management arrangements with the PSNI no longer having the resources to do so due to other competing policing duties. This transfer of responsibility and the associated burden it places on promoters is the main reason why race organisers want to return to the previous arrangements.

In response to the review it has been confirmed there is no likelihood of PSNI being in a position to assume responsibilities for traffic management again, there is however, potentially opportunity to adopt a new approach to the signing of some sporting events such as triathlons, cycling sports, and running and walking events similar to that used by the British Cycling accredited marshal scheme.

Possible remedy – explore the potential use of an approach similar to the British Cycling accredited marshal scheme for race events here.

Action: Department to explore British Cycling accredited marshal scheme and whether a similar approach could be used here for cycling, running and walking events.

b. Temporary Traffic Management (TTM) Plans

TTM plans are a very important aspect of the overall planning of any Special Event. The TTM plan will show the road on which the Special Event is being held as well as any diversionary routes. The plan ensures that roads of a similar class or similar traffic carrying capability are used for diversionary routes. The plan also ensures that the correct prescribed traffic signs are used when traffic is being restricted or redirected, as this is a statutory requirement.

Having a TTM plan agreed between the Department and the PSNI means that those providing the Department's consent and signing off the Order are confident that the proposed traffic management arrangements are sound.

It is acknowledged that in many instances it is best that the TTM plan be completed by competent persons, and like all professional services there will be a cost associated with this. For many annual Special Events which do not change their location or route, the TTM plan will in the main not vary and will only need to be produced once.

Possible remedy – given the potential risks of not doing so the Department could not sanction the approval of a Special Event without an adequate and agreed TTM Plan being prepared, so no remedy is possible. However it may be possible to provide a sample TTM plan in the Guidance as a template.

Action: consider including a sample TTM plan in the guidance.

c. Temporary Traffic Management Companies

Many respondents made comment about having to use dedicated TTM companies to provide signage and traffic management at Special Events, mainly on the basis of cost.

The use of dedicated temporary traffic management companies which have been authorised by the Department has a number of benefits:

- They have the necessary expertise and experience for working in live traffic;
- They will be accredited and comply with the appropriate National Sector Scheme for placing traffic signs on roads;
- They will be properly equipped with traffic signs that comply with the appropriate regulations and standards;
- They will have the appropriate personal protective equipment;
- They have the experience of working with the relevant agencies, such as the Department and the PSNI, and will likely have established working relations with both; and
- They will already have the necessary insurances for working on a public road.

Only the Department, its agents, streetworks licensees or people specifically authorised by the Department can legally place a sign on or near a public road. The authorisation is given under powers provided by Article 29(3) of the Roads Traffic Regulation (Northern Ireland) Order 1997 and in it the Department stipulates that only properly trained and competent people are responsible for providing the necessary arrangements to control traffic using the road, remembering that working in live traffic can be extremely dangerous. The Department also requires that anyone placing signs indemnifies the Department and that the signs used comply with the statutory requirements for traffic signs. Dedicated, and authorised, temporary traffic management companies by their very nature are therefore best placed to provide this service and the Department would therefore still recommend their use. The Department is however content to work with organisers to see if alternative trained and accredited persons could be authorised for the provision of signs, although the issue of sourcing the necessary prescribed signs would remain.

Possible remedy – use the LANTRA training “Traffic Management for Community Events”. This LANTRA training course was proposed by respondents and would seem to have been designed specifically for community groups planning to hold Special Events on public roads elsewhere. The Department would also intend exploring the potential use of an approach similar to the British Cycling accredited marshal scheme for race events here.

Action: the Department will explore the adequacy of the LANTRA training “Traffic Management for Community Events”, and also the potential use of an approach similar to the British Cycling accredited marshal scheme for race events here.

14. Tailored Approach for Community and Other Smaller Events

There are certain legal requirements that must be met when holding a Special Event on any public road irrespective of the nature of the organising body. For example, the legislation requires an application, people have to be notified and be given the opportunity to comment, the Special Events needs to be properly signed and protected, and traffic has to be redirected using the correct prescribed signs. These are necessary requirements to ensure the safety of those who use the road, those who are attending any Special Events and also to safeguard the event organisers.

It is however recognised that the location and nature of the road on which the Special Event is to be held should be a factor in determining the amount of time and effort required to develop an acceptable Traffic Management Plan. For example, quieter roads in housing estates will be easier to deal with than busy town centre streets, and a cul-de-sac within a housing estate will be easier to deal with than the main route through the estate which acts as a distributor road, so there is already a proportionate approach being employed.

There is also scope for economies of scale when dealing with a number of Special Events held simultaneously, for example commemorative street parties. The administration and the advertising of an order for these could be coordinated by the relevant authority and potentially be handled as one package. It is recognised that this may require Councils to work pro-actively but this should be possible.

Some smaller community-led events may be better suited to being held in alternative off-road locations such as a green space in the area, or at community centres or possibly their car parks. Choosing an off-street alternative would mean that the organiser is not exposing themselves to the same risks posed on the public road, and the associated costs of mitigating this. In addition these locations would have less impact on the travelling public and emergency services, and are potentially safer for all involved. It has to be noted that the legislation at paragraph 2(1)(b) says that an order should only be made *'if it is not reasonably practicable for the event to be held otherwise than on a public road'*.

Possible remedy – Councils should encourage the grouping of similar smaller events such as street parties. Special Events promoters should be encouraged to look for off-road sites as a potential alternative.

Action: Department to write to Councils to suggest looking at possible ways of grouping similar smaller events.

15. Consistency of Approach between Councils

The guidance for Councils issued under the legislation was intended to provide a standard framework within which to work. Indeed the Department was very deliberate in its efforts to ensure inclusion, and progressed this work through a SOLACE led working group that also had representation from the PSNI. It was envisaged that the guidance would bring about a consistency of approach.

The Department does acknowledge that Special Events differ in terms of size, type and location, and that the people organising and controlling the administration of applications may take different approaches when completing and dealing with an application. In the guidance, the Department largely makes recommendations rather than setting hard and fast stipulations, the exception being anything that is taken from the legislation. This approach is in recognition that in the main the Council is the decision making authority and must be able to exercise its own judgement when deciding to make an Order. Unfortunately the outworking of this is that different Councils may use the flexibility provided to take slightly different approaches to suit their own local circumstances. However, the Department will undertake to notify the Councils of the reported disparity in approach.

Possible Remedy – the Department to notify Councils of the issue of possible different approaches being taken in different areas.

Action: Department to write to Councils about this concern.

16. Consistency of approach between local Policing Districts

Some respondents indicated that there is possibly a disparity in approach between some local Policing Districts. This is similar to the previous issue which related to the possible different approaches taken by different Councils.

Possible Remedy – the Department to inform PSNI of the issue of possible different approaches being taken in their districts.

Action: Department to write to the PSNI about this concern.

17. Reconsider the Application of Costs for Voluntary/Community Special Events

The type of cost incurred include the publication of the notice of the forthcoming Special Event in a local newspaper and the administration costs associated with dealing with applications and making Orders. Some Councils pass all or part of these costs on to the Special Event promoter while others bear the cost.

When the legislation was being drafted it was recognised that the process of dealing with applications and making an Order will impose a resource burden on the relevant authority which is either the Department or the Council. Provision was therefore written into the legislation to give the relevant authority the discretionary power to recover its costs, paragraph 4 of Schedule 3A says *'the relevant authority may recover from the promoter the whole of the costs incurred by the relevant authority in connection with or in consequence of the making of an order, including in particular the cost to the relevant authority of complying with the requirement in paragraph 3(3) to publish notices'*.

Any decision to pass on all or part of the costs incurred is therefore one that has to be taken locally, and will in the most part be one for the respective local Council. Although this provision could be removed from the legislation, it is felt that having a discretionary power is the most pragmatic and fair approach available to all parties, and the public.

Possible remedy – none available to the Department, we will however inform Councils of the concerns raised by some respondents.

Action: Department to write to Councils about this concern.

18. Training/Workshops for Special Events Organisers

The Department would agree that provision of training would be worthwhile, and has previously held awareness sessions for Council staff and the PSNI. Practical

workshops working through actual examples would also be helpful for attendees. However, it would envisage some logistical difficulties seeking to reach all of the disparate range of groups who potentially can be involved in organising Special Events. Certain groups would be relatively easy to reach such as sporting groups that will normally be affiliated to a governing body while others such as community groups or those potentially only set up to organise a one-off Special Event, would be more difficult to identify.

While the Department would be content to be involved in organising any sessions it feels that in the main any training sessions/workshops should be Council-led, possibly at a local level, as in the main the Council is the relevant authority when deciding on the need for an Order.

Possible remedy – local Councils either collectively, under the auspices of either NILGA or SOLACE, or individually organise workshops. Officials from the Department and the PSNI should also be invited to attend.

Action: Councils to consider organising local workshops.

19. Councils Still Need the Department's Consent Before Making An Order

The legislation at paragraph 2(7) of Schedule 3A states that '*a Council may not make an order except with the consent of the Department*'. This reflects the legal position that the Department is the authority responsible for the maintenance and operation of the road network. In requiring the Department's consent, the provision ensures that the Department's position as road authority is maintained.

Having to seek the Department's consent does add an additional layer to the process and it is recognised this in turn adds to the timescales for processing applications. It also places an additional level of legal responsibility onto a process that already involves the making of an Order. Some have asked, what was the point of giving Councils the power to make an Order if, ultimately, control still rests with the Department. There would seemingly be merit in checking whether this provision is warranted or still required, although the real issue is a more of a practical one. In seeking the Department's consent a check is also carried out to see if the proposed road closure and the use of any associated diversionary routes conflict with any other road closures granted by the Department. It is in no one's interest to put a

significant effort into arranging a Special Event only to subsequently discover that the road is closed for maintenance purposes. The Department also grants road closures for utility companies which again needs to be coordinated so as not to adversely impact on a Special Event or the travelling public.

Possible Remedy – seek to find a better means of coordination of road closures.

Action: the Department to seek a legal opinion on whether this provision can be removed or whether it needs to be retained. Consideration to be given to alternative ways to coordinate road closures on the network.

20. Cycle Races Postscript

Following the close of this review, the PSNI has asked whether the current approach and legislation governing the holding of cycle races on public roads can be explored as part of any work seeking to amend the current special events provisions.

A number of recent incidents at cycle races has prompted the PSNI to question if the Cycle Racing on Roads Regulations (NI) 1986 which are made under Article 45(1) of the Road Traffic (NI) Order 1995, is still fit for purpose.

Possible Remedy – include cycle races in the types of event covered by the special events provisions.

Action: the Department to explore the possibility of adding cycle races to the list of events covered by the Special Events provisions.

4. Listing of Proposed Actions

This section lists the proposed actions coming from the review.

- Consider amending paragraph 3(3) of Schedule 3A of the RTRO which in part reads '*...the relevant authority shall publish in at least one local newspaper circulating in the district in which any affected road is situated a notice...*' to remove the need to publish in at least one local newspaper.
- Consider amending paragraph 3(4)(g) of Schedule 3A of the RTRO which in part reads '*...that representations in writing may be sent to the relevant authority within such period as is specified in the notice (not being less than 21 days from the date of the last publication of the notice)*' to reduce the 21 day notice period to a shorter period possibly 7 days.
- Explore the possibility of removing paragraph 2(7) of Schedule 3A of the RTRO which reads '*A Council may not make an order except with the consent of the Department*'.
- Consider the possibility of removing paragraph 1(3)(C) from Schedule 3A of the RTRO – so that cycle races are handled under the special events provisions, any consequential amendment of Article 45 of the Road Traffic (NI) Order 1995 'Regulation of cycle racing on public roads' would also need considered.
- Pursue in the shorter term the possibility of including an appeals process in the guidance to Councils, and in the longer term consider if it needs written into the Act.
- Revise guidance with a view to simplifying the language used and the inclusion of flow-charts and sample application forms. Update all links.
- Confirm in guidance that the 12-week lead in period is recommended as good practice to assist with the management and processing of applications for Special Events.

- The Department to explore British Cycling accredited marshal scheme and whether a similar approach could be used here for cycling, running and walking events.
- Include a sample temporary traffic management plan along with the revised guidance.
- The Department to explore the adequacy of the LANTRA training "Traffic Management for Community Events".
- The Department to write to Councils:
 - i. To explain the Councils' roles in terms of monitoring and enforcement;
 - ii. To advise Councils of the requests for a consistent approach between Councils;
 - iii. To advise Councils of requests that costs to not be recovered for Voluntary/Community Special Events;
 - iv. To suggest that Councils look at possible ways of administratively grouping similar smaller events, such as street parties;
 - v. To suggest that alternative dates could be included in the advertised notice to provide greater flexibility should events be postponed; and
 - vi. To advise Councils of the request for workshops.
- The Department to inform the PSNI of the issue of possible different approaches being taken in different districts.

Unclassified

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ITEM 16**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Waste and Cleansing Services
Date of Report	06 September 2023
File Reference	68003
Legislation	Waste and Contaminated Land (NI) Order 1997
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input checked="" type="checkbox"/> If other, please add comment below: N/A
Subject	Public Recycling at Council Events
Attachments	None

Background

Members may be aware that various efforts have been made in the past to promote recycling of waste by the public when attending Council organised events in the Borough. These efforts have unfortunately often achieved limited success, with many event goers either ignoring recycling bins provided and using general litter bins instead, or being indiscriminate in what they place in recycling bins with the result that the contents have often been so grossly contaminated that they are unsuitable for sending for processing by our recycling contractors.

New Events Recycling Strategy

Officers from the Waste and Cleansing Department have worked with our Events Manager and her team to develop a new strategy to this subject, aimed at securing better recycling outcomes. The new approach comprises several key elements/features:

- Restricting access to permanently located general litter bins that exist in the environs of the event that is being held. This involves physically closing off

Not Applicable

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access to the bins for the deposit of mixed waste/litter - with clear signage being placed on these bins and more widely in the environs of the event, directing the public to the 'Event Recycling Station'.



- Placement of a significant prominent/centrally located and signposted 'Recycling Station' at the event venue, with receptacles for separate disposal food, glass and blue bin recyclable waste/litter items.



- Continuous supervision of the Recycling Station by Council staff throughout the duration of the event, who are able to monitor/control what is placed where and support the public with advice in this regard.

Not Applicable

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Recent Event Recycling Outcomes

The implementation of the new strategy on Events Recycling has been hugely successful, as evidenced by outcomes achieved at the following high profile Borough events:

- At the Sea Bangor event in June, we secured zero cross contamination of litter disposal bins, with a staggering 98.5% of litter being successfully collected in the correct container for recycling – resulting in almost four tonnes of recyclable waste (blue bin recyclables, organic compostable waste and glass) being diverted from landfill.
- At the Comber Earlies Festival in June, we secured 97.6% recycling – again with zero cross contamination of bins. Two tonnes of waste were diverted from landfill.
- At the Pipe Band Championships in July, we again achieved zero cross contamination of waste in bins, with 98.5% recycling of public litter secured and over one tonne of waste diverted from landfill.

This approach is now the standard protocol for managing litter waste at all Council events and is now consistently demonstrating an almost 100% effectiveness in diversion of recyclable litter waste from landfill. Cleansing and Events staff have remarked at the level of public support there has been for the initiative, with many event goers taking time to commend staff at how pleased they are with the highly visible efforts being taken by the Council to secure event litter recycling outcomes.

Impact Upon Wider Borough Recycling Strategy

Whilst the landfill and cost savings are relatively modest for the recycling of waste at Council organised events (relative to our overall municipal waste arisings), there are however several other key strategic benefits to be gained:

- It sends out a clear, visible demonstration of the Council's commitment to promoting and 'living out' sustainability its own activities.
- It elevates the specific subject of recycling as a key part of the overall sustainability agenda; everyone (numbering thousands of people) who attends our events are brought into direct contact with recycling messaging when they dispose of the litter waste they generate during their day out.
- As people take note and directly experience recycling messaging and see the lengths the Council is going to in order to secure maximum recycling of items of litter at events, they are inclined to think more about which bin they are placing their waste into at their homes - and ultimately to engage more fully in the Council's kerbside and HRC recycling services.
- It helps place Ards and North Down firmly on the map in terms of its sustainable tourism offering, appealing to people from far and wide who are likely to be attracted into the Borough to our events as a consequence of our strident efforts to promote recycling and the wider sustainability agenda.

It has been a significant challenge to find an effective strategy to address this issue, and officers from the Events and Waste and Cleansing Departments are to be commended on their persistent endeavours; this Council now leads the way in promoting recycling engagement by the public at events. We will continue to consistently and rigorously apply this protocol to the management of litter waste at all

Not Applicable

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of our Council events going forward, with officers working collaboratively across departments in this regard – and this activity will be promoted as a key strand of our overall sustainable waste resource management messaging programme.



RECOMMENDATION

It is recommended that the Council notes the report.

Unclassified

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ITEM 17**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Waste and Cleansing Services
Date of Report	01 August 2023
File Reference	53042
Legislation	Waste and Contaminated Land (NI) Order 1997
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input checked="" type="checkbox"/> If other, please add comment below: Not relevant
Subject	Northern Ireland Local Authority Municipal Waste Management Statistics, January to March 2023 and Quarterly Update on Recycling Progress
Attachments	Appendix 1 - Recycling Engagement Campaigns Report (Brought to October 2022 Environment Committee) Appendix 2 - Media Release

Introduction

The official waste management statistics for the final quarter of 2022/2023 (January to March 2023) have been released by the Northern Ireland Environment Agency.

Members will recall a report brought to Committee in October 2022 (Appendix 1) outlining the strategic challenge facing the Council in respect of its faltering performance on recycling over the previous 2-year period and the legal, financial and environmental implications of this.

At that time the Council approved a package of measures to promote and improve the level of recycling engagement by householders across the Borough, as outlined in the report. To help keep us focussed upon the sustained implementation of

Not Applicable

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agreed measures and track progress on delivering the target outcomes, it was agreed that quarterly update reports would be brought to Committee by officers.

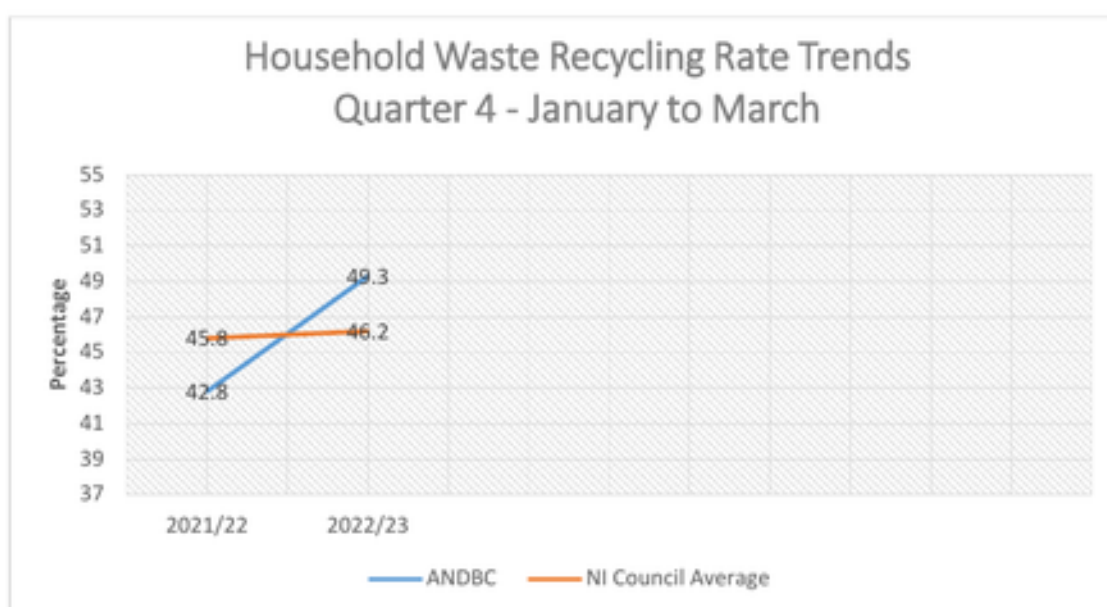
Up to now we have used 2015/16 as our baseline year when reporting the NIEA waste management statistics to the Committee, tracking our progress each quarter from that period. Following the development and commencement of a renewed programme of actions in December 2022 aimed at reinvigorating our recycling performance, it is now planned that the baseline year used to track our progress and the success of that programme of action, will be 2021-22. Therefore, from this quarterly report onwards, we will:

1. Report key quarterly waste management performance statistics relative to the new baseline year of 2021-22, and
2. Provide some detail around operational waste service management activities/actions that have been implemented during the quarter with the aim of improving performance.

Northern Ireland Local Authority Collected Municipal Waste Management Statistics – January to March 2023

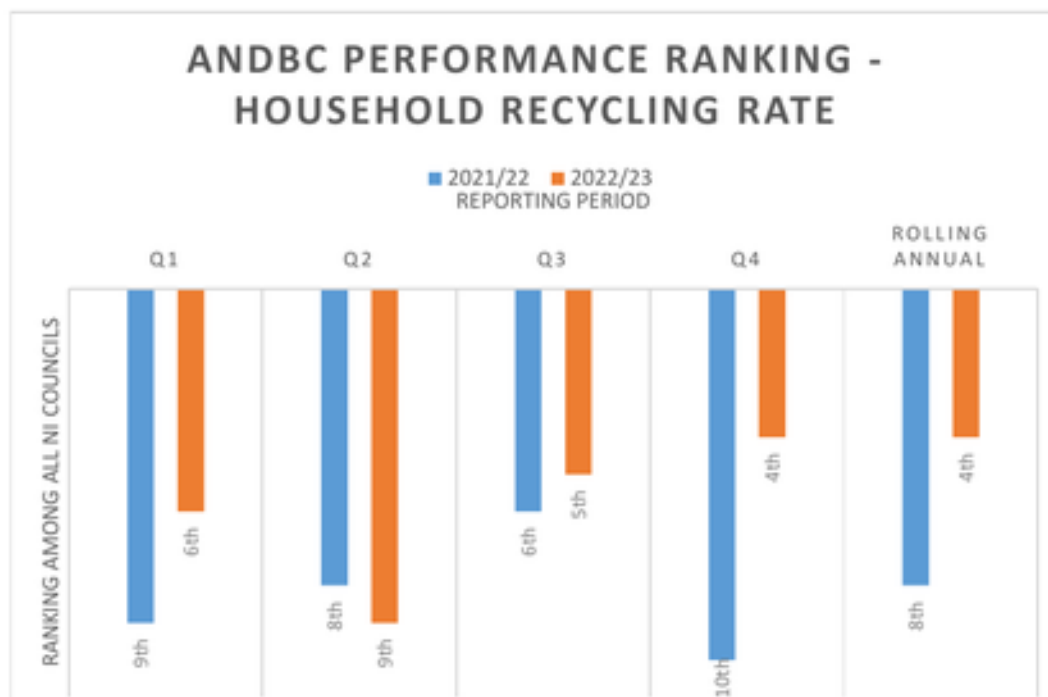
The significant headlines contained within the latest DAERA report show that:

- i. Our household waste recycling rate **increased by 6.5%** compared to Q4 last year, (from 42.8% to 49.3%).

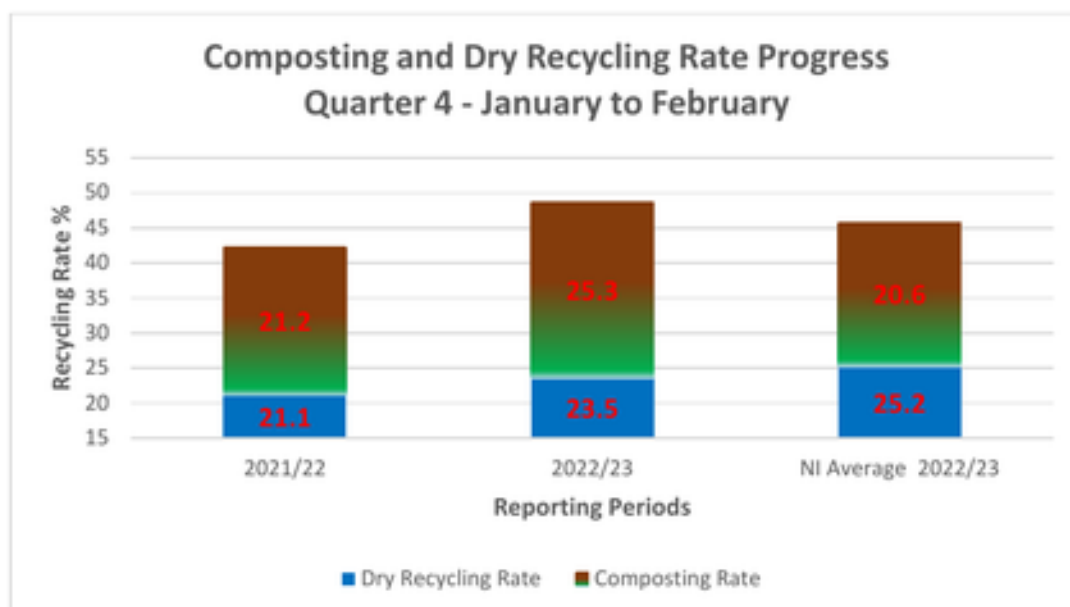


- ii. Our household waste recycling rate of 49.3%, was 3.1% **higher** than the NI average of 46.2%.
- iii. We were ranked **4th** out of the eleven NI Councils for our household waste recycling rate.

Not Applicable



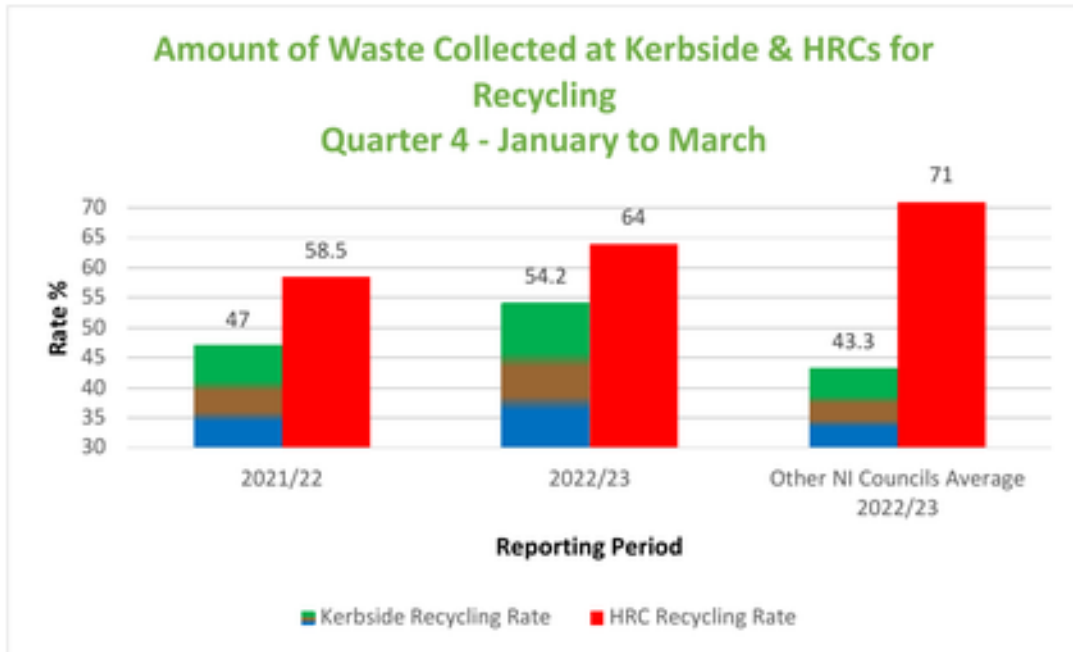
- iv. Our household waste composting rate **rose** by 4.1% (from 21.2% to 25.3%) and was 4.7% **higher** than the NI Council average (ranking 3rd out of 11 Councils).
- v. Our household waste dry recycling rate **rose** by 2.4% (from 21.1% to 23.5%) and was 1.7% **lower** than the NI Council average (ranking 8th out of 11 Councils).



- vi. We received 13% more waste per capita at our HRCs compared to the average for other NI Councils (down from 36%).

Not Applicable

- vii. 64% of HRC waste was collected for recycling (up from 58.5%), compared to a 71% average for other Councils.
- viii. The amount of waste collected for recycling through our kerbside bin collection system was higher than the average for other Councils – 54.2%, compared to an average of 43.3% for other Councils.



Operational Performance Improvement Measures Programme Launch

Our renewed campaign launched in December 2022 required the development of a range of communications and marketing tools, most significant of which was our new 'Recycle Guide' that outlines all our key recycling messages. The guide was delivered by mail to every home in the Borough over a three-week period in November 2022.



Not Applicable

An electronic version of the guide was added to the Bins and Recycling section of the Council's web site and publicised through the Council's Bin-Ovation App.

[AND Recycling Guide 2022 \(adobe.com\)](https://www.andsonorthdown.gov.uk/and-recycling-guide-2022)



Bin-Ovation Campaign Message

A range of communication channels were used to promote the campaign, including posters in local community hubs, banners in outdoor public spaces, social media posts and local media articles. These carried two main messages as illustrated below:



Not Applicable



The media release used to launch the campaign is attached at Appendix 1.

A feature in the local newspapers also saw a journalist and her family give an insight into their recycling journey.



Not Applicable

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A key strapline message used across communications, was the slogan '**Recycle today. Recycle every day!**'. The aim of this was to promote the 'normalising' of recycling as a simple, instinctive, everyday household activity in all homes across the Borough.

Campaign Progress – Performance Outcomes and Indicators

Marketing and Communications Indicators

Our new Recycling Guide was delivered to over 80,000 addresses across the Borough.

MC1 - twenty-five social media posts were issued, with associated engagement/management of feedback across Waste and Recycling on ANDBC corporate channels. Header images on all social media channels were also present throughout campaign.

MC2- ten articles were published in print press and online. The renewed campaign featured in the Spring 2023 edition of the Borough Magazine, delivered to all households in Borough.

Our main recycling page on www.ardsandnorthdown.gov.uk consistently falls within top three visited pages on the website.

Household Recycling Centre Indicators

HRC1 – Volume of blue bin recyclable materials separated from mixed waste by residents on-site: **1.322M Litres**.



This equates to approximately **55 tons** of blue bin waste; whilst this is a relatively modest weight of material, it represents a very large/visible volume of recyclable waste extracted from bags of mixed waste which was initially intended to be placed landfill skips at HRCs. A collateral benefit of this practice of requiring removal of blue bin recyclables from black bags of mixed waste before using the landfill skip, is that it should help to 'educate' householders - promoting more efficient separation of waste in the home and greater use of blue bins at the kerbside.

Not Applicable

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This represents just one type of recyclable waste category which was prevented from entering landfill skips at HRCs as a consequence of our more focused attention to supervision of landfill skip access; many other recyclable waste types will also have been prevented from entering the landfill skips as reflected in KPI, HRC3.

HRC2 – Number of out-of-Borough visitors turned away from site: **1742**.



This is a significant number in itself, but it is likely to be the case that a significant number of out of Borough residents will have avoided coming to our sites because of the widely publicised focus upon checking ID for everyone entering and those turned away will in all probability avoid further attempts to enter and use our HRCs; the impact of this will also be reflected in HRC3 and other KPIs.

HRC3 – % change in tonnage of total waste received (compared to same period in 2021-22)

- We experienced a **16% decrease** in the total amount of waste received at our HRCs, down from 6409T to 5405T.

HRC4 - % change in tonnage of waste received for landfill (compared to same period in 2021-22)

- We experienced a **27% decrease** in the amount of waste received for landfill at our HRCs, down from 2659T to 1942T.

HRC5 - % change in tonnage of waste received for recycling (compared to same period in 2021-22)

- We experienced an **8% decrease** in the amount of waste received for recycling at our HRCs, down from 3750T to 3463T.

Not Applicable

HRC6 - % change in proportion of HRC waste materials collected for recycling (compared to same period in 2021-22)

- We experienced a **5.5% increase** in the proportion of all waste received at HRCs which was collected for recycling, up from 58.5% to 64%.

Kerbside Household Waste Collections Indicators



KS1 – Number of recycling alert stickers applied to grey bins (yellow): 2784

KS2 – Number of recycling alert stickers applied to grey bins (amber): 255

KS3 - Number of recycling alert stickers applied to grey bins (red): 52

KS4 – % change in tonnage of total waste collected (compared to same period in 2021-22)

- We experienced an **4.8% increase** in the total amount collected at the kerbside, up from 12,241T to 12,289T.

KS5 - % change in tonnage of grey bin waste collected for landfill (compared to same period in 2021-22)

- We experienced a **9.3% decrease** in the amount of grey bin waste collected, down from 6482T to 5877T.

KS6 - % change in tonnage of waste collected for recycling (compared to same period in 2021-22)

- We experienced a **20.7% increase** in the amount of waste collected for recycling, up from 5759T to 6952T.

KS7 – % change in proportion of kerbside waste materials collected for recycling (compared to same period in 2021-22)

- We experienced a **7.2% increase** in the proportion of kerbside waste that was collected for recycling, up from 47% to 54.2%.

Not Applicable

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Summary and Trend Analysis of Indicators

Indicator Reference	Monitoring Period 1 (December 2022 – March 2023*) *Waste tonnage indicators reflect period January to March 2023 only	Monitoring Period 2 (April 2023 – March 2024)
MC1	25 Social media posts	
MC2	10 Print press and online articles	
HRC1	1,322K Litres Blue bin waste	
HRC2	1742 Visitors Denied entry	
HRC3	16% Decrease Total HRC waste	
HRC4	27% Decrease Landfill skip waste	
HRC5	8% Decrease Recycling skip waste	
HRC6	5.5% Increase HRC recycling rate	
KS1	2784 Yellow warning stickers on grey bins	
KS2	255 Amber warning stickers on grey bins	
KS3	52 Red warning stickers on grey bins	
KS4	4.8% Increase Total kerbside waste	
KS5	9.3% Decrease	

Not Applicable

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	Grey bin waste	
KS6	20.7% Increase Kerbside recycling waste	
KS7	7.2% Increase Kerbside recycling rate	

Summary Analysis of Indicators

This first report of this type shows a very encouraging picture, and generally conveys commencement of a reversal of the downward trend that we've experienced in our sustainable waste resource management performance over the past couple of years. Following the relaunch of our recycling education campaign and the focussed/sustained implementation of key HRC and kerbside collections controls, we are now seeing two important outcomes:

1. A fall in the total amount of landfill waste both at HRCs and at the kerbside. Overall, we received/collected less 1,322 tons of waste destined for landfill over a 3-month period (January – March) compared to the same period last year; at current landfill cost (£127.42/T), this represents a £168,449 saving.
2. A significant rise in our recycling rate, both at HRCs and at the kerbside. The percentage of materials collected for recycling at our HRCs rose by 5.5% and at the kerbside by 7.2% compared to the same period last year. Our overall Borough household waste recycling rate rose by 6.5%.

Whilst the indicators set out in this report are very encouraging indeed and reflect a lot of hard work and dedication on the part of our waste and recycling teams, we will undoubtedly have much further progress to make if we are to have any chance of ultimately reaching the 70% recycling target for 2030 that is laid down in the Climate Change Act (Northern Ireland) 2022. The new booking system for HRC access, along with the planned review of our kerbside collections model and a strategic review of our HRC capital assets – as set out in the transformation agenda report agreed by Council in April – will be critical in both bedding in/sustaining the gains outlined in this report, as well as facilitating the further step changes in recycling engagement required to propel us further towards the 70% recycling target.

It is important to stress that step change, sustained improvements in both the HRC and kerbside recycling rates will be required to move us from the current c50% recycling rate towards the new 70% target.

RECOMMENDATION

It is recommended that the Council notes the report.

Unclassified

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DRAFT**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Environment Committee
Date of Meeting	05 October 2022
Responsible Director	Director of Environment
Responsible Head of Service	Head of Waste and Cleansing Services
Date of Report	05 September 2022
File Reference	69001
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	Recycling Engagement Campaigns
Attachments	Appendix 1 - Policy on Access and Use of Household Recycling Centres Appendix 2 - Policy on Permit System for Householder Access to HRCs Using Vans and Large Trailers Appendix 3 - Policy for the Provision of Kerbside Waste Collection Service

1.0 Background

Members will be aware of the worrying trend over a now prolonged period, of declining recycling rates and increased landfill - as indicated in successive quarterly municipal waste statistics reports during the past couple of years.

The Climate Change Act (NI) 2022 was passed in June this year and introduces a new very challenging recycling target of 70% by 2030. During the past 12 months, our Borough recycling rate slumped to 48.3% (from a previous high of 54.7%); the task ahead of the Borough to meet the new statutory recycling target is therefore very significant indeed and will call for further huge step changes in levels of resident recycling engagement.

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During the last financial year (2021/22), we collected 40,124 tons of waste for landfill. The landfill cost of this at current gate fees/landfill tax rates is almost £4.8M. For each ton of waste receipt that is avoided - by promotion of waste reduction by our residents and/or preventing infiltration of illegitimate waste from our waste management system - the full cost of waste processing is avoided. The unit cost of recycling our major categories of recyclable waste streams is half or less than that of landfill, therefore the saving opportunity by recycling more of what we do collect is extremely significant.

Waste Stream	Cost per Ton
Landfill	£121.60
Blue Bin	£36.38 (net of revenue share)
Separated Garden Compostable Waste (HRCs)	£49.68
Brown Bin Compostable Waste	£63.95

It is anticipated that the cost of disposing of residual (non-recycled waste) will rise sharply above current rates, next year; although the level of increase is yet to be determined depending upon the outcome of procurement exercises and the level of landfill tax rise in April 2023, it is not unreasonable to estimate a potential rise of 20% or more - bearing in mind that landfill tax rises alone are linked to RPI and this is projected to reach up to 18% later this year. Therefore, if landfill levels were to remain on a par with the 2021/22 year, the £4.8M landfill bill could rise to around £5.8M.

If our municipal waste arisings per capita were brought down to the average for other NI Councils, based upon the 2021-22 baseline, this would reduce our total municipal total waste arisings by some 3,240 tons to c88,193 tons. Achievement of the statutory 2030 recycling target of 70% of this lower 'average' total Council tonnage, would result in a landfill figure of 26,458T. This is some 14K tons less than the amount of municipal waste we landfilled last year.

The combined potential savings in terms of avoided waste arisings through both alignment/reduction to average NI Council waste receipt levels and compliance with statutory recycling target for waste we do receive, is estimated at around £1.1M per year. This estimate is based upon current prices and an average cost of recycling across all recyclable waste types of c50% of the cost of landfill. As indicated above, with the ever-increasing focus in the move to a circular economy and a likely rise in the commodity value of recyclables along with the projected rising cost of landfilling and incineration of residual waste, the potential savings are likely to even greater – potentially significantly so.

2021-22 Baseline Municipal Waste Tonnage	91434 T
Tonnage Based Upon NI Council Average	88193 T
Landfill 2021-22 Baseline	40142 T
Landfill Based Upon Alignment with NI Average plus Achievement of New Statutory 70% Recycling Target	26458 T
Disposal Cost Saving from Avoided Waste Receipt (Alignment with NI Council Average)	£354106
Disposal Cost Saving by Achievement of New Statutory 70% Recycling Target	£663000

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Potential Total Estimated Annual Saving in Waste Disposal/Treatment Costs (Alignment with NI Council Average Waste Receipts plus Compliance with New 70% Statutory Recycling Figure)	£1.057M
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Following discussions with Party Group Leaders over the past few months, it is now planned that major campaigns will be launched in a bid to address a range of issues that have been identified as adversely impacting our sustainable waste resource management agenda, and to reinvigorate levels of recycling engagement amongst our residents.

As part of the programme, both key elements of our waste management service - the Household Recycling Centre service and the Kerbside Waste and Recycling Collection service - will see a structured and rigorous implementation of various terms and conditions of service use that have been agreed by Council and built up over the past number of years with the aim of minimising landfill and maximising recycling. Whilst these rules around service use have been promoted and enforced to varying degrees in the past, the forthcoming programme will see a much more structured, continuous and consistent application during the course of routine service delivery.

2.0 Household Recycling Centre Service

It is planned that site operational management arrangements will be put in place to ensure that everyone accessing and using our HRCs, does so in compliance with agreed terms and conditions of use of this service. This will include the following resourcing measures to achieve delivery of agreed rules/outcomes:

- Everyone presenting to access all HRCs will be required to show proof of residency within the Borough (such as driving licence, rates bill, utility bill or bank statement showing residential address). Site access points will be restricted and supervised to enforce this rule.
- All prospective site users will be asked on entry to confirm that all items they are bringing for disposal are their own household waste items, arising from their residence within the Borough. Site staff will refuse entry where they have reason to believe that this is not the case, for example the frequency of visits and/or the nature of waste being transported is not consistent with legitimate householder use of the HRC service.
- All prospective site users will be asked if they have separated all recyclable from landfill waste items, otherwise they will be directed to newly designated 'waste sorting areas' on sites.
- Recyclable waste items and mixed waste that may contain recyclable waste, will not be permitted to be deposited in landfill skips; access to all site landfill skips will be continuously monitored/controlled to enforce this rule.
- The number and configuration of waste containers will be reviewed and changed to reflect the new rules and promote the recycling emphasis on site; this will lead to a reduction in landfill skips and an expansion of recycling containers/options on sites.
- Those accessing sites with a van/trailer will be required to apply for a permit and will be asked to produce proof of residency ID along with their valid

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permit at the point of entry; use of the permit to gain access will only be allowed by the householder who has applied for it. They will be asked at the point of entry to confirm that all of the waste they are transporting into the site is their own household waste from their own residence within the Borough. Unloading of waste will be supervised to monitor and enforce conformity with rules. Permit access will be refused where these conditions are not fulfilled.

- Use of Charity access permits will be more rigorously monitored and controlled, to promote greater assurance that all waste brought into our HRCs using such permits is waste arising from within the Borough and is from the charitable operations of charities with a registered base within the Borough. Only designated/nominated persons will be allowed to use the permit on behalf of the authorised charity and those persons will be required to produce proof of ID on entry along with the permit itself. Unloading of charity waste will be supervised to monitor and enforce conformity with rules. Permit access will be refused where these conditions are not fulfilled.
- Where contravention of HRC site access and use rules are breached, future access may be denied for up to 6 months.

The site rules referred to above, largely already agreed by Council over recent years, have been drawn together in policy document format at Appendices 1 and 2.

Additional manpower resourcing will be required to implement these rules rigorously and consistently, and it is proposed that this will be achieved in the short term through deployment of temporary/Agency staff to allow the opportunity to gauge success (impact on waste volumes/recycling rates/waste processing costs).

The weekly cost of the required additional manpower resource is estimated at £6K, although full recovery of this would require a reduction in landfill tonnage of just around 50 tons of waste from all our HRCs (c20%); any waste disposal savings accruing thereafter would be a net financial benefit to Council. Notwithstanding this, the cost of additional manpower can be met in the short term by unbudgeted revenue share from our blue bin processing contract, accrued from higher than projected market value of recyclable materials - therefore no additional budget requirement is anticipated as a consequence of this initiative.

3.0 Kerbside Waste Collection Services

Members will recall that pre-Covid, Council had developed a protocol for monitoring and enforcing compliance with agreed kerbside recycling rules (as set out in the already approved policy document at Appendix 3). The arrangements in place for checking grey bins for recyclable waste items and implementation of a warning sticker system (which could ultimately lead to suspension of the grey bin collection until recycling breaches had been corrected), were necessarily suspended during the pandemic.

It is now planned that a renewed and reinvigorated campaign will be implemented to educate around, monitor and enforce proper use of kerbside recycling services – using the same protocols as those that have already been devised and approved. However, concerted efforts will be made to relaunch this campaign in an even more high profile and robust fashion. Each bin collection crew will assume responsibility

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for monitoring, recording, and reporting grey bin recyclables checks – and supervisors and recycling officers will implement a routine and consistent protocol to promote a sustained focus by householders upon proper use of the various aspects of our kerbside waste and recycling services. The job description of Refuse Collection Vehicle Drivers has been amended in recent times, to emphasise their 'team leader' role as well as several key duties associated with promoting householder engagement in kerbside recycling.

4.0 Recycling Education and Communications

A major communications and education campaign will be developed and delivered by the Waste and Cleansing Department, in collaboration with our Corporate Communications team, for each of these two key elements of service development. It is envisaged that this will include direct mail communications to all homes, clearly setting out the key terms and conditions of use for HRCs and Kerbside Waste Collection Services and providing further key recycling information messages to assist residents in improving their levels of recycling engagement.

The estimated cost of the communications campaign is estimated at £25K, with £5K coming from the Corporate Communications budget and c£20K coming from in year surplus in the blue bin contract costs due to the unbudgeted revenue share.

5.0 Campaign Monitoring and Review

It is proposed that the above campaigns will be implemented as soon as operationally feasible, anticipated to be November 2022. The impact of the campaigns will be carefully monitored and reported to Council next year, with an assessment of the scale of their likely contribution to achieving the new 2030 statutory 70% recycling target as set out in the Climate Change Act (NI) 2022. At that stage, depending upon the success of these measures, other measures such as reorganisation of the kerbside bin collection rotas to prioritise recycling capacity and a HRC booking system may need to be further considered.

RECOMMENDATION

It is recommended that the Council approves the proposals set out in this report, including consolidated policy documents at Appendices 1 and 2.



Media release

7 November 2022

Recycle today, recycle every day and do your bit to help make Ards and North Down 'a Recycling Borough' to be proud of!

Ards and North Down Borough Council is under a new legal obligation to meet a recycling target of 70% by 2030, following the introduction of the Climate Change Act (NI) 2022. The recycling rate in our Borough is currently below 50% meaning that BIG changes in our recycling habits will need to be made to meet the new 70% target.

Recycling currently costs less than half the cost of landfill and is vital in helping to save the planet for our children. It is one way we can all make a valuable contribution to helping to manage the current cost of living crisis.

From Monday 5 December 2022 new rules around how waste services are used will be applied to help maximise the amount of the Borough's household waste that is recycled.

- Access to Household Recycling Centres will only be permitted to households from within the Borough, and on-site recycling rules will be applied to all site users.
- Rules banning the disposal of recyclable waste in grey bins will be applied, and routine monitoring of bins will be carried out during bin collection rounds – with suspension of bin collections from a home where we find persistent misuse of grey bins for recyclable waste.

Your money is being used to provide a full range of household recycling services and there is no valid excuse for not adopting a routine household waste recycling habit. Many have already done this, and we want to thank you and ask you to continue. However, many residents are not recycling routinely, or as much as they should, and we are therefore calling upon every householder to take simple steps to recycle to

the maximum – and in doing so help us to meet our legal obligations, save money and save the planet from climate catastrophe.

The Mayor of Ards and North Down, Councillor Karen Douglas, has highlighted the importance of this issue to everyone, saying "The time for debate around whether we can, should or might recycle, is over. Recycling is no longer an option – it is a must. We have legal, environmental and financial reasons to ensure that we take every opportunity to recycle everything we can, using the wide range of Council recycling services that are now in place". The Mayor has called on every resident of Ards and North Down Borough – whether young or old - to Recycle today, recycle every day!"

Throughout November, every household in the Borough will receive our brand new Recycle Guide through their letterbox. This guide details important information about your Council waste services - it is vital that you read and act upon this information. In addition to this guide, we would encourage all residents to download the Binovation app which is full of handy hints and tips on how to recycle effectively.

For more information on Recycling in Ards and North Down, visit www.ardsandnorthdown.gov.uk/recycle.

Ends//

Notes to editor:

For media enquiries contact Claire Mulgrew on 07809 876 186 or email claire.mulgrew@ardsandnorthdown.gov.uk.

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ITEM 18

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Environment Committee
Date of Meeting	06 September 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets and Property Services
Date of Report	29 August 2023
File Reference	90313
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	EU Interreg VA Programme - FASTER EV Charger Network
Attachments	

Members will recall that at its meeting on 5 July 2023, the Council agreed to sign a collaboration agreement regarding the delivery of an EU Interreg VA funded project to install a network of rapid EV chargers in Northern Ireland. The Council's involvement in this project is strategically significant; it demonstrates our commitment as a leading public body to supporting and facilitating the early adoption of EV transport in our jurisdiction, and in turn the successful transition to mainstream green transport that is enshrined in UK law through a ban on the sale of all new conventional petrol and diesel cars and vans from 2030 and hybrids with significant battery range banned from 2035.

Following a competitive public tender process, Easygo has been appointed to install and operate 24 no. 50kw electric vehicle chargers at locations across the Belfast City Council, Ards and North Down Borough and Newry, Mourne and Down district council areas.

Not Applicable

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These new chargers will be installed as part of the FASTER Project which has received €6.4 million EU funding under the INTERREG VA programme. The project is managed by the Special EU Programmes Body (SEUPB) to support the transition to electric vehicles and sustainable transport use across Western Scotland, Northern Ireland and the Republic of Ireland (Border Region). Match funding for the project has been provided by the Department for Infrastructure (Northern Ireland) and the Department for Transport (Republic of Ireland) and Transport Scotland.

Steven Clarke Consulting Ltd (based in Holywood) has also been appointed to provide project management support to Ulster University and EasyGo.

Eight of the new 35 rapid EV chargers are scheduled to be installed in our Borough, as follows:

- Bangor Sportsplex (1 x single charger)
- Londonderry Park Newtownards (1 x single charger)
- Bangor Aurora (2 x double chargers)
- Ards Blair Mayne Wellbeing and Leisure Complex (1 x double charger)

Work will now proceed to secure the installation of the new chargers at our sites by the end of December this year.

A press release has already been issued and the Council will be engaging with Easygo over coming weeks and months to publicise and promote the new rapid charger network, including the strategic benefits of the new installations for the Ards and North Down Borough.

RECOMMENDATION

It is recommended that the Council notes this report.