



June 16th, 2015

Notice Of Meeting

You are invited to attend the Regulatory and Technical Services Committee Meeting to be held on **Wednesday, 17th June 2015 at 3:00 pm** in **the Boardroom, Monaghan Row, Newry.**

The Committee Members are:

Chair: Councillor T Andrews

Vice: Councillor S Ennis

Members:

Councillor P Brown	Councillor C Casey
Councillor S Doran	Councillor G Fitzpatrick
Councillor G Hanna	Councillor V Harte
Councillor M Murnin	Councillor H McKee
Councillor P O'Gribin	Councillor G Sharvin
Councillor G Stokes	Councillor H Reilly
Councillor D Taylor	

Agenda

Presentations

- (1) **Presentation from Rivers Agency on Flood Maps of Northern Ireland.**

Please note ALL Councillors are invited to attend the meeting for this particular item.

- (2) **Apologies and Chairperson's Remarks.**

- (3) **Declarations of "Conflicts of Interest".**
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Committee Business

- (4) **Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 20 May 2015. (Attached).**

[Action sheet 20 May 2015.pdf](#)

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For Consideration and/or Decision - Waste Management

- (5) **Authorisation to commence spend - Capital Programme 2015/2016. (Report attached).**

[RTS Report June 2015 - Capital Spend.pdf](#)

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For Consideration and/or Decision - Building Control

- (6) **Application to the Challenge Fund - funding to tidy up Downpatrick Street Car Park in Saintfield. (Report attached).**

For Consideration and/or Decision - Facilities Management and Maintenance

(7) Report on bus shelter requests. (Report attached).

Report of Provision of Bus Shelters.pdf

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(8) Proposed Mini Pillar Installation at Hillside Drive, Kilkeel. (Report attached).

Provision of mini pillar at Hillside Drive Kilkeel v1.pdf

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(9) Repair/replacement work to external windows and doors at former Retort House, Kilmorey Street, Newry. (Report attached).

Bunscoil an luir Capital Scheme for windows and doors 2015.pdf

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(10) Reservoir Bill (NI) - Future Legislation. (Report attached).

Reservoir Report to June RTC 12-6-15.pdf

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10(a) Lease of the seabed and foreshore at Cranfield from the Crown Estate. (Report attached).

Report on lease of seabed at Cranfield Bay.pdf

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10(b) Maintenance Contract for the control of Legionella Bacteria in Domestic Hot and Cold Water Systems in Newry, Mourne and Down District Council's Buildings. (Report attached).

Appointment of contractor to assist with control of legionella within Council buildings.pdf

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For Noting

- (11) **Arc21 Joint Committee Meeting - Members' Monthly Bulletin - 2 June 2015. (Attached).**

[Arc 21 Members Monthly Bulletin.pdf](#)

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- (12) **Arc21 Joint Committee Meeting - Minutes of the Meeting held on 30 April 2014. (Attached).**

[Arc 21 - Minutes of April Meeting.pdf](#)

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- (13) **Entertainment Licensing Review - February 2015. (Paper attached).**

[entertainment licensing review - consultation document.pdf](#)

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- (14) **Notice of publication of the Eastern-Midlands Region Waste Management Plan 2015-2021 and associated SEA Statement & Natura Impact Report. (Eastern-Midlands Waste Region letter dated 28 May 2015 attached).**

[Eastern-Midlands Waste Management Plan.pdf](#)

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Conferences/Events

- (15) **Northern Ireland Planning Conference (Agenda NI) - Tuesday 29 September 2015, Grand Opera House, Belfast - discounted rate for Local Government Sector. (£150 plus VAT). (Details attached).**

[Planning Conference.pdf](#)

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- (16) **Conference on "The Benefits of Zero Waste and Moving Towards It Now" - Monday 22 June 2015, City Hall, Derry. (Details attached).**

Register with Zero Waste (North West) at ZeroWasteNW.org/countdownreg - FREE Conference.

(17) Ulster Architectural Heritage Society - invitation to a cross-border Summer School with the Irish Georgian Society from 25-27 June 2015 based in Monaghan and Armagh. (Details attached).

Three day fee - £210

Day fee - £80 per day (days 1 and 2)

£70 per day (day 3)

Ulster Architectural Heritage Society.pdf

Invitees

Cllr. Terry Andrews	terry.andrews@downdc.gov.uk
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ACTION SHEET- REGULATORY AND TECHNICAL SERVICES COMMITTEE – 20 MAY 2015

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AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
RTS/18/2015	Matters arising –	<p>Provision of a Council pest control service – Environmental Health were seeking to confirm potential costs and will report back to Committee on this matter.</p> <p>Provision of a crematorium in the Newry, Mourne and Down area – Mr O'Rourke to obtain the details of the running costs and income for the crematorium in Belfast and report back to the Committee.</p>	<p>Referred to AHC committee</p> <p>2013/2014 £487,695 costs £1,431,570 income Net Cost = -£843,875</p> <p>2014/2105 £550,675 costs £1,663,940 income Net cost = -£1,113,265</p>
RTS/19/2015	Capital Works at Victoria Lock Newry	<ul style="list-style-type: none"> ▪ Close Victoria Lock and the Amenity Area for a period of 4 No. months approximately from around mid-June 2015 to mid-October 2015 in order to carry out essential works to the Lock Chamber and Sea Gates. ▪ Officials to be granted authority to write immediately to boat owners who currently have boats berthed in the Albert Basin to inform them of the planned closure of Victoria Lock in order that they may be able to make suitable arrangements for their boats during the closure period. Other canal interest groups and boat owners who have recently left the Albert Basin to also be informed of the proposed temporary closure of Victoria Lock. ▪ Officials to have authority to refund any remaining berthing fees or issue Credit Notes to departing boat owners if required. 	<p>Progressing</p> <p>Progressing</p> <p>Progressing</p>

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
RTS/20/2015	Delivery of support for Council planning functions by the Shared Environmental Service Level Agreement	It was agreed to approve the Shared Environmental Service proposal to support the Planning Department in meeting the Council's environmental responsibilities in connection with their role as the planning authority. The support would be delivered via a Service Level Agreement between Newry, Mourne and Down Council and Mid and East Antrim Borough Council.	Actioned
RTS/21/2015	Planning Resources and Processing Planning Applications	It was agreed to increase the staffing levels within the planning function, with a detailed resourcing and performance management report being brought back to the RTS Committee.	Progressing
RTS/22/2015	Dangerous Buildings Policy	It was agreed to approve the above Policy.	Actioned
RTS/23/2015	Consolidation of Development Naming, Postal Numbering and Erection of Nameplates Policy and Procedures	<p>It was agreed to adopt the Development, Naming and Postal Numbering and Erection of Nameplates Policy and Procedures, as circulated at the Meeting.</p> <p>It was also agreed that as the Council wished to promote the use of Townland names on all new Road Nameplates, that dual language townland names be provided on all new dual language nameplates, and single language townland names be provided on new single language nameplates without the need to consult with local Councillors.</p>	<p>Actioned</p> <p>Actioned</p>
RTS/24/2015	Request to place a Blue Circle plaque	It was agreed to grant permission from Newry Maritime Association to site a Blue Circle Plaque which had been awarded to Captain Harry Hollywood, MBE, at Victoria Locks, at no cost to the Council. Permission was also given that the current arrangements regarding existing memorials be extended to cover this memorial also.	Newry Maritime Association informed

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
RTS/35/2015	Conference on Energy Policy in Northern Ireland – 17 September 2015	It was agreed to appoint Councillor Enright and Councillor Murnin to attend this Conference.	Councillor Enright and Councillor Murnin have been booked on this Conference
RTS/36/2015	New 3G Sports Pitch at Valley Rangers FC/Ballinran Community Association, Kilkeel	It was agreed to accept the recommendation contained in the report dated 20 May 2015 from Mr P Brannigan in relation to funding options for the new 3G Sports Pitch at Valley Rangers FC/Ballinran Community Association, Kilkeel.	Progressing

Agenda Item:	<i>Capital Budget 2015/16</i>
Report to:	<i>Regulatory & Technical Committee</i>
Subject:	<i>Authorisation to Commence spend – Capital Programme 2015/16</i>
Date:	<i>1st June 2015</i>
Reporting Officer:	<i>Mr. Canice O'Rourke</i>
Contact Officer:	<i>Mr. Tom Daly, Mr. Joe Parkes</i>

<u>Decisions Required</u>	
Members are asked to note the contents of the report, and consider and agree to:	
<ul style="list-style-type: none"> ▪ <i>Approvals to commence procurement processes to enable those Capital Projects with Capital provision under the Council's Capital Budget Final (2015/16, and detailed as per attached report (Appendix-1) to commence.</i> 	
1.0	<u>Purpose & Background</u>
1.1	<ul style="list-style-type: none"> • <i>Verify which projects are approved for replacement under this current Years Capital Budget</i> • <i>Confirm that these provisions have Council's approvals to enable them to be delivered in this current financial Period.</i>
2.0	<u>Key Issues</u>
2.1	<i>Authorise for Lead Officers of the Department to commence the procurement processes for the approved Projects on the attached list.</i>
3.0	<u>Resource Implications</u>
3.1	<i>Financial:</i> <i>The total value of Capital provision, under the responsibility of the Regulatory & Technical Services Department is £1, 503,265.00</i>
4.0	<u>Appendices</u>
<ul style="list-style-type: none"> ▪ Appendix I – Regulatory & Technical Services Department Capital Spend 2015/16 – Summary Status Report 	

Appendix-1

Regulatory & Technical Services Department

FLEET/PLANT/GROUNDS CAPITAL SPEND 2015/16 SUMMARY REPORT

Ref Item	Item Description	Capital budget (£K)	Vehicle User Location	Lead Officer	FINANCE INFO		Comments
					Capital cost Code	Finance Code (M)	
1.0	REFUSE COLLECTION						
1.1	Replace RVC NJZ 5187 (2008)	£146,000	Downpatrick	RTS			
1.2	Replace RCV JJZ 2541 (2005) lower spec	£146,000	Downpatrick	RTS			
1.3	Replace 26T RCV (RLZ 7859), DFR: 2006	£155,000	Newry	RTS			
1.4	Replace 26T RCV (MBZ 2283), DFR: 2007	£155,000	Newry	RTS			
	Sub Total	£602,000					
2.0	009 CLEANSING VEHICLES						
2.1	Replace 7.5T GVW Sweeper (IJZ7867) with same	£115,000	Newry	RTS			
2.2	Replace Compact Sweeper (REZ 9979) with Like	£60,000	Newry	RTS			
2.3	Replace Sweeper JJZ 5172 (2005)	£120,000	Downpatrick	RTS			
2.4	Replace Macpac JJZ 7584 (2005)	£65,000	Downpatrick	RTS			
	Sub Total	£360,000					
3.0	SMALL VEHICLES		NMD	RTS			
3.1	Replace Cage Vehicle MJZ 3134 (2007)	£30,000	Downpatrick	RTS			
3.2	Replace Sml Van KJZ 9614 (2006)	£10,000	Downpatrick	RTS			
3.3	Replace 7.5T GVW Crew-Cab Lorry (SBZ 1236); DFR: 1997	£35,000	Newry	RTS			
3.4	Replace 5.5T GVW Crew-Cab Lorry (FJZ 7762); FDR: 2003	£32,000	Newry	RTS			
3.5	Replace Car-Derived Van (TBZ 7246); DFR: 1998	£12,000	Newry	RTS			
3.6	Replace Dog Warden Van (HJZ3332) ; FDR: 2004	£15,000	Newry	RTS			

3.7	Replace Painters van CJZ 8802 (2002)	£10,000	Downpatrick	RTS			
3.8	Replace Crewcab JJZ 5168 (2005)	£35,000	Downpatrick	RTS			
3.9	Replace Painters van EJZ 5543 (2005)	£10,000	Downpatrick	RTS			
3.10	Replace Build Services Van () (Reg: ?); DFR:?	£24,750	Newry	RTS			
3.11	Replace Build Services Van () (Reg: ?); DFR:?	£24,750	Newry	RTS			
	Replace Beavertail HJZ 6372 (2004)	£35,000	Downpatrick				
	Replace Beavertail LJZ 1812 (2006)	£35,000	Downpatrick				
	Sub Total	£308,500					
4.0	Plant & Machinery (less than 50K)						
4.1	Grounds Maint - small plant Replacement	£37,765	Newry	RTS			Includes Loss value for stolen plant (£9265 - £2500)
4.2	Grounds Maint - small plant Replacement	£35,000	Downpatrick	RTS			To confirm requirements
4.3	Plant Trailer	£4,000	Newry	RTS			
4.4	Plant Trailer	£6,000	Newry	RTS			
4.5	CAS - 3No Compactors	£45,000	Newry	RTS			
4.6	CAS - 5No Open Top Skips	£30,000.00	Newry	RTS			
5.0	Grounds Capital Projects						
5.1	Overall Play Area : Ref. Audit Sum	£70,000	All Playareas	RTS			Clarification on Purpose needed
5.2		£5,000					
5.3							
	Sub Total	£232,765					
5.0	Total Value	£1,503,265					

Report to:	<i>Regulatory and Technical Services Committee Meeting</i>
Subject:	<i>Application to the Challenge Fund – Funding to tidy up Downpatrick Street Car Park in Saintfield</i>
Date:	<i>11 June 2015</i>
Reporting Officer:	<i>Canice O'Rourke</i>
Contact Officer:	<i>Danielle Begley, Biodiversity Officer</i>

<u>Decisions Required</u>	
Members are asked to note the contents of the report, and consider and agree to:	
<ul style="list-style-type: none"> ▪ <i>Permitting Saintfield Development Association to apply to the Challenge Fund for monies to improve Downpatrick Street Car Park in Saintfield.</i> 	
1.0	<u>Purpose & Background</u>
1.1	<i>Danielle Begley, Biodiversity Officer, has been approached by Saintfield Development Association regarding the Challenge Fund which was opened for applications on 1 June.</i>
2.0	<u>Key Issues</u>
2.1	The group would like to apply for funding to tidy up Downpatrick Street Car Park in Saintfield. Some of the ideas for improvement include removing a concrete recess at the back of the car park where bottle banks had been previously and planting with local shrubs. Another proposal would be to plant a native hedge along the right hand side of the car park to screen out the unsightly wire fence. The group would also like to produce a new interpretation board at the entrance to the car park as the current one is very out of date.
3.0	<u>Resource Implications</u>
3.1	None
4.0	<u>Appendices</u>
<ul style="list-style-type: none"> ▪ Appendix I – None 	

Agenda Item:	Facilities Management and Maintenance
Report to:	Regulatory & Technical Services Committee
Subject:	Report on Bus Shelter Requests
Date:	17 th June 2015
Reporting Officer:	Canice O'Roruke
Contact Officer:	Kevin Scullion

<u>Decisions Required</u>	
Members are asked to note the contents of the report, and consider and agree to:	
Update provided on requests for provision of bus shelters for consideration	
1.0	<u>Purpose & Background</u>
1.1	<p>The Council is empowered under the Local Government Miscellaneous Provisions (NI) Order 1985, with the consent of the Department of Regional Development to erect and maintain on any road within the district, shelters for the protection from weather of persons waiting to enter public service vehicles.</p> <p>At its Development Committee Meeting held on 27th January 2015 the Council agreed a policy and set of procedures to be used to address requests for the erection and removal of bus shelters in the Council area.</p> <p>Attached at Appendix 1 is a report providing an update on thirteen requests with recommendations provided for approval.</p>
2.0	<u>Key Issues</u>
2.1	The recommendations provided are in line with the above policy.
3.0	<u>Resource Implications</u>
3.1	Budget within this financial year for provision of bus shelters is £5000.00
4.0	<u>Appendices</u>
Appendix I – Report on Bus Shelter Requests	

Appendix 1: Report on Bus Shelter Requests

1. Meigh Village Request

Background & Summary of Findings to date

Request received in 2013.

Two possible locations have been considered for a bus shelter. Both are to the side of 43 Monnina Park, Meigh and the Post Office and are in close proximity to the existing bus stop which is located outside 43 Monnina Park.

Roads Service was consulted previously about the possibility of siting a bus shelter at this location and was agreeable.

The landowner although initially supportive is now less so and has cited the possibility of anti social behaviour from use of the bus shelter to neighbouring residential and commercial properties.

Recommendation

Alternative location to be investigated

2. Kilfeaghan Lane Request

Background & Summary of Findings to date

Request received in 2013.

Suitable location agreed with roads service official.

Small encroachment onto private landowners land required to accommodate bus shelter and so their agreement is required. Landowner is not willing to allow shelter on land.

Recommendation

Bus shelter currently not feasible at this location. Withdraw request from list.

3. Leode Rd Request

Background & Summary of Findings to date

Request received in June 2014.

Preferred location initially required agreement from landowner for proposed footpath through ground. Landowner not in agreement. Other options considered. Only viable option remaining requires permission from another landowner to create footpath from Leode Rd junction to crossing point from where you cross road to bus shelter location.

(Letter sent to land owner requesting meeting on proposal 24.11.14)

No response received from landowner..

Recommendation

Bus shelter currently not feasible at this location. Withdraw request from list.

4. Requests at Glasdrumman Rd, Annalong

Background & Summary of Findings to date

Request received in August 2014.

Road Service agreed possible suitable locations on both sides of Glasdrumman Rd. Landowners agreement required for bus shelter (heading in Newcastle direction) along boundary of vacant site. No landowner agreement required for shelter (heading in Kilkeel direction) as ground/footpath controlled by Roads Service.

Made contact with owner/developer of vacant site/ground where location of bus shelter is proposed. Presently a planning application is being considered by the Planning Service for Retail/residential use building on the vacant site. Developer's agreement on bus shelter proposal pending until the outcome of Planning application is known.

Councillors recommended to look at possibility of alternative location (in Kilkeel direction). Roads Service official confirmed acceptable location adj. to high wall at Mullarton Court. Translink approval being sought to reloacte bus stop to propsed site of bus shelter.

Recommendation

If approval of Translink obtianed then in accordacne with Council Bus Shleter policy residents living within 50 meters radius of propsed location of bus shelter to be consulted on proposed site.

5. Newcastle Rd, Kilkeel Request

Background & Summary of Findings to date

Request received in October 2014.

Bus shelter requested along Newcastle Rd, Kilkeel, near filling station/garden centre (in either direction) as often School children from the nearby St. Columbans High school who have to wait in the area when having completed extracurricular classes and workers from the nearby B/E aerospace factory who rely on public transport and local people who use the bus have nowhere to shelter from inclement weather while waiting for the bus

Councillors present at The Mournes multi agency meeting 31/11/15, recommended not to go ahead with proposal for bus shelter adj. to school playing fields on grounds of safety and low use of bus stop at this location

Two locations identified (heading to Annalong direction) are on ground maintained by Roads Service. Roads Service would be agreeable with proposed locations for bus shelters at these locations. Most suitable being on ground at entrance to Blackford Mews.

Recommendation

In accordance with Council Bus Shelter policy residents living within 50 meters radius of proposed location of bus shelter to be consulted on proposed site.

6. Sandbank/Hilltown Rd, Request

Background & Summary of Findings to date

Request received in October 2014

Met with Roads service official to agree suitable location for new bus shelter near to Kilkeel Rd & Sandbank Rd junction. Roads Service official agreed suitable location on site.

Parents representative to confirm best suitable location at junction.

Recommendation

Awaiting confirmation from Parents Representative on proposed location and if agreed then in accordance with Council Bus Shelter policy residents living within 50 meters radius of proposed location of bus shelter to be consulted on proposed site.

7. Camlough Rd/High St Request

Background & Summary of Findings to date

Request received in January 2015

Met with Transport NI official regarding suitability of proposed location for new bus shelter May'15. Transport NI would be opposed to a bus shelter at this location as it would lead to buses stopping and parking across junction which would cause traffic progression problems at this junction.

Recommendations

Bus shelter currently not feasible at this location. Withdraw request from list.

8. Turley's Crossroads Request

Background & Summary of Findings to date

Request received in February 2015.

Shop owner only willing to offer part of existing store building to provide shelter.

As part of this offer he wants timbers from existing store door to be re-newed when re-positioned.

No other alternative locations considered.

Not in favour of individual bus shelters

Pre planning application enquiry made (1/5/15) to ascertain whether planning application required (as this is change of use).

Transport NI comments indicate they would object to current proposal on road safety grounds

Recommendations

Bus shelter currently not feasible at this location. Withdraw request from list.

9. Frederick Street, Killyleagh

Background & Summary of Findings to date

A request was received on 13 May 2011.

DRD have no objections in principle and the criteria has also been met for Translink.

Recommendations

In accordance with Council Bus Shelter policy residents living within 50 meters radius of proposed location of bus shelter to be consulted on proposed site.

10. Crossgar – Adjacent to 65 Downpatrick Street

Background & Summary of Findings to date

A request was received on 7 July 2011.

DRD have no objections in principle and the criteria has also been met for Translink. Translink did however point out that there have been objections from local residents and/or businesses. It is a popular stop and as such is the main stop in Crossgar for Belfast-bound passengers and school children going to Ballynahinch and Saintfield. From 14 letters that were issued in a survey, only 2

replies were received, both of which were opposed to a bus shelter at this location.

Recommendations

Procedure requires that two thirds of those residents consulted must indicate in writing that they have no objection to the shelter. This criteria has not been met in this instance. Withdraw request from list.

11. Castle Street, Killough

Background & Summary of Findings to date

A request was received 5 September 2012 to upgrade the above shelter to have a seat installed as there are many elderly users.

Recommendations

Proceed and provide seat for bus shelter

12. Main Street, Clough

Background & Summary of Findings to date

A request was received 31 May 2012.

DRD have no objection in principle to a 'Cantilever' type shelter with no panels which should be set back tight to the wall. There needs to be 0.6m clearance between roof of the shelter and road kerb edge, so the shelter can only be 1.6m wide. No end panels allowed, as DRD need 1.8m back from edge of kerb to allow for passing pedestrians. Translink advised there are a minimum of 50 passengers using this stop each day as it is served by numerous routes and school buses. No replies were received from the survey of properties within 50m radius of the bus stop.

Recommendation

Procedure requires that two thirds of those residents consulted must indicate in writing that they have no objection to the shelter. This criteria has not been met in this instance. Withdraw request from list.

13. Drumaness/Newcastle Road, Drumaness – Belfast direction

Background & Summary of Findings to date

A request was received 8 April 2013 to erect a bus stop, Belfast bound, at Corry's Corner, Drumaness. DRD and PSNI Traffic Management would have no objections in principle providing that:

The shelter be erected to the rear of the footway A minimum unobstructed footway width of 2m be maintained for pedestrians. The shelter be open-sided

Tanslink have also confirmed they would have approximately 35 passengers daily using this stop northbound.

Recommendation

Further investigation is required to establish suitable site and consult with residents..

Agenda Item:	Facilities Management and Maintenance
Report to:	Regulatory & Technical Services Committee
Subject:	Proposed Mini Pillar Installation at Hillside Drive, Kilkeel
Date:	17 th June 2015
Reporting Officer:	Canice O'Roruke
Contact Officer:	Kevin Scullion

Decisions Required

Members are asked to note the contents of the report, and consider and agree to:

Council Officials to review the options for providing electricity to a council owned outdoor facility at Hillside Drive, Kilkeel, and to provide a report on same to the next meeting of the Regulatory and Technical Services Committee. Report to include estimated costs of options, potential funding for options and how each of the options would be managed in the future.

1.0 **Purpose & Background**

1.1

In 2014 Newry and Mourne District Council gave consideration to a request from Newry Street Unite, a local community group based in the Hillside Drive area of Kilkeel, to install an electric mini pillar on Council property which could be used by the Group to provide electricity for outdoor events which the local group organises. Currently the local group hires in portable electric generators to supply electricity for their community events.

It was estimated, having regard to similar projects undertaken in the past, that the cost of providing a mini pillar would be in the region of £5,000.00. It was proposed that this project be carried forward for consideration in the Rates Estimates Meetings by Newry, Mourne & Down District Council. This request was not considered at the Rates Estimates Meeting and therefore no budget has been set aside for this project in this financial year.

The next planned date for a local community event is 23rd July 2015. An application for NIE connection to this site has been made by the Council to ascertain the connection charge and a scheme of works has been drawn up for completion of the project. Advice has been obtained in relation to the likely cost to implement this particular scheme and indications are that the budget required may significantly exceed the original estimate.

It will not be possible to implement this scheme prior to the next festival date of 23rd July 2015.

	It is the officers recommendation that prior to proceeding further with this project that the options to meet the request from the local community group be reviewed and that a report be provided to the next meeting of this committee providing the options available, their estimated costs, potential funding for options and how each option would be managed in the future.
2.0	<u>Key Issues</u>
2.1	<p>No current budget to undertake proposed project.</p> <p>No agreement as to who will be responsible for electricity costs arising from local community group usage of any facility provided.</p> <p>There will be on going responsibility on Council to maintain the facility which will include an annual electrical safety inspection.</p>
3.0	<u>Resource Implications</u>
3.1	No current budget to implement this project.
4.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ Appendix I – None

Agenda Item:	Facilities Management and Maintenance
Report to:	Regulatory & Technical Services Committee
Subject:	Repair/Replacement work to external windows and doors at Former Retort House, Kilmorey Street, Newry
Date:	17 th June 2015
Reporting Officer:	Canice O'Roruke
Contact Officer:	Kevin Scullion

Decisions Required

Members are asked to note the contents of the report, and consider and agree to:

Approval to go to tender for Repair/Replacement work to external windows and doors at Former Retort House, Kilmorey Street, Newry.

1.0 **Purpose & Background**

1.1

The Council owns the property known as the Former Retort House which is located at Kilmorey Street, Newry. It leases this building to Bunscoil an Iuir which is permitted under the terms of the lease to use this building as an Irish Language School.

An Asset Condition Report of the building was carried out by Faithful & Gould to assess the condition of the structure and identify any maintenance works which may be required over the next five years. One of the issues reported on was the condition of the external windows and doors with a recommendation to replace the ground floor windows and doors with a suitable low maintenance solution and that the first floor windows should be painted.

Our own Estates and Building Maintenance Section has inspected the condition of the windows and doors which are all of hard wood construction. In general the condition of the frames of the windows was found to be good with some minor repair required but it is considered that the openable parts of the windows should be replaced with the opportunity taken to improve the thermal performance of the windows. It is considered that one of the external doors should be replaced and all other external doors to be removed, sanded down, draught proof seals fitted, re-painted and re-fitted.

Within this year's capital budget £18,000.00 was agreed for works to the external windows and doors at this property. Approval is sought to proceed to tender for these works.

2.0	<u>Key Issues</u>
2.1	Failure to act at this time could result in condition of external windows and doors worsening leading to full failure.
3.0	<u>Resource Implications</u>
3.1	A capital budget of £18,000.00 has been agreed for this work
4.0	<u>Appendices</u>
	<ul style="list-style-type: none">▪ Appendix I – None

Agenda Item:	RESERVOIR BILL (NI) – FUTURE LEGISLATION
Report to:	REGULATORY AND TECHNICAL SERVICES COMMITTEE
Subject:	SUMMARY REVIEW REPORT – RESERVOIR BILL (NI) - FUTURE
Date:	8 TH JUNE 2015
Reporting Officer:	MR CANICE O’ROURKE
Contact Officer:	MR TOM DALY

Decisions Required

- To cooperate with the Rivers Agency request to volunteer in advance of proposed legislation by undertaking a Reservoir Survey for each of the Council’s reservoir sites at an estimated cost of between £6,000 and £8,000. (No budget provision in current financial period).
- To continue to co-operate in joint project to upgrade the dam wall at Camlough Lake in line with current capital budget provisions.

1.0 **BRIEF**

- 1.1 The Rivers Agency are bringing forward proposals to introduce legislation in Northern Ireland covering the management of reservoirs where its capacity is greater than 10,000 cubic meters. This proposed Legislation is expected to be similar to existing UK legislation contained in the Reservoir Act 1975.
Timetable for baseline legislation approvals is June 2016.

2.0 **CURRENT REQUIREMENT**

- 2.1 The Rivers Agency are seeking voluntary support from public bodies such as Councils to undertake in advance of the legislation a Schedule 10 Engineering Survey to determine the status and condition of these reservoirs. These can only be undertaken by Specialist Reservoir Engineers and the estimate of cost is £3,000 - £4,000 per site. Council have three sites (does not include potential sites in former Down District Council area). One of these sites, Camlough Lake has already been surveyed so already meets survey requirements.

3.0 **STATUS OF RISK OF COUNCIL’S RESERVOIRS**

- 3.1 The Council has three:
- Camlough Reservoir
 - Bessbrook Pond
 - Donaghaguy Reservoir, Warrenpoint

Camlough Reservoir has already had a survey completed. Structural issues were identified and repair works are currently being undertaken. This site’s survey has already been forwarded to the Rivers Agency.

	<p>Bessbrook Pond's dam structure was the subject of major overhaul in 2003, costing £225,000. Council's Engineers believe it to be stable, without leakage and therefore low risk. No current survey appropriate to Rivers Agency needs is currently available.</p> <p>Donaghaguy Reservoir was handed over to the old Newry and Mourne District Council by the Department of Agriculture in 1994 after they completed redevelopment works at the site. No current survey appropriate to Rivers Agency needs is currently available.</p>
4.0	<u>OPTIONS</u>
4.1	<p><u>Do Nothing:</u></p> <ul style="list-style-type: none"> • There is no legal requirement for reservoir owners in Northern Ireland to participate now in any survey. • There is no guarantee that the Northern Ireland Executive will introduce this legislation. • If they do there will be a requirement to introduce a second phase of legislation (2016/17) which will then define in law Owners responsibilities. • Council, as Landowner does have a liability to the public under its General Duty of Care under Common Law. <p><u>Resource Implications:</u> Normal maintenance and management currently funded by the Council.</p>
4.2	<p><u>Undertake Voluntary Surveys in this Financial Period</u></p> <ul style="list-style-type: none"> • Estimate of Cost: £6,000 - £8,000. • Why? • To support the draft legislation the Northern Ireland Executive has requested details on the condition and potential liabilities on Owners should the legislation be passed in full. • The Rivers Agency has confirmed any survey reports undertaken voluntarily, now will be accepted under the new legislation when it becomes law. <p><u>Resource Implications:</u> Currently no budget provision. Estimated cost £6,000 to £8,000.</p>
4.3	<u>Summary of Options</u>
4.3.1	Defer participation in Voluntary Survey Scheme until legislation is enacted.
4.3.2	Defer participation in Voluntary Survey Scheme until budget provision is made available in future financial period eg 2016/17.
4.3.3	Participate in Voluntary Scheme to provide reports to Rivers Agency by March 2016. Costs to be charged to overspend (Estimated at £6,000 to £8,000).
4.3.4	Continue to commit funding provision to support ongoing repairs at Camlough Lake to ensure this scheme meets the requirements of future legislation.

5.0 **SUMMARY**

The Council does have a General Duty of Care under Common Law to ensure its facilities/properties do not create hazards to the public.

All the Council's sites therefore have a maintenance and management plan and the Council considers it is compliant with its obligations under this General Duty of Care.

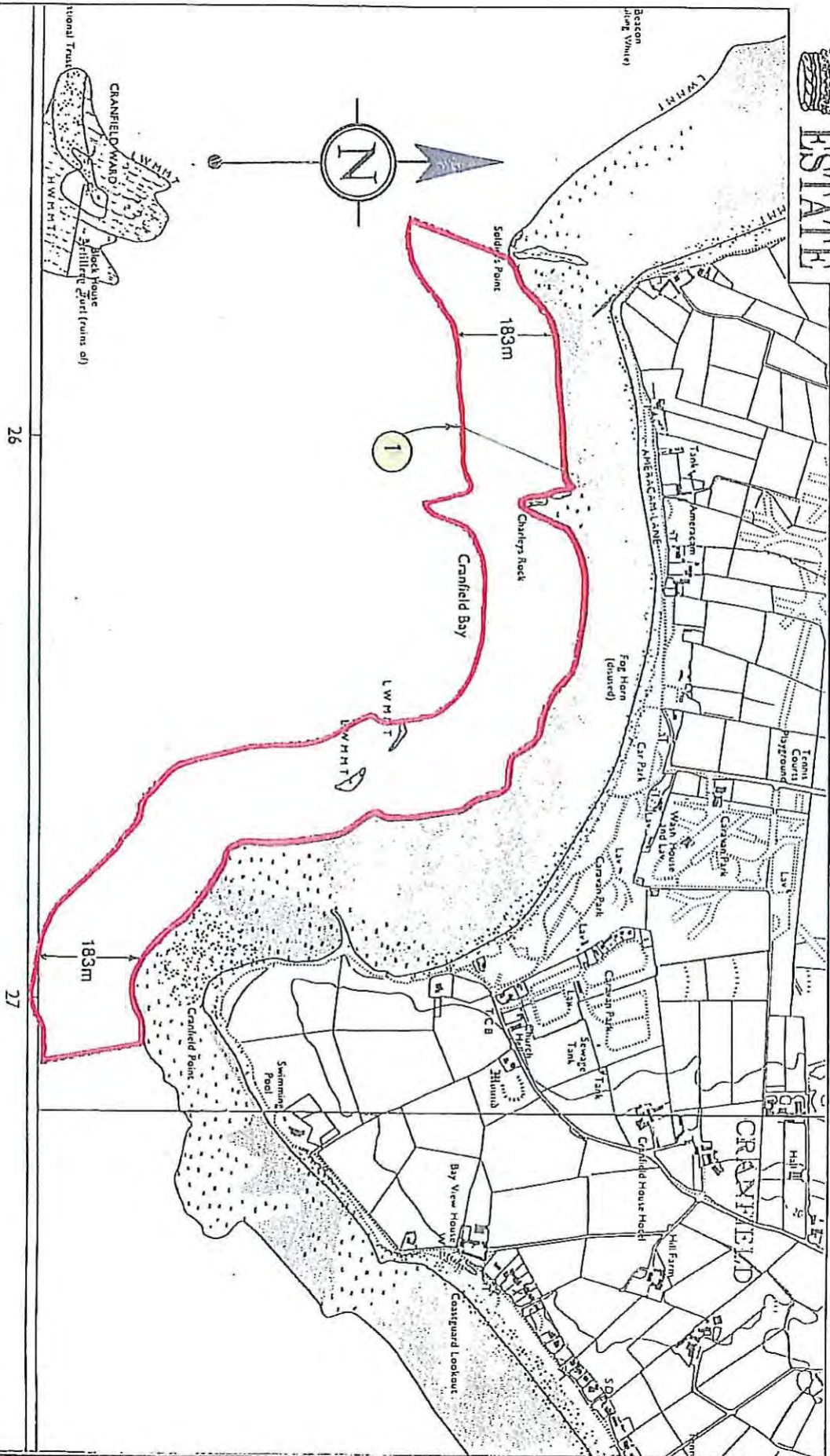
Report to:	Regulatory and Technical Services
Subject:	Lease of the seabed and foreshore at Cranfield from the Crown Estate
Date:	15 June 2015
Reporting Officer:	Canice O'Rourke
Contact Officer:	Michelle Boyle/Briega Magill

<u>Decisions Required</u>	
Members are asked to note the contents of the report, and consider and agree to:	
<ul style="list-style-type: none"> ▪ <i>Renewal of 15 year lease of the Seabed and Foreshore at Cranfield from the Crown Estate</i> 	
1.0	<u>Purpose & Background</u>
1.1	<p>The 15 year lease of the seabed and foreshore at Cranfield from the Crown Estate has been up for renewal for some time.</p> <p>The Crown Estate wanted the Council to take lease of the entire area that Council previously leased.</p> <p>Council Officers (M Boyle/J McGilly) had suggested that the Council only lease the blue flag section of the beach. However, the Crown Estate refused this request.</p> <p>An Officers meeting with Mr McShane was held on 4 June 2015 to review the matter and to agree how the Council's responsibilities could best be dealt with. Several other conditions of the lease have already been re-negotiated.</p> <p>R McShane has now recommended that the Council agree to execute the Lease as amended. Council approval to do this is now required.</p>
2.0	<u>Key Issues</u>
2.1	There is a need for a lease to be put in place in order that the Council's byelaws can be enforced.
3.0	<u>Resource Implications</u>
3.1	Principal rent remains unchanged at £475 per annum
4.0	<u>Appendices</u>
<ul style="list-style-type: none"> ▪ Map of area attached. 	



THE CROWN ESTATE
DOWN

SHEET 284



OS Map N.I. © 1984

SCALE 1:10,000

Job ref 2908

Reproduced from the Ordnance Survey Map with the sanction of the Controller of HM Stationary Office

Drawn by NMC

Date 19.04.1996

Marine Estates
16 Carlton House Terrace London SW1Y 5AH

© Crown Copyright Reserved

File ref 93-30-07

Agreed

Tel 0171 210 4377 Fax 0171 839 7847

Agenda Item:	Facilities Management and Maintenance
Report to:	Regulatory & Technical Services Committee
Subject:	Maintenance Contract For the Control of Legionella Bacteria in Domestic Hot and Cold Water Systems in Newry, Mourne & District Council's Buildings.
Date:	17 th June 2015
Reporting Officer:	Canice O'Roruke
Contact Officer:	Kevin Scullion

Decisions Required

Members are asked to note the contents of the report, and consider and agree to:

Issue approval for Council to go to tender for appointment of external contractor to assist Council with control of Legionella Bacteria in hot and cold water systems within Newry, Mourne & District Council's Buildings

1.0 **Purpose & Background**

1.1

Legionellosis is a collective term for disease caused by legionella bacteria including the most serious Legionnaires' disease. The bacterium is found in natural water sources but usually in low numbers. They may also be found in purpose built water systems such as hot and cold water systems. If conditions are favourable, the bacteria may grow increasing the risks of Legionnaires' disease and it is therefore important to control the risks by introducing appropriate measures.

Newry, Mourne & District Council has 122 buildings with hot and cold water systems. Under the following legislation, the Council has responsibility to control so far as reasonably practicable legionella bacteria in its water systems:

Health and Safety at Work (NI) Order 1978

Management of Health and Safety at Work (NI) Regulations 2003

Control of Substances Hazardous to Health (NI) Regulations 2000

The Health & Safety Commission have provided an Approved Code of Practice and Guidance Note: 'L8, Legionnaire's Disease; The Control of legionella bacteria in water systems'. This document sets a recommended control scheme for preventing or controlling the risk from exposure to legionella bacteria which involves temperature control, avoidance of water stagnation, removal of nutrients and food sources and reduction/elimination of aerosols. In order for this control scheme to be effective it must be checked and monitored.

	<p>Both our legacy Councils have systems in place for controlling so far as is reasonably practicable the risks presented by legionella bacteria. As part of our systems they both employed external specialist support to undertake a range of activities including; inspections, temperature checks, cleaning and sampling. Whilst the Council is continuing to use both of the existing contractors on a month by month basis it is now proposed to tender for this service to appoint one contractor for a three year period to undertake all required support services for the new Council.</p> <p>Permission is requested from Council to issue a tender for the appointment of an external contractor to assist Council with control of Legionella Bacteria in its hot and cold water systems within its buildings.</p>
2.0	<u>Key Issues</u>
2.1	<p>Council has a legal duty to implement systems within its buildings to control so far as is reasonably practicable the risks presented from Legionella.</p> <p>Council does not have the resources or expertise to undertake all required control measures in house and therefore an external contractor with appropriate skills, resource and expertise is required to assist the Council.</p>
3.0	<u>Resource Implications</u>
3.1	<p>Both legacy Councils have a budget for this work. From the legacy NMDC Council there is a budget of £31,500 and from legacy DDC works of this nature are costed to the general maintenance budget.</p>
4.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ Appendix I – None



MEMBERS' MONTHLY BULLETIN

The purpose of this Bulletin is to provide Members with an executive summary of the various agenda items which will be considered by the Joint Committee at its forthcoming meeting. The titles highlighted in blue relate to the various agenda items.

Item 2 - Draft Conflicts of Interest Statement

For approval

At the last meeting of the Joint Committee, held on 30 April 2015, Members agreed to consider an appropriately worded statement to be read out by the Chair at the beginning of each Joint Committee meeting in respect of Conflicts of Interest.

The proposed statement is as follows:

MEMBERS DECLARATION OF INTEREST

Joint Committee Members are reminded of their personal responsibilities under the Northern Ireland Local Government Code of Conduct for Councillors relating to any conflict of interest that might arise during the meeting, and should any member declare an interest, that declaration, and any action resulting therefrom will be recorded in the Minutes.

Members are asked to endorse this statement.

Item 3 - Minutes of Joint Committee meeting 001 held on 30 April 2015

For approval

The Joint Committee's approval is sought for the minutes of the meeting held on 30 April 2015.

'IN COMMITTEE' ITEMS - COMMERCIALY CONFIDENTIAL

Item 5.1 - Minutes of Joint Committee meeting 001 held 'in committee' on 30 April 2015

For approval

The Joint Committee's approval is sought for the minutes of the meeting held 'in committee' on 30 April 2015.



JOINT COMMITTEE
2 June 2015

Item 5.2 - Residual Waste Treatment Project**For noting**

The Joint Committee is provided with an update on the Residual Waste Treatment Project.

The Procurement Process - Work is ongoing in respect of the re-validation of Pre-Qualification Questionnaire (PQQ) credentials and consortium structure.

Review and evaluation of updated financial models on pause until indication of direction of planning determination available.

Financial Transactions Capital Funding - A paper is being prepared for submission to DETI as part of a pre-notification and clearance process to verify that no state aid would be present.

Planning Application Progress - All statutory consultees have responded. Objectors continue to employ specialists to critique elements of the planning application and continue to drip feed representations in the form of objections in an attempt to frustrate close of the consideration stage by Planning Service.

Pollution Prevention Control (PPC) Permit - All information requirements for PPC permit application have been submitted.

The Joint Committee is asked to note the report.

RETURN TO MAIN AGENDA**Item 6 - Contracts and Performance Update****Recommendation for approval**

The Joint Committee is advised on the prevailing monthly situation pertinent to the operational performance of the service and supply contracts.

No major operational difficulties were experienced with any of the contracts with non compliance issues suitably addressed and no need for further action.

The level of contamination at the MRF has decreased again since January. However it is important to remain vigilant particularly to prevent items which pose a high risk to the facility and their personnel e.g. petrol and gas canisters being delivered.

It is proposed to extend the supplies contracts for a further 6 months.



JOINT COMMITTEE
2 June 2015

The resultant position with respect to meeting this year's NILAS target is encouraging although it is too early to draw any meaningful conclusions.

The Joint Committee is asked to approve the extension of the supplies contract.

Item 7 - Recycling Trends

For noting

To advise the Joint Committee on the latest position in respect of recycling trends.

In view of the prevailing situation, officers are starting a review process of policies with the aim of identifying and exploring appropriate measures aimed at improving the capture rate of material destined for recycling.

The Joint Committee is asked to note the report.

Item 8 – Waste Management Plan

For noting

To advise the Joint Committee on the requirement to amend the Waste Management Plan.

The Department of the Environment has advised that, due to Local Government Reform, the Waste Management Plan requires to be amended to reflect the change in the geographic boundary of arc21.

The Joint Committee is asked to note the report.

Item 9 - Elected Member Handbook

Recommendation for approval

An Elected Member Handbook has been produced to provide backup information that Members may require in support of their role within the Joint Committee.

The proposal would be to provide the information on a secure part of the arc21 website with suitable passwords being issued to Members for access.



JOINT COMMITTEE
2 June 2015

With the documentation being made available electronically, this approach facilitates future updates being made quickly, including adding new information as well updating the current documents.

The Contents page for the handbook is attached for information and the Joint Committee is asked to consider and approve the introduction of the handbook.

The Joint Committee is asked to consider and approve the provision of an Elected Member Handbook, in electronic format, to be set up on the arc21 website for use by Members.

Item 10 – Financial Report 2014-15.

Recommendation for approval

To present the Joint Committee with the Financial Report for the year to March 2015.

The Joint Committee is required to prepare a Financial Report annually and subject it to a Statutory Audit by the Local Government Auditor.

The Statement of Accounts of the Joint Committee for the year to March 2015 have been prepared and is presented to the Joint Committee, in Appendix E, for approval prior to being presented to the Department by the deadline of 30 June 2015.

In terms of financial highlights, the turnover is up from £25m to £29m year on year, a surplus on the operational activities was achieved of £89k compared to a deficit in the previous year of £178k. The General Reserves at 31 March 2015 increased to £496k compared to £352k on 31 March 2014. Cash balances at 31 March were £1.8m compared to £3.0m in the previous year, providing sufficient liquidity to enable arc21 to meet its monthly contractual obligations.

The Pension Scheme Reserve remains in a deficit position and, in the year to March 2015, the deficit has increased to £629k, up from £502k in 2014.

The formal statutory audit will then be undertaken by the Local Government Auditor and, when completed, an updated Financial Report will be presented to the Joint Committee.

The Joint Committee is asked to consider the Statement of Accounts for the year to March 2015 and allow the Chair to sign them in advance of their submission to the Department by the statutory deadline of 30 June 2015.



Item 11 - Key Performance Indicators 2014-15

For noting

The Joint Committee is provided with the Key Performance Indicators for the organisation for the year to March 2015.

The Joint Committee is asked to note the Key Performance information presented.

The next scheduled meeting of the Joint Committee will be hosted by Ards and North Down Borough Council on Thursday 2 July 2015 at 10.30am.

ITEM 3
ARC21 JOINT COMMITTEE
Meeting No 001
Hosted by arc21
MINUTES
Thursday 30 April 2015

Members Present:

Councillor J Bingham
 Councillor N Kells
 Alderman A Carson
 Alderman A Graham
 Councillor R Brown
 Councillor G Carroll
 Councillor O Gawith
 Alderman J Tinsley
 Councillor B Adger
 Councillor D O'Loan
 Councillor R Wilson
 Councillor D Curran
 Councillor G Craig

Antrim and Newtownabbey Borough Council
 Antrim and Newtownabbey Borough Council
 Ards and North Down Borough Council
 Ards and North Down Borough Council
 Belfast City Council
 Belfast City Council
 Lisburn & Castlereagh City Council
 Lisburn & Castlereagh City Council
 Mid and East Antrim Borough Council
 Mid and East Antrim Borough Council
 Mid and East Antrim Borough Council
 Newry, Mourne and Down District Council
 Newry, Mourne and Down District Council

Members' Apologies:

Alderman M Cosgrove
 Alderman R Gibson
 Councillor J Bunting
 Councillor L Poots
 Councillor S Burns

Antrim and Newtownabbey Borough Council
 Ards and North Down Borough Council
 Belfast City Council
 Lisburn & Castlereagh City Council
 Newry, Mourne and Down District Council

Officers Present:

J Quinn
 G Craig
 H Campbell
 R Burnett
 J Green
 G Girvan
 T Walker
 S Toland
 H Moore
 P Thompson
 J Parkes

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 Antrim and Newtownabbey Borough Council
 Belfast City Council
 Belfast City Council
 Lisburn & Castlereagh City Council
 Mid and East Antrim Borough Council
 Newry, Mourne and Down District Council

Officers' Apologies:

K Boal
 J Dixon
 S Reid
 D Lindsay
 S Wylie
 T Donaldson

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 Antrim and Newtownabbey Borough Council
 Ards and North Down Borough Council
 Ards and North Down Borough Council
 Belfast City Council
 Lisburn & Castlereagh City Council

AGENDA

A Donaghy
L Hannaway
C O'Rourke

Mid and East Antrim Borough Council
Newry, Mourne and Down District Council
Newry, Mourne and Down District Council

In Attendance:

W Curry

Arthur Cox Solicitors

Welcome and Introduction

Mr Quinn welcomed all Members to the first meeting of the Joint Committee post Local Government Reform. Due to the majority of Members being new to arc21, the Senior Management Team commenced the meeting with a capacity building presentation to provide Members with an update on the background and history of arc21, its objectives, current contractual arrangements, the Residual Waste Treatment Project, governance and finance.

William Curry, the arc21 Solicitor from Arthur Cox, was in attendance and was also able to outline to Members the position to date in terms of legal commitments entered into by the Joint Committee and Constituent Councils and other relevant legal matters.

There followed a series of questions from Members before the main business was discussed.

Election of Chair

As this was the first meeting of the Joint Committee, Mr Craig informed Members that the first item of business involved the appointing of a Chair and Deputy Chair to the Joint Committee and then explained the procedures for the election of these positions.

Mr Craig then sought nominations for the position of Chair to serve the Joint Committee for the forthcoming year.

Nominated: Councillor G Craig

Proposed: Alderman J Tinsley

Seconded: Councillor N Kells

It was unanimously resolved that Councillor Craig be elected Chair of the Joint Committee for the incoming year to March 2016.

(Councillor Craig in the Chair)

Councillor Craig took the Chair and thanked the Members for electing him as Chair of the Joint Committee for the forthcoming year and welcomed all Members to the new Joint Committee.

Election of Deputy Chair

Nominations were then invited for the position of Deputy Chair of the Joint Committee for the incoming year to March 2016.

Nominated: Councillor D O'Loan
Proposed: Councillor D Curran
Seconded: Alderman A Graham

It was unanimously resolved that Councillor O'Loan be elected Deputy Chair of the Joint Committee for the incoming year to March 2016.

Councillor O'Loan thanked Members for electing him Deputy Chair of the Joint Committee.

Apologies

Apologies were noted.

Action: Noted

Minutes

The minutes of meeting 129 held on 26 March 2015 were agreed.

Action: Agreed

The minutes of meeting 128 held on 26 February 2015 were agreed.

Action: Agreed

Consultation on Amending the Fit and Proper Persons Requirements of the Waste Management Licensing Regime

Due to the previous meeting being inquorate, Members were presented with the arc21 consultation response, which had been submitted by the deadline of 23 April 2015, for retrospective approval.

Following discussion Members agreed to endorse the response.

Action: Agreed

Matters Arising from the Minutes

There were no matters arising.

Action: Noted

The Chair advised Members that the meeting would now be formally dealt with 'in committee'.

In Committee

Matters of a confidential and commercially sensitive nature were discussed under this agenda item and recorded accordingly.

Following discussion on the commercially sensitive matters, the Chair advised Members that the meeting would now return to the main agenda but whilst 'in committee' there were four matters discussed as follows:

1. In Committee Minutes of Joint Committee Meeting No. 129 held on 26 March 2015. **Action: Agreed**
2. In Committee Minutes of Joint Committee Meeting No. 128 held on 26 February 2015. **Action: Agreed**
3. Proposed Changes to Contracts - MRF and Bring Bank Collection Service for Paper Contracts. **Action: Agreed**
4. Residual Waste Treatment Project report. **Action: Noted**

The Chair advised Members that the meeting would now return to the main agenda.

Conflicts of Interest and Annual Declarations of Interest Form

Mr Craig presented a report to propose a formal process for dealing with the issue of Conflicts of Interest in relation to the business of the Joint Committee and Members were asked to consider the following:

- 1 *At the beginning of each Joint Committee meeting the Chair will read out a statement reminding Members of the importance of declaring any interest in respect of the business of the Joint Committee.*
- 2 *The Chair will then ask Members to confirm if any of them are of the view that they do have an interest in relation to the business of the Joint Committee and, if so, will ask those concerned to absent themselves either from the meeting in its entirety or the relevant parts of the meeting and take no part in the matters that they have an interest in, including the decision making process.*
3. *The Chair will also inform Members that a formal record will be made of any interests which are declared.*
4. *In addition to any interests declared throughout the year by Members, are also asked to complete a Declaration of Member Interests form annually, similar to the process adopted by Councils. An example of the form proposed is attached at Appendix D for consideration and completion, should Members decide to use this format.*

Mr Craig recommended that the Joint Committee approve the Conflicts of Interest process as outlined and, following discussion, the Joint Committee agreed to approve the recommendation. **Action: Agreed**

Governance Arrangements - Standing Orders and Scheme of Delegation

Mr Craig presented the Committee with the proposed Standing Orders and the Scheme of Delegation and Financial Regulations, as part of the governance arrangements for the formal administration of the organisation.

He reported that the Standing Orders primarily set out the formal arrangements within which the Joint Committee meetings will be regulated and the Scheme of Delegation and Financial Regulations provide the Chief Executive with the delegated authority, as the Senior Responsible Officer for the management of the operations of arc21, to manage the day to day operations of the organisation.

Mr Craig recommended that the Joint Committee consider and approve the Standing Orders and the Scheme of Delegation and Financial Regulations. Following discussion Members agreed to adopt the Standing Orders and Scheme of Delegation and Financial Regulations subject to one change being made to the Standing Orders in relation to the quorum.

Members agreed to amend the Standing Orders to reflect the position that the quorum for the meetings be six elected Members provided at least three, not four as originally proposed, Participant Councils are represented.

Mr Craig is to amend the Standing orders to reflect the quorum position.

Action: Mr Craig

Establishment of and Nominations to Audit Committee

Mr Craig presented a report to ask the Joint Committee to establish an Audit Committee as part of the process of providing robust governance arrangements for the organisation.

He reported that the establishment of an Audit Committee formed an important part of the overall governance arrangements of an organisation and is now common within the Local Government sector. The primary role of the Audit Committee was to provide assurance to the Joint Committee in regards to issues of governance, finance and risk management activities in the operations of arc21.

He explained that the Joint committee had arrangements in place up to 31March 2015 and asked the Joint Committee to consider putting in place similar arrangements going forward and, if in agreement, seek nominations from the Members.

Following discussion Members agreed to establish an Audit Committee and then the Chair sought nominations from Members to serve on the Audit Committee.

The following nominations to the Audit Committee were then agreed:

- *Alderman A Carson*
- *Councillor O Gawith*
- *Alderman A Graham*
- *Councillor D O'Loan*

Mr Craig informed the meeting that arrangements would now be made to facilitate the operations of the Audit Committee. **Action: Mr Craig**

Corporate Plan 2015-2016

Mr Craig presented the Joint Committee with the proposed Corporate Plan for the year to March 2016 for consideration and approval.

He reported that previously arc21 had developed three year Corporate Plans, in conjunction with key stakeholders including the Joint Committee, setting out the strategic objectives of the organisation and the specific business plans that will be implemented to achieve those strategic objectives.

He explained that in this instance, in view of the new Council structures becoming effective from 1 April 2015, it was proposed to prepare a Corporate Plan for one year only, to enable arc21 to take into account any relevant issues which may emerge during this transition period within Councils that would impact the Joint Committee in planning for the longer term.

The Joint Committee was asked to consider and approve the Draft Corporate Plan for the year to March 2016 and, following discussions, this was agreed. **Action: Agreed**

Local Government Pension Scheme Arrangements - NILGOSC

Mr Craig presented a report to seek the approval of the Joint Committee to the re-admission of arc21 as a member of the Local Government Pension Scheme, following the reconstitution of the Joint Committee on 1 April 2015, and to seek the approval of the Joint Committee to the Employers Discretionary Policies that will be applied in accordance with the Local Government Pension Scheme Regulations.

Mr Craig explained that in order to avoid a crystallisation of the pension deficit at 31 March 2015, NILGOSC required the admission form to be signed by 1 April 2014 and presented to NILGOSC on that date. He confirmed that that this was arranged with Alderman Tinsley and thanked Alderman Tinsley for his help in doing so.

Mr Craig recommended that the Committee consider and approve the following:

1. *The Admission Agreement and the Apportionment Agreement in order to formally facilitate the transfer of the rights and obligations of staff in respect of the Local Government Pension Scheme; and*

2. *in respect of the Employers Discretionary Policies, to approve the policies on the discretions to be exercised under:*
- *the LGPS Regulations in relation to those employees who are active scheme members after 31 March 2015 and members who cease active membership after 31 March 2015;*
 - *the LGPS Regulations in relation to those scheme members who left prior to 1 April 2015; and*
 - *the Discretionary Compensation Regulations.*

Following discussion the Joint Committee agreed to approve the recommendations and Mr Craig agreed to present the approved Employers Discretionary Policies to NILGOSC by the deadline of 31 July 2015 as well as publish them on the arc21 website.

Action: Mr Craig

Contracts and Performance Update

Mr Burnett and Mr Craig presented a report to advise Members on the monthly progress with the core contracts relating to processing and disposal infrastructure i.e. MRF, Landfill, Bring Sites, and Organic Treatment and annual progress with the other service/supplies contracts followed by a monthly update in regards to the performance indicators.

MRF

Mr Burnett reported that the level of contamination at the MRF was 11.7% in March 2015, which was a reduction from 16.9% in February 2015. He advised that a visual contamination survey continues at the MRF and passed to each Council weekly for their information.

Landfill & Bring Bank Collection Services

Mr Burnett presented the Joint Committee with the monthly tonnages of these two contracts and the net monthly income from the Bring Bank Collection Service contract.

He reported that the annual amount of waste disposed of during 2014/15 was 13.3% up on last year's tonnage but that this increase was a direct result of Newtownabbey Borough Council joining the arc21 landfill contract during the year and other Councils carefully managing their residual waste with due regard to budgets and landfill diversion targets.

Revenue Share and Summary Contract Statistics

Mr Craig provided an update on the Revenue Share arrangements in respect of the MRF and Bring Bank Collection Service contracts and also updated Members on the waste tonnage statistics delivered to the four main contracts in the year to March 2015.

Organic Waste

Mr Burnett provided an update on the operations of the Organic Waste Treatment contract including the tonnages of waste processed and the development of the infrastructure for the permanent facilities.

Other Service/Supplies contracts were also discussed including Street Sweepings, Haulage and Supplies.

Performance Indicators

Mr Burnett also provided an update on the Key Performance Indicators including NILAS performance.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Consultation on Proposed Changes to the Waste Batteries Regulations 2009, PRO (Packaging Waste) Regulations 2007, PRO (Packaging Waste) Regulations (Northern Ireland) 2007 and Call for Evidence on the Impact of New Plastic Flow Figures and Links with Household Waste Recycling Targets.

Mr Burnett presented a report to advise the Joint Committee on the consultation paper issued by DEFRA, the DOE, the Welsh Government and the Scottish Government.

He reported that the purpose of the consultation was to seek views on amendments to producer responsibility legislation pertaining to Waste Batteries. He further reported that the consultation paper also seeks evidence to help underpin a review of the waste plastic packaging target and to support the Government's analysis with WRAP and other partners to consider what further actions, in respect to packaging waste, can be taken to ensure that the household waste recycling target is met.

Mr Burnett recommended that the Joint Committee consider and endorse the draft response presented, subject to any further amendment to take account of further contributions or developments, prior to submission by the closing date of 22 May 2015.

Following discussion the Joint Committee agreed to approve the recommendations.

Action: Agreed

Consultation on Amending the NIEA's Financial Provisions Policy

Mr Burnett presented a report to advise the Joint Committee on the consultation paper issued by the NIEA.

He reported that the purpose of the consultation was to seek views on amendments to the NIEA policy on the requirements relating to making Financial Provision relative to the granting and holding of a waste management licence.

Mr Burnett recommended that the Joint Committee consider and endorse the draft response presented, subject to any further amendment to take account of further contributions or developments, prior to submission by the closing date of 19 June 2015.

Following discussion the Joint Committee agreed to approve the recommendations.

Action: Agreed

AGENDA

Schedule of Meetings to December 2015

Mr Craig presented the Joint Committee with the proposed schedule of meetings to be held in 2015.

Date	Host
Tuesday 2 June	Antrim and Newtownabbey Borough Council
Thursday 2 July	Ards and North Down Borough Council
Thursday 3 Sep	Belfast City Council
Thursday 1 Oct	Lisburn & Castlereagh City Council
Thursday 5 Nov	Mid and East Antrim Borough Council
Thursday 3 Dec	Newry, Mourne and Down District Council

He proposed that meetings commence at 10.30 a.m.

He further reported that, from time to time, there may be a requirement to call special meetings of the Joint Committee and it is proposed that this ad-hoc arrangement be continued and Members notified accordingly, should such events arise.

He recommended that the Joint Committee consider and approve the schedule of meetings and, following discussion, Members agreed to accept the recommendation.

Host Councils were asked to note the schedule and confirm the venues with arc21 at their earliest convenience. **Action: Agreed**

AOB

Waste Management Group Membership - Mr Craig reported that arc21 had received correspondence from the Department in relation to confirming the new arc21 representatives to the Waste Programme Board, which is chaired by the Minister.

He reported that, in the past, the Joint Committee representatives on the Waste Programme Board were the Chair and Deputy Chair and suggested that this procedure continue.

Members agreed that the Chair, Councillor G Craig, and the Deputy Chair, Councillor D O'Loan, would represent the Joint Committee at the Waste Programme Board and that Mr Craig should notify the Department accordingly. **Action: Agreed**

Next Meeting

The Chair advised that the next meeting of the Joint Committee would be held on Tuesday 2 June 2015 and hosted by Antrim and Newtownabbey Borough Council in Mossley Mill, Newtownabbey. **Action: Noted**

Chairman

AGENDA

Councillors please refer to Summary of Recommendations - Item 1

ENTERTAINMENT LICENSING REVIEW

REPORT BY THE ENTERTAINMENT LICENSING REVIEW GROUP

February 2015

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ENTERTAINMENT LICENSING

THIS CONSULTATION DOCUMENT SEEKS VIEWS ON THE REPORT BY THE ENTERTAINMENT LICENSING REVIEW GROUP ON THE LICENSING OF ENTERTAINMENT IN NORTHERN IRELAND.

COMMENTS SHOULD BE SENT BY 26 JUNE 2015 TO:

LOCAL GOVERNMENT POLICY DIVISION

DEPARTMENT OF THE ENVIRONMENT

LEVEL 4

CAUSEWAY EXCHANGE

TOWNPARKS

1-7 BEDFORD STREET

BELFAST, BT1 7EG

E-MAIL: lgpdconsultations@doeni.gov.uk

THE FOLLOWING PERSONS WILL BE ABLE TO ANSWER QUERIES IN RELATION TO THIS CONSULTATION.

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SUMMARY OF RECOMMENDATIONS

- 1 When considering a licence application, councils should give due consideration to preventing, or minimising, any crime and disorder issues associated with the entertainment.

Council's Response:

Under the Order, the council shall have regard to any observation submitted to it by the appropriate sub-divisional commander. It is the role of the PSNI to deal with matters of crime & disorder. The Council will give due consideration to any observations made.

- 2 The new licensing regime should apply to the Crown.

Council's Response:

The Department to clarify if there are there exclusions to these proposals.

- 3 The dual licensing system for indoor and outdoor entertainment should be replaced by one system covering both.

Council's Response:

Consider impact on Licensing conditions and occupancy, particularly to the use of 'outside' spaces and the impact of noise & neighbourhoods - Refer to No. 1.

- 4 Applicants should be required to submit a plan of the premises or place which has the area(s) where entertainment will be provided clearly marked on the plan.

Council's Response:

This is consistent with existing arrangements

- 5 The entertainment licensing regime should apply to outdoor entertainment only when it is on private land.

Council's Response:

Why is 'private' land different from 'public' place? There is still a need to ensure safety of the public attending an entertainments event whether land is 'private' or 'public'.

- 6 The legislation should specify that any place, other than:
- premises used only as a private dwelling house (including the garden and yard of the dwelling); and
 - an education establishment while it is being used as such should require a licence for the provision of regulated entertainment.

Council's Response:

Agreed.

Place to include 'outdoor' space under new proposals. Refer to comments in 3.

- 7 The legislation should make it clear that place includes a temporary structure such as a marquee.

Council's Response:

Agreed.

SUMMARY OF RECOMMENDATIONS

- 8 Places which hire equipment to play pool, billiards, snooker or similar games should be excluded from the new entertainment licensing regime.

Council's Response:

Agreed for low occupancy events. Refer to No.9 for larger entertainments events.

- 9 Matches, public contests, exhibitions, or displays of darts, pool, snooker, billiards or similar games where the audience capacity is 200 or more should require an entertainment licence.

Council's Response:

Agreed. The occupancy level to be consistent with other forms of entertainments as outlined in the order.

- 10 An entertainment licence should be required where regulated entertainment will occur in a place licensed under the Cinemas (Northern Ireland) Order 1991.

Council's Response:

Agreed

- 11 An entertainment licence should be required whether or not there is an admission charge.

Council's Response:

Consider the impact on local community & clubs. Consideration should be given to local community & club related entertainments events mostly attended by members without any admission charge being made.

12 Regulated entertainment includes the following:

- a theatrical performance (including a display of hypnotism, and a performance by a comedian);
- dancing, singing or music, or any entertainment of a like kind;
- a circus;
- any entertainment which consists of, or includes, any public contest, match, exhibition or display of boxing, wrestling, judo, karate or any similar sport; and
- any match, public contest, exhibition or display of darts, pool, snooker, billiards or similar game where the audience capacity is 200 or more people.

Council's Response:

The definition of music needs to be considered, to include current use of technology to provide 'streamed' music as entertainments.

SUMMARY OF RECOMMENDATIONS

- 13 The Department should be able to amend the list of regulated entertainment through subordinate legislation.

Council's Response:

Agreed. Process to be refined.

- 14 One council should be responsible for carrying out all the standard tent checks for a travelling circus. When a travelling circus locates to a district council area, that council will be responsible only for carrying out site-specific checks prior to issuing the licence.

Council's Response:

Site specific issues to be dealt with by local authority. Consideration should be given to Process and how fees are to be assigned between each council area visited.

- 15 A normal entertainment licence should be valid until surrendered by the licence holder or revoked by the council. If this is considered too great a change, a normal licence should be valid for at least 5 years.

Council's Response:

Consider the impact on fees, and the need to cover costs of inspection and control. Are fees to be aggregated over the licence period? What is process for ongoing control and inspection?

- 16 The current provision for an occasional licence for entertainment on 14 specified days or 14 unspecified days in a year should be retained.

Council's Response:

Why are there two categories for 14 days? Consider refinement of process as proposed for 'indoor'/'outdoor' places.

- 17 Licence holders (other than an occasional or temporary licence) should be required to agree any modifications or changes to the premises with the council before any work starts.

Council's Response:

Alterations are regulated under building regulations for structural alteration. Further consideration of process and penalty required.

- 18 Provision for a temporary licence should be introduced which would apply to one event in a 12 month period from the date the licence is granted. The licence should be restricted to events of no more than 3 consecutive days where:
- the expected audience is no more than 499 people; and
 - the hours of entertainment are from 9:00 to 23:00 only.

SUMMARY OF RECOMMENDATIONS

An application may be submitted up until 21 days prior to the event, but the council should have discretion to accept a late application if it considers it reasonable to do so. The council would have to make a determination by, at the latest, 24 hours before the entertainment is scheduled to begin. A person should not be permitted to apply for a temporary licence for an event where the council has already refused to grant a normal or occasional licence for the same event.

Council's Response:

Agreed in principle. Consider if 24 hours is too short a period. Consider the impact on administrative process.

- 19 Where regulated entertainment is provided at a place which has an alcohol licence, the entertainment licence should be valid only until the last permitted time for consumption of alcohol on the premises. This change should be made at the earliest available opportunity.

Council's Response:

Disagree. Consider impact on local community & club activity. Consider impact on public safety, specifically reference the 'get home safe' campaign – consider impact on taxi, hot food outlets, etc.

- 20 On the insolvency of a licence holder, the licence may be reinstated to another person and remain in force for a discrete period of time. The legislation should clarify the accountability for any breach of an entertainment licence that has been transferred to an administrator or other insolvency office-holder.

Council's Response:

'Discreet period' to be further clarified. Consider process for transfer of licence.

21 The requirement for applicants to advertise in local newspapers should be removed and replaced by a combination of:

- applicants displaying a notice for 21 days at the place where the entertainment will be provided; and
- councils making details of all applications received available on their websites.

Council's Response:

Agreed. How is display of notice to be verified/monitored. Consider vandalism/defacement of notices displayed.

SUMMARY OF RECOMMENDATIONS

- 22 On receipt of an application for a temporary licence, councils must consult with PSNI and NIFRS.

Council's Response:

Refer no.18. Does 21 days allow for consultation? Consider 24 hour discretion period. Is this sufficient?

- 23 Councils should be required to keep a register of all entertainment licences and make this available for inspection by the public. Councils should be encouraged to make the licensing register available on their websites.

Council's Response:

Consider how register is to be available for viewing & administrative control.

- 24 Councils should have the power to vary a licence at any time. Licence holders, the PSNI and the NIFRS must be notified of the council's intended variation, and must be given the opportunity to be heard by the council.

Council's Response:

Consider conditions for variation. Consider process for objection and impact of extended objection process. Refer notification of modifications.

- 25 Licence holders should be required to notify the council of any material change affecting the licence holder, or the entertainment specified in the licence.

Council's Response:

What is penalty process for non-notification?

- 26 Interested parties must be able to make representations about a licence in effect, at any time throughout the duration of the licence. Licence holders must be notified of the details of the representation and given the opportunity to be heard by the council.

Council's Response:

Refer no.24. Consider impact of vexatious objectors/multiple objections on administrative process. Should there be a period of protection against objections.

- 27 The current provision allowing councils to make provisional grant of a licence for premises which are to be, or are in the process of being, constructed should be retained.

Council's Response:

Agreed

SUMMARY OF RECOMMENDATIONS

- 28 On the death of a licence holder, the licence should be deemed to have been granted to an executor and remain in force for a period of 3 months. The council should have the discretion to extend this period if the estate has not been settled.

Council's Response:

Refer No.20. consider process – is this a 'transfer of licence' process?

- 29 Councils should be required to have a scheme of delegation for decisions in relation to entertainment licences.

Council's Response:

Agreed

- 30 A system of fixed penalties for breaches of the licensing system should be introduced.

Council's Response:

Any revenue accrued should be returned to councils.

- 31 Authorised officers of the council should have a power of entry to places where there is reasonable cause to suspect that unlicensed entertainment is being provided.

Council's Response:

Agreed

- 32 It should be an offence to refuse entry to an authorised officer of the council.

Council's Response:

Agreed

- 33 Councils should also be able to obtain a warrant authorising forced entry to a place where it is suspected that unlicensed entertainment is being provided.

Council's Response:

Agreed

- 34 Authorised officers of the council should have the power examine and take copies of records relating to the maintenance of safety at places providing entertainments.

Council's Response:

Agreed

SUMMARY OF RECOMMENDATIONS

- 35 Model terms, conditions and restrictions for entertainment licences should be provided by the Department. Tailored model terms, conditions and restrictions should be produced for circuses, charity boxing matches and acts of hypnotism.

Council's Response:

There is a need for guidance documents for applicants and premises management. Model terms to be refined and updated to take account of specific operation of fire protection systems e.g fire suppression systems.

- 36 Councils should be able to include such terms and conditions as the council considers necessary or expedient to secure reasonable safety at the entertainment and the terms and conditions may be such as to involve alterations or additions to the venue.

Council's Response:

Agreed

CHAPTER 1 – INTRODUCTION

BACKGROUND

1. Organisations and businesses in Northern Ireland offer a wide range of entertainment which is enjoyed by both local people and visitors. As well as contributing to the local economy the provision of entertainment makes a significant contribution towards making Northern Ireland a holiday destination that people would recommend to others.
2. The current entertainment licensing system was introduced in 1985. Given the fact that the legislation has been in place for almost 30 years and there have been many changes in the range of entertainment on offer in Northern Ireland over that period, the Environment Minister, Mark H Durkan, announced a review of entertainment legislation on 22 July 2014.
3. Mark H Durkan said: “As the Minister responsible for entertainment licensing, I want to make sure that Northern Ireland has a sensible system in place which does not put undue obstacles in the way of businesses but ensures that the public are not put at risk, and the entertainment does not create an unreasonable nuisance to residents in the area.”
4. The Minister invited representatives from various interest groups, including entertainment businesses, local government, the Police

Service of Northern Ireland (PSNI) and the Northern Ireland Fire and Rescue Service (NIFRS), to look at the current legislation and make recommendations on any changes needed by the end of the year.

TERMS OF REFERENCE AND MEMBERSHIP

5. The terms of reference of the Entertainment Licensing Review Group were as follows.

To review the legislation and associated model terms and conditions for entertainment licences and make recommendations to the Minister on any changes required to the current system. This would include the structure and level of fees for entertainment licences.

6. Membership of the Entertainment Licensing Review Group (“the Review Group”) was as follows.

Liz Loughran <i>(Chairperson)</i>	Local Government Policy Division
Colin Neill	Chief Executive, Pubs of Ulster
Rodney Gillis	Licensing Forum (N I)
David Brown	Licensing Forum (N I)
Kevin O'Neill	Group Commander NI Fire and Rescue Service
John Davidson	Chairperson, NI Federation of Clubs
Harry Beckinsale	Public Relations Officer, NI Federation of Clubs
John Conner	Police Service of Northern Ireland
Nigel Goddard	Superintendent, Police Service of Northern Ireland
Liam Quinn	Social Policy Unit, Department of Social Development
Gary Maxwell	Public Health, Department of Health, Social Services and Public Safety
Trevor Martin	Belfast City Council
Nora Largey	Belfast City Council
Andrew Irvine	City Centre Manager, Belfast City Centre Management

7. The Review Group was supported in its work by:

Marie Cochrane	Secretariat, DOE
Brenda Kelly	Secretariat, DOE
Mark Mulholland	Secretariat, DOE

8. The Review Group would also like to thank officials in the Economic Policy Unit of the Department of Enterprise Trade and Investment (“DETI”), the Health and Safety Executive Northern Ireland, the Insolvency Service (DETI), and the Department of Justice for their assistance during the review.

APPROACH TO THE REVIEW

9. The Review Group considered the systems for entertainment licensing which apply in Scotland; England and Wales; and the Republic of Ireland.
10. The findings from the DETI Business Red Tape Review of the Hospitality Sector also contributed to the final outcome of the review.

CHAPTER 2 – REGULATED PUBLIC ENTERTAINMENT

PURPOSE OF A LICENSING REGIME FOR PUBLIC ENTERTAINMENT

11. Some types of public entertainment, such as singing and dancing, have been subject to licensing for a very long time. When the current legislation was being considered by Parliament in 1985 the stated object of the licensing powers was to secure adequate standards of safety in places where large numbers of people congregate in confined spaces.

12. The purpose of the licensing regime could be broken into 2 main areas:
 - to ensure the safety of the individuals attending the entertainment; and
 - to avoid the entertainment causing undue disturbance to people in the surrounding area.

GENERAL

13. The Department of the Environment (“the Department”) is responsible for the legislation governing entertainment licensing and district councils (“councils”) are responsible for the administration of the licensing system. The legislation

determines, amongst other things, which types of entertainment are regulated, the duration of licences and the penalties for breaches of the licensing system.

14. Applications for an entertainment licence are considered and, if appropriate, approved by each council. It is for each council to determine what conditions should apply to each licence but the legislation does require the council to have regard to any model terms, conditions and restrictions published by the Department.

15. A wide variety of businesses and organisations provide entertainment in Northern Ireland. In the calendar year 2012 councils issued some 2,600 entertainment licences. To get some more up to date information, the Review Group asked councils for information about the entertainment licences they had granted in the past year. Seven councils responded to the request. These 7 councils had granted a total of 936 licences. A breakdown of the licences by type of premises is given below.

TYPE OF PREMISES	LICENCES GRANTED
PUBLIC HOUSE	322
HOTEL	43
RESTAURANT	39
SNOOKER/POOL HALL	15
AMUSEMENT ARCADE	25
CHURCH/PARISH HALL	83
ORANGE ORDER/RBP HALL	24
EDUCATIONAL INSTITUTION	28
COMMUNITY CENTRE	93
GAA CLUB	33
GOLF CLUB	28
SOCCER CLUB	18
RUGBY CLUBS	7
MARQUEE EVENTS	15
CIRCUSES	12
OTHER*	151

*OTHER includes libraries, theatres, various types of clubs such as cricket and bowling clubs, recreational centres, etc.

LEGISLATION IN OTHER JURISDICTIONS

16. In England and Wales entertainment licensing is governed by the Licensing Act 2003 (“the 2003 Act”), and in Scotland by the Civic Government (Scotland) Act 1982.

17. In the Republic of Ireland the licensing of outdoor entertainment events where the audience is over 5,000 fall under the Planning and Development Act 2000. The Licensing of Indoor Events Act 2003 is an addition to the Fire Services Act 1981 (which covers all aspects of fire safety and is applicable to both outdoor and enclosed venues) and is intended to ensure the safety of persons attending events taking place wholly or mainly in a building. Outdoor events are licensed by local authorities and indoor events are licensed by the fire authority.

LEGISLATION IN NORTHERN IRELAND

18. Article 3 of, and Schedule 1 to, the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 (“the NI Order”) provide for entertainment licensing in Northern Ireland. Councils may grant, renew, transfer and vary entertainment licences regarding:
 - indoor places of entertainment; and
 - outdoor musical entertainment.

INDOOR ENTERTAINMENT

19. An entertainment licence is required for the following types of indoor entertainment:
 - a theatrical performance;
 - dancing, singing or music or any entertainment of a like kind;
 - a circus;
 - any entertainment which consists of, or includes, any public contest, match, exhibition or display of:
 - boxing, wrestling, judo, karate or any similar sport;
 - billiards, pool, snooker or any similar game;
 - darts;
 - any other sport or game prescribed by the Department.

20. Music or singing in a place used wholly or mainly for public religious worship, or performed as an incident of a religious meeting or service is exempted from the requirement of a licence.

21. Machines for entertainment or amusement, or equipment for playing billiards, pool, snooker or other similar games cannot be provided except in accordance with the terms of a licence unless the entertainment machines or equipment provided are incidental to the main purpose or use of the place, or the machines or equipment provided are wholly or mainly in the open air.

22. Gaming machines (machines with slots/apertures for cash/tokens for playing games of chance) are also excluded because they are regulated under the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

23. An entertainments licence is required at any place where on payment of a charge:
 - persons are admitted for entertainment or amusement;
 - meals or refreshments are supplied to the public; and
 - persons may use any machines or equipment for entertainment or amusement.

24. Charge includes any form of charge whenever paid and whether paid by money or money's worth.

25. Anywhere licensed under the Cinemas (Northern Ireland) Order 1991 is excluded from requiring an entertainment licence.

OUTDOOR ENTERTAINMENT

26. Outdoor musical entertainment is defined as entertainment that is wholly or mainly in the open air, is on private land, and contains music or singing as a substantial ingredient.

27. A number of outdoor events where there may be some element of music or singing are excluded from the licensing regime. These are a pleasure fair; garden fete; bazaar; sale of work; sporting or athletic event; exhibition, display or other function or event of a similar character; or a religious meeting or service. Outdoor entertainment such as pleasure fairs and funfairs are excluded because councils can control these through bye-laws made under article 67 of the Pollution Control and Local Government (Northern Ireland) Order 1978.

28. An entertainment licence, whether for indoor or outdoor entertainment, is valid for a maximum of 12 months.

AIMS OF THE ENTERTAINMENT LICENSING REGIME

29. The Review Group agreed that the main purpose of the licensing regime was still ensuring the safety of the individuals attending the entertainment and avoiding undue disturbance to people in the surrounding area.

30. The Review Group also agreed that when considering a licence application, councils should give due consideration to preventing,

or minimising, any crime and disorder issues associated with the entertainment.

Recommendation 1

When considering a licence application, councils should give due consideration to preventing, or minimising, any crime and disorder issues associated with the entertainment.

APPLICATION TO THE CROWN

31. The Review Group also discussed whether land owned by the Crown or government Departments should be included in the entertainment licensing regime. The general rule is that legislation does not apply to the Crown unless specifically stated in that piece of legislation. There was no provision about application to the Crown in the 1985 Order.

32. The corresponding legislation for England & Wales, the Licensing Act 2003 does apply to the Crown but entertainment licensing in Scotland does not. The Review Group considered that the new licensing regime should apply to the Crown. This would result in both Northern Ireland and Westminster Departments, such as Her Majesty's Revenue and Customs, requiring an entertainment licence for any regulated entertainment provided on land or in buildings owned by them.

Recommendation 2

The new licensing regime should apply to the Crown.

INDOOR AND OUTDOOR ENTERTAINMENT

33. The differentiation between the licensing of indoor and outdoor entertainment has resulted in businesses and organisations requiring two licences if they want to, for example, have music in the beer garden of a pub or a children's disco in the grounds of a community centre. The Review Group considered that this dual system places an undue administrative and cost burden on businesses and organisations which provide entertainment.

34. The Review Group recommended that the dual licensing system for indoor and outdoor events should be removed. This would have the advantage of allowing a business or organisation that may provide entertainment in an indoor and an outdoor part of its premises to have both covered in one licence, thus reducing the burden on both applicants and councils. A further advantage is that any entertainment which is considered regulated entertainment would require a licence irrespective of whether the event takes place indoors or outdoors.

Recommendation 3

The dual licensing system for indoor and outdoor entertainment should be replaced by one system covering both.

35. To enable both indoor and outdoor areas to be specified in one licence applicants would be required to provide a plan of the premises or place which clearly showed the area or areas which would be used for the provision of entertainment. This will allow authorised officers of the council to consider and inspect the area(s) for suitability and the council to hold a record of which area is licensed for entertainment.

Recommendation 4

Applicants should be required to submit a plan of the premises or place which has the area(s) where entertainment will be provided clearly marked on the plan.

36. The current legislation for outdoor entertainment, which provides for musical entertainment, was influenced by the growth in outdoor pop music festivals which prior to 1985 were not regulated. Since 1985 there has been a change in the types of outdoor entertainment.
37. Other outdoor entertainment events, which do not contain music or singing as a substantial ingredient, such as the 2014 boxing match at the Titanic Quarter, Belfast, have become popular in recent years. These events are not subject to the licensing regime.

38. Responsible organisers and businesses will take the necessary precautions to ensure the safety of the people attending the event and take steps to minimize any nuisance to people in the local area. But, given the potential risk to public safety and nuisance to others, it would not be appropriate to rely on the assumption that all events will be properly run.
39. The current legislation for outdoor entertainment applies only to entertainment that takes place on private land. The Review Group discussed whether this should be retained and concluded that it would not be appropriate to include areas of public land as there already legislation governing the use of public land such as roads.
40. The Review Group therefore proposed that the requirement for a licence would only apply to outdoor events on private land.

Recommendation 5

The entertainment licensing regime should apply to outdoor entertainment only when it is on private land.

PLACE OF ENTERTAINMENT

41. The legislation should be framed in such a way as to include any place, other than:

- premises used only as a private dwelling house (including the garden and yard of the dwelling); and
 - an education establishment while it is being used as such.
42. The Review Group recommended that the legislation should continue to specify that music or singing in a place used wholly or mainly for public religious worship or performed as an incident of a religious meeting or service should not require a licence.
43. The current exemptions for:
- a garden fete;
 - a bazaar;
 - a sale or work;
 - a pleasure fair; and
 - all sporting or athletic events, exhibitions or similar other than boxing, wrestling, karate, judo or similar sport,
- should continue to apply in the future.
44. Anecdotal evidence suggests that there is some confusion among the public about whether entertainment in a temporary structure, such as a marquee, is an indoor or an outdoor entertainment. The Review Group's recommendation for a single licensing system covering both indoor and outdoor entertainment should lessen this confusion. In the interests of clarity the Review Group also recommended that "place" should be defined to include

temporary structures and noted that this will clarify that temporary structures are included in the licensing system.

Recommendation 6

The legislation should specify that any place, other than:

- a. premises used only as a private dwelling house (including the garden and yard of the dwelling); and
 - b. an education establishment while it is being used as such
- should require a licence for the provision of regulated entertainment.

Recommendation 7

The legislation should make it clear that “place” includes a temporary structure such as a marquee.

DEFINITION OF REGULATED ENTERTAINMENT

45. The Review Group considered the types of entertainment currently regulated and concluded that there was no need to retain the need to licence places which hire equipment to play pool, billiards, snooker or similar games as these places did not represent a significant risk to public safety.

Recommendation 8

Places which hire equipment to play pool, billiards, snooker or similar games should be excluded from the new entertainment licensing regime.

46. The Review Group noted that some matches, public contests, exhibitions, or displays of darts, pool, snooker, billiards or similar games were for very small numbers and posed little risk to public safety. The Group recommended that such events should not require a licence. Members concluded however that where events were for a larger audience, the risk to public safety would be higher, as would the potential for undue disturbance. The Review Group therefore recommended that where the capacity is 200 or more people, a licence should be required. The Group agreed that capacity should refer to capacity of the audience of that entertainment event, and not the capacity of the building.

Recommendation 9

Matches, public contests, exhibitions, or displays of darts, pool, snooker, billiards or similar games where the audience capacity is 200 or more should require an entertainment licence.

47. There were a number of areas where it was unclear whether certain types of entertainment were included in the current licensing system. The Review Group recommended that the new definition of regulated entertainment should make it clear that comedy events such as stand up comedians, and hypnotism acts

were considered as theatrical performances and are, therefore, included in the licensing regime.

48. At the moment any place licensed under the Cinemas (Northern Ireland) Order 1991 does not require an entertainment licence. Some of the premises used for film exhibitions are also used for other types of entertainment. In view of this, the Review Group recommended that the blanket exemption for places licensed under the Cinemas (Northern Ireland) Order 1991 should be removed, and places licensed under the Cinemas Order should be required to have an entertainment licence where the place is being used to provide regulated entertainment.

Recommendation 10

An entertainment licence should be required where regulated entertainment will occur in a place licensed under the Cinemas (Northern Ireland) Order 1991.

49. The Review Group considered the current restriction of the licensing requirement to a place of entertainment where a charge is made. The Group noted that free events pose the same risks to public safety, and may cause the same undue nuisance as charged events, and therefore recommended the removal of this restriction.

Recommendation 11

An entertainment licence should be required whether or not there is an admission charge.

50. The Review Group proposed that the definition of regulated entertainment for the future licensing regime should include the areas listed at recommendation 12.

Recommendation 12

Regulated entertainment includes the following:

- a theatrical performance (including a display of hypnotism, and a performance by a comedian);
- dancing, singing or music, or any entertainment of a like kind;
- a circus;
- any entertainment which consists of, or includes, any public contest, match, exhibition or display of boxing, wrestling, judo, karate or any similar sport; and
- any match, public contest, exhibition or display of darts, pool, snooker, billiards or similar game where the audience capacity is 200 or more people.

51. At the moment any change in the types of entertainment included in the licensing system requires primary legislation, except where the Department wishes to add another sport or game which may be done through subordinate legislation.

52. The Review Group were of the view that it would be preferable for the Department to be able to amend the list of regulated entertainment as quickly as possible, and should investigate the possibility of using subordinate legislation to do so in the future.

Recommendation 13

The Department should be able to amend the list of regulated entertainment through subordinate legislation.

TRAVELLING CIRCUSES

53. Currently a travelling circus has to obtain an entertainment licence in each district council area it visits, for each site in that district council area. Before granting the entertainment licence each council must check:
 - tent issues such as the structural integrity, fire resistance, and seating areas in the tent; and
 - issues specific to the site such as emergency egress, noise to neighbouring premises, and public objections.

54. The Review Group noted that different councils will be carrying out the same checks of the tent even though the tent does not change. When considering the issue the Review Group drew on examples of more streamlined systems in other areas such as that for building control approval of standard house designs.
55. The Group recommended that one council (to be determined by all the councils on agreement) should be responsible for carrying out all standard tent checks for a travelling circus, and that the approval for those matters should be accepted by other councils. When a travelling circus locates to a district council area that council should check only the site-specific issues before granting the entertainment licence. This more streamlined system should lessen the burden on travelling circuses and councils.

Recommendation 14

One council should be responsible for carrying out all the standard tent checks for a travelling circus.

When a travelling circus locates to a district council area, that council will be responsible only for carrying out site-specific checks prior to issuing the licence.

56. Concerns have been raised in the past about the content of some entertainment and the potential for it to give rise to disturbance at the venue. It is, however, difficult to accurately determine whether

the content of a proposed entertainment, for example songs performed by a group of musicians, will cause a disturbance.

57. The Review Group noted that restricting content might be perceived as censorship, and interference with freedom of speech and artistic expression. The Review Group therefore concluded that this was not an issue for the future licensing regime.

TYPES AND DURATION OF LICENCES

58. The legislation allows councils to grant two types of licence. One applies to an unspecified number of entertainment events over a period of 12 months, or such shorter period as the council may think fit. This 'normal' licence would be used by, for example, commercial venues which offer a regular programme of entertainment throughout the year.
59. The other licence, known as an occasional licence, is valid for entertainment held on a maximum of 14 days specified in the licence or any 14 unspecified days within 12 months following the grant of the licence. An occasional licence is often used by community groups which organise a small number of events each year.

60. The European Union Services Directive 2006/123/EC (“the Services Directive”) requires that any limit on the duration of a licence may only be retained if it can be justified by an overriding reason relating to the public interest.
61. Since 2003 there has been no limit on the duration of a premises licence in England & Wales, the licence lasts until revoked or surrendered by the licence holder. In Scotland an entertainment licence is valid for a maximum of 3 years and in the Republic of Ireland a licence for an outdoor event is valid for the duration of the event(s), while a licence for indoor events is valid for one year.
62. Given the Services Directive, the Review Group was of the view that Northern Ireland should have permanent licences. It was, however, recognised that the public may have some reservations about an apparent major change from a system where the licence is valid for one year to a system where the licence remains valid until surrendered by the licence holder or revoked by the council. The Review Group considered that a possible half-way step would be for a licence to be valid for at least 5 years. This would significantly reduce the administrative burden on businesses and organisations which regularly provide public entertainment. It would also reduce the burden on councils.
63. To ensure that safety standards are maintained during the longer period for a normal entertainment licence, councils would conduct

an annual inspection of premises throughout the duration of the licence.

64. The Review Group recommended that the current provision for occasional licence should be retained without change as it is a useful option for some organisations, such as community groups, which tend to plan for the provision for events which may include regulated entertainment on a more short-term basis.

Recommendation 15

A normal entertainment licence should be valid until surrendered by the licence holder or revoked by the council.

If this is considered too great a change, a normal licence should be valid for at least 5 years.

Recommendation 16

The current provision for an occasional licence for entertainment on 14 specified days or 14 unspecified days in a year should be retained.

65. With a longer licensing period it is also likely that the owner of a building may wish to make some alteration to the premises. As such modifications may have implications for the safe provision of entertainment it is proposed that licence holders would be required to agree any modifications or changes to the premises

with the council before the work starts. This would allow the council to consider if the proposed change would make the premises unsuitable for the types of entertainment covered by the licence or if the conditions of the licence should be amended. A failure to do so would be considered an offence.

Recommendation 17

Licence holders (other than an occasional or temporary licence) should be required to agree any modifications or changes to the premises with the council before any work starts.

66. At the moment the entertainment licensing system cannot respond quickly to requests for a licence to cover what may be a one-off occasion for smaller businesses or community groups. In England & Wales organisations can apply for a temporary licence to cover regulated entertainment offered over a limited period. The Review Group was of the view that a temporary licence would be welcomed by both businesses and councils.
67. The legislation should make provision to allow for a temporary licence which would be valid for one event in a period of 12 months from the date of the licence being granted. The licence should only apply to an event:
- which lasts no more than 3 consecutive days;
 - licensed for 499 or less people; and
 - where the entertainment is only provided during the hours of 9:00 and 23:00.

68. The audience size has been restricted because events where there is an expected audience of 500 or more require considerable advance planning. The duration and hours of entertainment have been restricted to try and reduce the potential nuisance to residents in the locality.

69. It is proposed that an application for a temporary licence could be submitted up until 21 days before the event is scheduled to be held. It is also proposed that the council can accept a late application if it decides that it is reasonable to do so. The council would have to consider and determine whether to grant the licence by, at the latest, 24 hours before the entertainment is scheduled to begin. As short turn-around times would apply to such licences there would have to be some variation in the normal requirements for advertising and consultation with interested parties. This is discussed further in Chapter 3.

70. The legislation should prevent people from applying for a temporary licence where the council has already refused to grant a normal or occasional licence for the same event.

Recommendation 18

Provision for a temporary licence should be introduced which would apply to one event in a 12 month period from the date the licence is granted. The licence should be restricted to events of no more than 3 consecutive days where:

- the expected audience is no more than 499 people; and
- the hours of entertainment are from 9:00 to 23:00 only.

An application may be submitted up until 21 days prior to the event, but the council should have discretion to accept a late application if it considers it reasonable to do so.

The council would have to make a determination by, at the latest, 24 hours before the entertainment is scheduled to begin.

A person should not be permitted to apply for a temporary licence for an event where the council has already refused to grant a normal or occasional licence for the same event.

ALCOHOL AND ENTERTAINMENT LICENSING

71. The Review Group discussed entertainment in premises where an alcohol licence is also in effect. Alcohol licensing policy is the

responsibility of the Department for Social Development (DSD), and is dealt with by the Courts.

72. Alcohol licensing provides that premises may remain open until 11.00pm on weekdays and 10.00pm on Sundays. Late opening hours are available to pubs, hotels, restaurants and higher education establishments which provide food and/or entertainment to the public, enabling them to remain open until 1.00am on weekdays and 12.00am on Sundays. In both instances, the premises may remain open for an additional 30 minutes for drinking up time.

73. The Review Group noted that this means that premises must stop serving alcohol at 1.00am but may also have an entertainment licence that extends to 3.00am. Members commented that this has led to illegal sales of alcohol and caused difficulties for the PSNI. The Review Group recommended that where regulated entertainment is provided at a place which has an alcohol licence, the entertainment licence should be valid only until the last permitted time for consumption of alcohol.

74. It was noted that in 2012 DSD had consulted on proposed changes to the law regulating the sale and supply of alcohol. With the agreement of the then Minister for Environment, the DSD consultation document proposed that the grant of late opening hours will require that an associated entertainment licence must

not extend beyond the latest time alcohol can be consumed on the premises. This proposal was generally met with agreement with 53% of respondents agreeing/strongly agreeing that licences should be aligned. 16% of respondents stated that they disagreed/strongly disagreed and almost 31% neither agreed nor disagreed.

75. Members noted that DSD plans to make various changes to alcohol licensing through a Licensing Bill before the end of the current Assembly mandate in May 2016.
76. The proposal to align the hours of an entertainment licence and an alcohol licence can be accommodated either, by the Department, or by DSD, with the Minister of Environment's approval. The Review Group recommended that this change should be made at the earliest opportunity as it would help to dispel any ambiguity and confusion that currently exists.

Recommendation 19

Where regulated entertainment is provided at a place which has an alcohol licence, the entertainment licence should be valid only until the last permitted time for consumption of alcohol on the premises.

This change should be made at the earliest available opportunity.

INSOLVENCY

77. Currently, an entertainment licence lapses in the event of insolvency. The recent economic downturn highlighted some difficulties over where the legal responsibility lies for a breach of an entertainment licence where a business has become insolvent and an administrator is managing the business while trying to dispose of it as a going concern. It is possible that other businesses covered by an entertainment licence will become insolvent in the future.
78. In England and Wales the premises licence will lapse on the insolvency of the licence holder but may be reinstated to another person, thereby allowing licensable activities to continue to take place pending an application for the transfer of the licence.
79. An individual becomes insolvent on:
- the approval of a voluntary arrangement proposed by him;
 - being adjudged bankrupt or having his estate sequestrated;
or
 - entering into a deed of arrangement made for the benefit of his creditors or a trust deed for his creditors.
80. A company becomes insolvent on:
- the approval of a voluntary arrangement proposed by its directors;

- the appointment of an administrator in respect of the company;
 - the appointment of an administrative receiver in respect of the company; or
 - going into liquidation.
81. The Review Group recommended that the legislation should contain special arrangements for the continuation of an entertainment licence, for a discrete period of time, when the licence holder becomes insolvent. This would enable the business to continue to operate as a going concern and provide entertainment.
82. The Group recommended that the legislation should contain provision to deal with accountability for any breach of an entertainment licence following its transfer to an administrator or other insolvency office-holder, and noted this would bring a level of certainty for both regulators and those appointed to carry on the business during a period of insolvency.

Recommendation 20

On the insolvency of a licence holder, the licence may be reinstated to another person and remain in force for a discrete period of time.

The legislation should clarify the accountability for any breach of an entertainment licence that has been transferred to an administrator or other insolvency office-holder.

CHAPTER 3 – APPLICATION PROCESS

83. An application for an entertainment licence has to be made, in writing and in triplicate, to the council for the district where it is proposed to hold the entertainment. It is also possible to submit an application via an on-line portal to most councils.
84. Each council determines the form and details required on the application. The applicant also has to send 3 copies of any plans, certificates or other documents that the council requires and the appropriate fee as set by the Department.
85. The applicant also has to give public notice of the application by placing an advertisement in the local newspapers specified by the council within 7 days of the application. The requirement to advertise in a local newspaper does not apply to an application for an Occasional Licence for an educational institution or a church hall, chapel hall or other similar building occupied in connection with a place of public religious worship.
86. The advertisement has to state:
- that an application for the grant, renewal or transfer of a licence has been made;

- the nature of the entertainment and the address or location of the place where the entertainment will take place;
 - the name and address of the applicant; and
 - that representations in relation to the application may be made to the council by a set date.
87. The applicant has to send a copy of the advertisement to the council. Failure to do so will result in a delay in the processing of the application.

APPLICATION FORM

88. The amount of information applicants are required to give about the proposed entertainment varies from council to council. In some cases the applicants have to give details of the type of entertainment and the days and times on which it will be provided. Requiring all applicants to provide such information would seem to be a sensible approach, particularly if the normal licence period is increased to permanent or at least 5 years.
89. In England & Wales applicants are required to complete an operating schedule which must give a description of the premises, the types of regulated entertainment and the days and hours during which it is proposed that each type of regulated entertainment will be provided.

90. The Review Group did not think it appropriate to adopt a similar approach to England & Wales but there may be merit in a model application form and guidance notes which councils could use as a template for the proposed licensing regime.

PUBLIC NOTICE

91. The requirement to give public notice of an application through an advertisement in local newspapers is not popular because it adds a significant cost for the applicants. Also many councils and businesses question the value of advertising at a time when the total newspaper readership is falling.
92. Information was not readily available on whether advertising prompted any representations about licensing applications, however, 17 (65%) of the 26 councils responded to an ad hoc survey about advertising. Those 17 councils issue approximately 2,000 licences each year. Each of those applications would have to be advertised in at least one local newspaper but only 8 representations could be identified as having been made as a result of the advertisement. This does not suggest the advertising is fulfilling the desired purpose. The requirement to advertise an application for an entertainment licence also applies in England & Wales but there is an additional requirement to place a notice on,

or near, the place where the entertainment would be provided, advising the passing public about the application. In Scotland, however, the only requirement is to place a notice on, or near, the place where the entertainment would be provided. It is the licensing authority (the council) which must advertise the application in a local newspaper.

93. In the Republic of Ireland, an applicant must advertise the intention to apply for a licence for an outdoor event in one local newspaper and in one national newspaper 2 weeks before making the application. The notice must state, the applicant's name; that the applicant is applying for a licence to hold an event in accordance with Part XVI of the Planning and Development Act; the location and date of the proposed event; the type of event and the expected size of the audience. The notice also has to advise that people can inspect the application for a period of 4 weeks from the date of application at the named local authority offices and submissions or observations about the application should be made within 4 weeks of the date of application. There is no requirement for an applicant for an indoor event licence to advertise.

94. The Review Group recommended that the requirement to advertise in local newspapers should be removed. In future applicants should be required to place a notice on, or near, the place where the entertainment would be, for a fixed period. The notice has to be of at least A4 size, printed or typed in font size 16

and displayed in a place where it can conveniently be read by the public. The notice would give the following details:

- the name of the applicant and the type of the licence applied for;
- a postal address or description of the premises or place where the entertainment would be provided;
- a note advising the public that a map of the area to be used for entertainment is available on the council website;
- the hours of the entertainment; and
- particulars regarding representations (i.e. the address of the council and the closing date for submitting representations in writing).

95. As in Scotland applicants would be required to complete a declaration stating that the notice was displayed for the required period. If the applicant does not complete and submit the declaration to the council, the council should have the power to require the applicant to display the notice again for the required period. To give people in the surrounding area a reasonable opportunity of seeing the notice, it should be displayed for at least 21 days.

96. The requirement to display a notice would not apply to applications for a temporary licence. In the case of a temporary licence the council would only consult with the PSNI and the NIFRS.

Recommendation 21

The requirement for applicants to advertise in local newspapers should be removed and replaced by a combination of:

- applicants displaying a notice for 21 days at the place where the entertainment will be provided; and
- councils making details of all applications received available on their websites.

Recommendation 22

On receipt of an application for a temporary licence, councils must consult with PSNI and NIFRS.

LICENSING REGISTERS

97. In Great Britain licensing authorities have to hold a register giving details of all applications for licences and those that it has granted. The register must be available for inspection by a member of the public during normal business hours. In practice most licensing authorities make these details available to the public on their websites.

98. Licensing authorities in the Republic of Ireland are also required to hold licensing registers. These must give details of applications and the subsequent decisions; licences granted; appeals; revocations; and notices of cessation served. The Review Group recommended that licensing registers should be introduced in Northern Ireland. Councils should be required to make the register available to the public, and encouraged to make it available on the council website.

Recommendation 23

Councils should be required to keep a register of all entertainment licences and make this available for inspection by the public. Councils should be encouraged to make the licensing register available on their websites.

VARIATION OF LICENCES

99. Currently a licence holder may apply to the council to vary the terms, conditions or restrictions that have been placed on the licence. The council has the discretion to:
- make the variation of licence as requested in the application;
 - make such variations, other than those requested in the application, as it considers fit; or
 - refuse the application.

100. In Scotland, licensing authorities may vary a licence at any time, even if the licence holder has not applied for a variation. In such cases, the licensing authority must notify the licence holder and other relevant authorities, and must give them an opportunity to make representations on the matter.
101. Given the longer licensing period proposed for Northern Ireland, the Review Group considered that there may be a greater need for variation as councils may need to take action if, for example, there have been a number of minor infringements of the licence conditions.
102. It is proposed that the future licensing system should make it clear that councils may vary the terms of a licence at any time whether or not an application has been made by the licence holder.
103. It is also proposed that if a council decides it is necessary to vary the terms, conditions or restrictions of a licence, it must notify the licence holder, the PSNI and the NIFRS, all of whom must be given the opportunity to be heard by the council.
104. Councils would also have the power, as now, to suspend or revoke an entertainment licence.

Recommendation 24

Councils should have the power to vary a licence at any time.

Licence holders, the PSNI and the NIFRS must be notified of the council's intended variation, and must be given the opportunity to be heard by the council.

105. Licence holders should be required to notify the council of any material change affecting the licence holder or the entertainment specified in the licence. This will enable authorised officers of the council to review the licence and, if necessary, vary that licence.

Recommendation 25

Licence holders should be required to notify the council of any material change affecting the licence holder, or the entertainment specified in the licence.

REPRESENTATIONS ABOUT ENTERTAINMENT LICENCES

106. Currently when an application is made for the grant, renewal, transfer, or variation of a licence, public notice must be given. The notice must advise that any persons wishing to make representations about the application must advise the council,

within 28 days. In considering the application, the council must then have regard to the representation, and allow the person to appear before, and be heard by, the council. The council will also give the entertainment licence holder, or licence applicant, the same opportunity of appearing before, and being heard by, it.

107. In England and Wales an interested party or responsible authority can request, at any time, a review of a licence. An interested party is someone living or involved in a business in the vicinity or a group representing residents or businesses in that vicinity. A responsible authority includes, amongst others, the chief officer of the police authority for the area, the fire authority and the enforcement authority for the Health and Safety at Work etc. Act 1974. The request must be made to the licensing authority and the applicant must give the licence holder and responsible authorities a copy of the application. The licensing authority must give public notice of the review of the licence and invite representations.

108. The Review Group took the view that with the longer licence duration, members of the public should be given the opportunity to make representations throughout the term of the licence, and not just in response to an application made by the licence holder/applicant. The Group commented that members of the public may, for example, wish to complain about a noise problem that has developed during the period of the entertainment licence. The Group therefore recommended that the legislation should

provide that interested parties can make representations about an entertainment licence in effect, at any time. The licence holder must be informed of the details of the representation, and both the licence holder and all interested parties who make representations must be given the opportunity to be heard by the council.

Recommendation 26

Interested parties must be able to make representations about a licence in effect, at any time throughout the duration of the licence.

Licence holders must be notified of the details of the representation and given the opportunity to be heard by the council.

109. The Review Group noted in England and Wales licensing authorities only consider representations relevant to the licensing objectives. The licensing authorities then reject any representations that are:
- not relevant;
 - frivolous or vexatious; or
 - a repetition of an earlier representation (in the case of a member of the public making representations requesting a review of a licence).
110. The Group discussed adopting a similar approach by providing that councils in Northern Ireland should consider only those representations that are relevant to the main purpose of licensing in Northern Ireland i.e. –

- the safety of individuals attending the entertainment;
 - avoiding undue disturbance to people in the surrounding area; and
 - crime and disorder issues associated with that entertainment.
111. The Review Group took the view that it would not be appropriate to adopt such a restricted approach and recommended that the current arrangements, where councils determine whether a representation can be considered should continue it.

PROVISIONAL GRANT OF A LICENCE

112. The Review Group recommended that the current arrangements to allow councils to make a provisional grant of a licence for premises which are to be, or are in the process of being, constructed should continue.

Recommendation 27

The current provision allowing councils to make provisional grant of a licence for premises which are to be, or are in the process of being, constructed should be retained.

DEATH OF A LICENCE HOLDER

113. Currently if a licence holder dies the licence will be deemed to be transferred on application to a person carrying on the business until:
- a personal representative of the deceased has been duly constituted; or
 - the licence is transferred to some other person.
114. While this arrangement has worked well for a licensing period of 12 months it may not be suitable for a permanent licence or one of at least 5 years duration.
115. In England and Wales the licence has to be formally transferred in the event of the death of the licence holder. In Scotland the entertainment licence is deemed to have been granted to the executor on application. The licence remains in force until 3 months after the date of death but the council is able to extend the period on the request of the executor if it is satisfied the extension is necessary for the purpose of winding up the deceased's estate and that no other circumstances make it undesirable.

116. The Review Group recommended that on the death of a licence holder, the licence should be deemed to have been granted to an executor and remain in force for a period of 3 months, with the option for the council to extend this period if the estate has not been settled.

Recommendation 28

On the death of a licence holder, the licence should be deemed to have been granted to an executor and remain in force for a period of 3 months.

The council should have the discretion to extend this period if the estate has not been settled.

THE COUNCIL

117. The legislation vests the power to grant, vary or revoke a licence in the council. It is for the council to determine whether that power will be subject to the approval of the council at its monthly meeting or delegated to a committee or officers. In Great Britain the legislation requires councils to have a licensing committee which deal with a range of licensing activities including the sale of alcohol. The licensing committee may delegate some decisions to officers.

118. While the licensing system is different in Northern Ireland and councils would not necessarily deal with the volume and range of applications as their counterparts in Great Britain, the general principle of it being good practice to delegate decisions to the appropriate level would apply. The Review Group therefore, proposed that the legislation should require councils to have a scheme of delegation specifying the types of applications, etc. that can be dealt with by a committee and/or a person appointed by the council rather than the full council.

Recommendation 29

Councils should be required to have a scheme of delegation for decisions in relation to entertainment licences.

CHAPTER 4 – SANCTIONS

119. The 1985 Order makes it an offence to provide entertainment without a licence or to provide entertainment which is in breach of the terms, conditions or restrictions under which a licence is held. A penalty is subject to summary conviction. This leaves the council with the decision of whether to pursue court action which can be costly and time consuming.
120. Councils have the power to suspend a licence but it is limited to where the provision of entertainment is causing, or is likely to cause, a serious threat to public order or public safety.
121. The Review Group proposed the introduction of fixed penalty notices for breaches of the system to give councils the ability to deal with a problem quickly, reduce the cost to the council and lessen the burden on the Courts. As with other fixed penalties the person would have the option of paying or challenging the imposition of the fine in the Magistrates Court.
122. The level of fines associated with the fixed penalties is still to be agreed. However, the Group recognise that it is essential that the levels of penalties which are set are proportionate to the breach which has been committed. Discussions shall therefore continue

within the Group, and with the Department of Justice on the details of the scheme.

Recommendation 30

A system of fixed penalties for breaches of the licensing system should be introduced.

123. Although it is an offence to provide entertainment without a licence, the power of entry for an authorised officer of the council is limited to licensed premises. The Review Group therefore suggested that the existing powers of entry be extended to places where unlicensed entertainments are being provided or there is reasonable cause to suspect that this is the case.

124. While the council may receive a report of a case where it is suspected that entertainment is being provided without a licence, the council requires its authorised officers to have gathered evidence that will meet the standard of proof, before it could take the person to court. The lack of a power of entry makes it very difficult for councils to enforce this aspect of the legislation. Providing public entertainment without a licence poses a potential threat to public safety because the place has not been assessed for risks, suitability of the type of entertainment or for the number of people admitted. Over-crowding of a place presents a serious risk if an emergency evacuation is required.

125. The Review Group proposed that an authorised officer of the council should have a power of entry to any place in order to check if the entertainment is licensed. It is expected that councils would exercise this power only where there is reasonable cause to suspect that unlicensed entertainment is being provided.
126. As it is likely that unlicensed premises would try to prevent the entry of an authorised officer of the council, it is proposed to make it an offence to refuse entry to an authorised officer of the council. It is also proposed to give an authorised officer a power of forced entry provided the officer has obtained a warrant from the Magistrates Court.

Recommendation 31

Authorised officers of the council should have a power of entry to places where there is reasonable cause to suspect that unlicensed entertainment is being provided.

Recommendation 32

It should be an offence to refuse entry to an authorised officer of the council.

Recommendation 33

Councils should also be able to obtain a warrant authorising forced entry to a place where it is suspected that unlicensed entertainment is being provided.

127. The Review Group also suggested that the current powers of inspection be enhanced to enable authorised officers of the council, to examine records relating to the maintenance of safety at a place providing entertainments and the power to take copies of such records.

Recommendation 34

Authorised officers of the council should have the power to examine and take copies of records relating to the maintenance of safety at places providing entertainments.

CHAPTER 5 – MODEL TERMS AND CONDITIONS FOR LICENCES

128. Councils may impose terms, conditions and restrictions on each licence as it deems appropriate. In doing so councils must have regard to model terms, conditions and restrictions published by the Department (“model terms”).

129. The model terms comprise:

- model terms, conditions and restrictions for indoor entertainments, published in 1986;
- model terms, conditions and restrictions for indoor entertainments technical requirements, published in 1988; and
- additional conditions for places of entertainment providing dance events, published in 1998 (the technical requirements).

There are no model terms for outdoor entertainment events.

130. The Review Group noted that the model terms contained obsolete and out-of-date content, and did not reflect current entertainments. The content of the technical requirements is also out-of-date and councils refer instead to other information such as Building Regulations, British Standards, etc.

131. The Review Group discussed various options regarding the model terms, including removing the requirement for the Department to provide model terms. This would mean that each council would be responsible for preparing and maintaining licence conditions. Alternatively, councils could ask one of the professional groups such as, the Institute of Licensing or the Licensing Forum to produce model terms, conditions and restrictions. Members considered that it would be useful for the Department to continue to provide model terms.
132. The Review Group discussed revising the model terms to ensure the content is current, and reflects current types of entertainment. To this end, members agreed that tailored model terms, conditions and restrictions should be produced for events such as:
- circuses;
 - charity boxing matches; and
 - acts of hypnotism.
133. The revised model terms, conditions and restrictions are still to be agreed, however the Review Group suggested that the final document should be a single document which would refer to current versions of Building Regulations, British Standards, etc. rather than duplicating the actual detail of these in the document.

Recommendation 35

Model terms, conditions and restrictions for entertainment licences should be provided by the Department.

Tailored model, terms, conditions and restrictions should be produced for circuses, charity boxing matches and acts of hypnotism.

134. The Review Group also commented that the Fire and Rescue Services (Northern Ireland) Order 2006 (the 2006 Order) and changes in subsequent years have resulted in confusion about fire safety. The 2006 Order is the responsibility of the Department of Health, Social Services and Public Safety.
135. The model terms include model fire safety terms but the 2006 Order provides that any term, condition or restriction in connection with fire safety, other than those imposed by the 2006 Order, shall have no effect.
136. The Review Group considered the approach taken in the Safety of Sports Grounds (Northern Ireland) Order 2006 and concluded that this could be a suitable model for entertainment licensing. The Review Group recommended that councils should be able to include such terms and conditions as the council considers necessary or expedient to secure reasonable safety at the

entertainment and the terms and conditions may be such as to involve alterations or additions to the venue. The legislation should however, also make it clear that the conditions of an entertainment licence would have no effect to the extent that they would require a person to contravene any provision of Part III of the Fire and Rescue Services (Northern Ireland) Order 2006 or regulations made under it.

Recommendation 36

Councils should be able to include such terms and conditions as the council considers necessary or expedient to secure reasonable safety at the entertainment and the terms and conditions may be such as to involve alterations or additions to the venue.

CHAPTER 6 – FEES

137. When setting a fee or charge for a publicly provided service the norm is to charge at full cost. In the 2007 - 2008 year councils achieved an estimated recovery rate of less than 20%. The Department revised the level and structure of the fees for entertainment licences in September 2009 with an aim of recovering 52% of council expenditure with the intention to move towards full cost recovery. In the 2009-2010 year the rate of recovery had increased to 45%.
138. The subsequent economic downturn had a considerable impact on entertainment businesses and in the light of the difficult trading situation the Minister of the Environment decided not to increase the level of fees any further. It is estimated that councils currently achieve a recovery rate of around 50%.
139. The fees for a normal licence, an occasional licence and an outdoor event licence are payable on application and there are no other fee requirements for the duration of the licence.
140. The structure reflects the two types of licence i.e. indoor or outdoor and varies according to the capacity of the venue or

entertainment. A different level of fee applies to a normal and an occasional licence.

141. For indoor entertainments there are 6 capacity bands, and subsequently 6 fees for each type of licence. For outdoor entertainments there are 2 capacity bands, and subsequently 2 fees for each type of licence. An entertainment with a higher capacity attracts a higher fee. A concessionary rate applies to indoor entertainment organised by a charity or other non-profit making organisation. The current fees for indoor entertainment licences are given below.

TABLE 1 - INDOOR ENTERTAINMENT LICENCE FEES

Capacity of Premises/Location	Licence Fee	
	Normal	Occasional
Up to 100	£100	£50
101 - 200	£150	£75
201 - 300	£250	£125
301 - 500	£400	£200
501 – 1,000	£750	£375
More than 1,000	£1,000	£500

142. There are also flat-rate fees for specific entertainments, for example a circus, or an educational institution while not being used as such.

TABLE 2: OTHER FEES

	Rate
a circus	£50
a snooker hall, gaming centre etc	£100
an occasional licence for a church hall, school etc.	£50
Variation of a licence	£80

143. The level of fee for an outdoor entertainment licence varies according to whether the entertainment has a capacity of up to, or greater than 500 persons. The fee for a licence for an outdoor entertainment for up to 500 persons is £1,000 and for a capacity of over 500 persons, the fee is £2,000.
144. A concessionary fee rate for an outdoor entertainment licence of £125, where capacity is up to 500 persons, and £250, where capacity is greater than 500 is charged to charities and other non-profit making organisations.

APPROACH TO THE REVIEW

145. In England and Wales, where licences last for more than one year, fees for a premises licence are set according to 5 bands

determined by the rateable value of the premises, with additional fees where the capacity of the venue is over 5,000. The capacity fee varies across 11 bands where capacity ranges from 5,000 to 90,000 and over. An application fee (i.e. the fee determined by rateable value) and a capacity fee, where applicable, is paid upon application. An annual fee together with capacity fee, if applicable, is paid in every subsequent year of the licence.

146. No fee is charged for regulated entertainment in a case of an application by a proprietor of an educational institution in respect of premises that are, or form part of, an educational institution (i.e. a school or college) and the provision of entertainment is carried on by the educational institution for and on behalf of the purpose of the educational institution. An application in respect of premises that are, or form part of, a church hall, chapel hall or other similar building or a village hall or community hall or other similar building is also not charged a fee.

147. In Scotland licensing authorities (councils) determine their own fees, ensuring that the fees meet the costs of their licensing functions. Most councils charge an application fee and a yearly fee if the licence is granted. Many licensing authorities will offer a concessionary fee rate for community events. In the Republic of Ireland the fee for a licence for an outdoor event is a flat rate fee.

FUTURE FEES

148. The Review Group considered that its recommended changes to the licensing regime should result in decreased costs for councils. It also considered that the fees should reflect changes to costs incurred by councils.
149. The Review Group agreed that as it was recommending a single system covering both indoor and outdoor entertainment, the fees structure should reflect this.
150. Various options for the future fee structure were discussed including:
- fees based on capacity;
 - a flat-rate fee;
 - fees based on the rateable value of the premises;
 - a standard fee unless the capacity exceeds 1,000; and
 - councils setting their own fees.
151. Although the Group preferred fees based on capacity, final agreement was not reached. Members noted that further discussion is needed to reach an agreed position on the structure of fees.

152. As the Review Group is recommending permanent licences, it agreed that there may be merit in having a fee payable on application, plus a yearly fee. The Group noted that this would reflect the fact that while the bulk of the administration work will be done at application, there will also be work throughout the duration of the licence such as the councils' annual inspection of premises.

VARIATION OF A LICENCE

153. The current fee for an application for variation of the terms, conditions or restrictions of an entertainment licence is a flat-rate fee.
154. The Review Group noted that with a longer licensing period it is more likely that there will be requests to vary the licence in some way. It is proposed that a fee for the variation of a licence should continue in the new licensing regime. It is also proposed that a fee for the variation of a licence should apply to transfers of licences to other persons on the insolvency or death of the licence holder.

TEMPORARY EVENT LICENCE

155. Members discussed whether the fee for a temporary licence would be lower than the annual fee for a normal licence to reflect the limited work which would be undertaken by the councils before determining whether to grant the application or whether account should be taken of the fact that the time period for consideration of the application is much shorter and could require quite a lot of work by the council.



**eastern - midlands
waste region**

Regional Waste Office
Environment & Transportation
Department
Dublin City Council
Block 1, Floor 6
Civic Offices, Dublin 8
T +353 1 222 2023
E emwr@dublincity.ie



Mr. John Dumigan,
Clerk and Chief Executive,
Down District Council,
Downshire Civic Centre,
Ardglass Road,
Downpatrick,
Co. Down,
N. Ireland, BT30 6GQ.

28th May 2015

Re: Notice of publication of the Eastern-Midlands Region Waste Management Plan 2015 -2021 and associated SEA Statement & Natura Impact Report.

Dear Sirs,

Dublin City Council, as the Lead Authority for the Eastern-Midlands Region, hereby gives notice in accordance with Section 25 of the Waste Management Act that the Eastern-Midlands Region Waste Management Plan has been approved and published with effect from 12/5/15.

In accordance with the EC (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004 as amended in 2011), an SEA Statement summarising how environmental considerations have been integrated into the plan, how consultations have been taken into account, the reasons for choosing the plan in light of other reasonable alternatives and the measures proposed to monitor significant environmental effects has also been prepared.

Finally in accordance Article 6(3) of the Habitats Directive (92/43/ECC) an appropriate assessment of the implications of the plan for European Sites in view of their conservation objectives has been undertaken including the preparation of a Natura Impact Report.

new region new vision

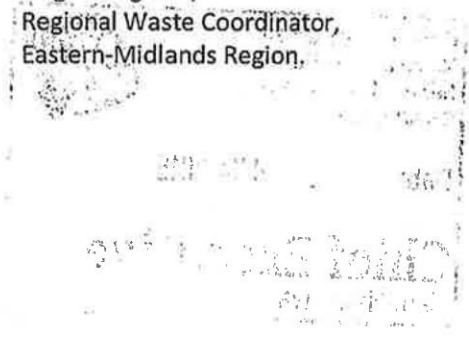
CoRome - Attetra.

Digital copies of the Eastern-Midlands Region Waste Management Plan, Associated SEA Statement and Natura Impact Report are included for your attention and are also available on www.emwr.ie.

Yours sincerely,



Hugh Coughlan,
Regional Waste Coordinator,
Eastern-Midlands Region,



...Informing Northern Ireland's Decision-Makers

Mr Canice O'Rourke
Newry, Mourne and Down District Council
Downshire Civic Centre
Downshire Estate
Ardglass Road
Downpatrick, BT30 6RA



23rd May 2015

Dear Mr O'Rourke,

Northern Ireland planning conference

****Special discount for local government sector****

agendaNi, in partnership with Carson McDowell and Strategic Planning, has organised the **Northern Ireland planning conference**, taking place on Tuesday 29th September in the Baby Grand, Grand Opera House Belfast. **Secure your place now for this important conference!**

Planning in Northern Ireland is entering a new era, following the transfer of many planning powers to local government earlier this year. While this milestone date has passed, there are still many issues to be addressed and local councillors are just starting to settle into their new roles within the planning system.

This major conference will take place six months on from the 'go-live' date of 1st April and will examine many of the issues the new Councils and Councillors will have to get to grips with. Issues under discussion will include:

- ✓ Looking to the future of planning
- ✓ Managing increased responsibility: a Councillor's perspective
- ✓ The single Strategic Planning Policy Statement
- ✓ Simplified Planning Zones
- ✓ The role of the statutory consultee in the planning process
- ✓ Community and stakeholder engagement in planning.

In order to maximise inclusion, we are offering a **special discount** on the delegate rate to the local government sector. The most convenient way to secure a place is to email your details to registration@agendaNi.com or you may register online at www.agendaNi.com/events.

I very much hope that you and/or your colleagues can attend what promises to be an interesting and timely event.

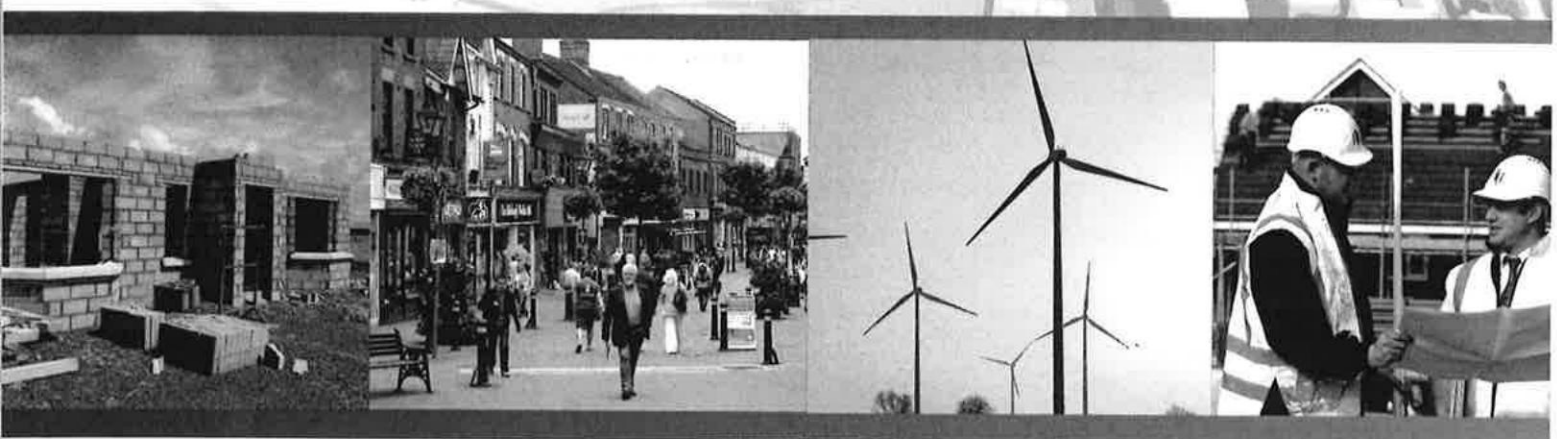
Yours sincerely,

SB.

Sandra Bolan
Conference Manager

Northern Ireland planning conference

Making planning work for people



Tuesday 29th September
 Baby Grand, Belfast
www.agendani.com

Sponsored by



Making planning work

This half day conference will examine issues around the future of planning in Northern Ireland, six months on from the transfer of the majority of planning powers to our 11 new 'super councils'. While the transfer date of 1 April has passed, there are still many issues still to be addressed, including the publication of the new single Strategic Planning Policy Statement by the Department of the Environment. Local councillors are still adjusting to their new roles within the planning system and their enhanced powers, and some councils are still formally establishing their structures including key personnel and offices.

This focused conference will examine progress to date in the implementation of the new planning system, looking at what is working well (and what isn't) and how those interacting with the system have adjusted to the changes.

Issues to be examined include:

- ✓ Vision for the future of planning;
- ✓ Enhanced responsibilities of local councillors / Council planning committees;
- ✓ Planning in practice at a local government level;
- ✓ The Councillor's role in planning;
- ✓ The Strategic Planning Policy Statement;
- ✓ Simplified Planning Zones;
- ✓ Development plans;
- ✓ Community and stakeholder engagement in planning;
- ✓ Improving the performance of statutory consultees in the planning process.

These issues will be examined through a high profile panel of local and visiting speakers including Minister for the Environment, Mark H. Durkan who has outlined his commitment to improving the planning process as a key contributor to a better environment and a stronger economy.

Speaker panel

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Stewart Beattie, QC has been a Queen's Counsel since 2005, specialising in the areas of planning, environmental, licensing, rating and valuation, commercial and judicial review. Stewart's previous and current work since 1996 includes public inquiries on development plans, airport inquiries, major housing and retail planning applications, enforcement proceedings, appeals, licensing and judicial reviews involving energy from waste plants; waste oil disposal plants; landfill sites; waste transfer stations; windrose waste recycling plants; anaerobic digestion plants; depositing and removal of waste; European designated SACs and habitats and waste; Crown Court defence work under the 1997 Order; Chancery Court work relating to restrictions on waste operations.



Pat Corker is a Principal Scientific Officer in the Northern Ireland Environment Agency (NIEA) and leads the new Planning Response Team set up to coordinate NIEA's statutory consultee role following transfer of planning to local government. She has overseen a range of strategic governance and cross cutting issues for NIEA including Northern Ireland's State of the Environment Report and the Department's 2006 Waste Management Strategy. Prior to joining the public sector in Northern Ireland, she worked for environmental consultants for 20 years on a wide range of environmental planning projects across the UK.



Mark H Durkan, MLA is Environment Minister in the Northern Ireland Executive, a role he was appointed to in July 2013. He has served as an SDLP MLA for Foyle since 2011 and served as the party's social development and health spokesperson. His ministerial responsibilities cover the natural environment, built heritage, planning, local government, road safety and the regulation of drivers and vehicles.



David Kerr is Director - Public Affairs, Community and Stakeholder Engagement at Hollywood based planning consultancy Strategic Planning. A former Special Adviser in OFMDFM (1998-2002), David leads and manages Strategic Planning's stakeholder engagement and communications team. His team is a market leader in the provision of Community Consultation Reports and stakeholder engagement for master-planning and major planning applications. He has advised clients on some of the largest residential, commercial, retail, electricity, renewable energy and waste projects in Northern Ireland.



Councillor Robert Logan is the current Chairperson of the Planning Committee at Mid and East Antrim Council. Local councils are now responsible for drawing up local development plans, making the majority of planning decisions, and shaping how their area grows and develops in ways that respond to the needs of the communities they serve. Robert has experience in management and training as an engineer with BT for 33 years.



Gary McGhee is the Head of the Planning and Environmental Law Team within Carson McDowell which he founded over 20 years ago. Gary is one of the few solicitors in Northern Ireland to specialise exclusively in the areas of planning, environmental and energy law. His experience includes the co-ordination of major planning applications; representation at over 50 planning / enforcement appeals and major public inquiries; and negotiating / defending judicial reviews of planning and environmental decisions. In addition, Gary is a Legal Associate of the Royal Town Planning Institute, a member of the Environmental and Planning Law Association of NI and a member of the UK Environmental Law Association.

#agendaNi

Conference programme

09.00	Chairman's welcome and introduction: Stewart Beattie, QC <i>The transfer of planning powers: The story so far</i> Gary McGhee , Head of Planning and Environmental Law Carson McDowell	11.20	Implementing planning policy: A Councillor's experience to date Cllr Robert Logan , Chair, Planning Committee Mid & East Antrim Borough Council
	MINISTERIAL ADDRESS: <i>Creating a planning system that delivers for everyone</i> Mark H Durkan , MLA, Minister for the Environment <i>Delivering planning services: A local government perspective</i> Phil Williams , Director of Planning & Place Belfast City Council		Improving the performance of the statutory consultee in the planning process Pat Corker , Principal Scientific Officer Northern Ireland Environment Agency
	The role of community and stakeholder engagement in planning David Kerr , Director – Public Affairs, Community & Stakeholder Engagement Strategic Planning		Capturing the economic benefits from Simplified Planning Zones Cllr James C.Swindlehurst , Commissioner for Neighbourhoods and Renewals, Slough Borough Council
11.00	Questions & answers / Panel discussion Morning coffee / networking break	13.00	Developing wind energy: Environmental and planning considerations Anna Lo, MLA , Chair, Environment Committee Northern Ireland Assembly (invited)
	Questions & answers / Panel discussion Conference lunch / networking break		

“ This is an exciting time for planning and I recognise the challenges that the new reformed two-tier planning system will present to key stakeholders. When set alongside the development of a single Strategic Planning Policy Statement I am redefining the planning landscape so that the system delivers for all. My vision is for a better environment and a stronger economy and these proposals will help achieve that. ”

Mark H. Durkan, MLA, Minister for the Environment, May 2014



Booking form

I wish to:

- Reserve _____ places at the conference
Conference fee £175 + VAT @ 20% = £210
- Discounted rate for local government sector
Conference fee £150 + VAT @ 20% = £180
- Discounted rate for voluntary/community sector
Conference fee £150 + VAT @ 20% = £180

Discounts available for group bookings -
contact us for details

Fee includes documentation, lunch and other refreshments served during the conference and is payable in advance.

Delegate details

Name (Mr/Mrs/Miss/Ms/Dr): _____

Job title: _____

Organisation: _____

Address: _____

_____ Postcode: _____

Telephone: _____

Email: _____

Payment options

- I enclose a cheque for £ _____
Payable to 'bmf Business Services'
- Please invoice me
- Please debit my Visa / Mastercard / AMEX

Card number

Name of card holder _____

Signature _____

Expiry date _____

Security code _____

(Please provide card billing address if different from company address)

Who should attend?

This conference will be of interest to all stakeholders involved in and affected by the planning system in Northern Ireland, including:

- Planning professionals;
- Senior policy makers;
- Elected representatives;
- Local government officers;
- Developers;
- Building companies;
- Housing sector managers;
- Senior managers in government agencies;
- Infrastructure developers;
- Quantity surveyors;
- Architects;
- Environmentalists;
- Lawyers;
- Planning consultants;
- Public affairs consultants.

How to register

By telephone
028 9261 9933


Online
www.agendaNi.com/events

By fax
028 9261 9951

By email
registration@agendaNi.com

By post
agendaNi
Davidson House
Glenavy Road
Business Park,
Moira, Co.Down
BT67 0LT

Scan QR code



Acknowledgement of registration

Confirmation of registration will be sent to all delegates. Joining instructions will be sent out following receipt of registration details. If you have not received your acknowledgement seven days prior to the start of the conference, please contact Laura O'Neill at laura.oneill@agendaNi.com to confirm your booking.

Cancellations / substitutions

For those unable to attend, a substitute participant may be sent at any time for no additional charge. Alternatively a refund will be given for cancellations received in writing, by fax or email, up to 14 days prior to the conference, less an administration charge of 25%. Regrettably no refunds can be made after that date.

Registration form

Northern Ireland planning conference

Tuesday 29th September • Baby Grand, Grand Opera House, Belfast

Email to registration@agendani.com or Fax: +44 (0) 28 9261 9951

I wish to:

- Reserve ____ places at the NI planning conference
Seminar fee £175 + VAT @ 20% = £210
- Discounted rate for local government sector (councillors and officers)
Seminar fee £150 + VAT @ 20% = £180
- Discounted rate for voluntary/community sector
Seminar fee £150 + VAT @ 20% = £180

Fee includes documentation, lunch and other refreshments served during the course and is payable in advance.

Personal Details

Name (Mr/Mrs/Miss/Ms/Dr): _____

Job title: _____

Organisation: _____

Address: _____

_____ Postcode: _____

Contact telephone: _____

Email: _____

Payment Options

- I enclose a cheque for £ _____
Payable to 'bmf Business Services'.
- Please invoice me PO Number _____
- Please debit my Visa / Mastercard

Cancellations / Substitutions

For those unable to attend, a substitute delegate may be sent at any time for no additional charge. Alternatively a refund will be given for cancellations received in writing, by fax or letter, up to 14 days prior to the conference, less an administration charge of 25% plus VAT.

Card number

Name of card holder _____ Signature _____

Expiry date _____ Security code _____

 **By fax**
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 **By telephone**
+44 (0) 28 9261 9933

 **Online**
www.agendaNI.com/events



A conference on
**The benefits of Zero Waste &
moving towards it NOW!**

Monday 22nd June 2015, City Hotel, Derry

The Zero Waste revolution is transforming the 'waste' industry across Europe. It is the only sustainable response to climate change and the increasing global demand for resources.

The speakers at this conference include experts and practitioners driving this change in Europe, as well as local innovators leading the way to a circular economy through Zero Waste.

A Zero Waste approach understands 'waste' as resources, wasted. It delivers a cleaner environment, creating more business and job opportunities. The circular economy involves all of us: manufacturers, retailers, consumers, waste managers and local government.

This conference will set the region on the path to become a model for Zero Waste best practice, delivering a viable and sustainable economy and responding to European directives.

Guarantee your place by registering here ZeroWasteNW.org/countdownreg

The conference will be opened

By Mark H Durkan Minister for the Environment

“Zero Waste North West is to be commended in rising to the challenge. This conference brings together delegates with a wide range of experience and ideas to promote the circular economy and a Zero Waste society.”

Conference highlights include

Why Zero Waste

By Joan Marc Simon

Joan Marc Simon is the Director of Zero Waste Europe. He is an economist by training and an expert in EU waste legislation and European policy-making. He specialises in the field of resource and waste management. He calls on us to *“redesign the economy phasing-out waste so that all the goods are designed to be repaired, reused, recycled or composted at the end of their life.”*

How Zero Waste

By Enzo Favoino

Enzo Favoino chairs the Scientific Committee of Zero Waste Europe. As a researcher based at Scuola Agraria del Parco di Monza he has published influential research over 25 years on waste prevention, separation and recycling, specialising in organic waste and composting. Enzo was one of the founders of the European Compost Network.

Creating An Intelligent Economy: How the North West Can Lead The Way By Dr Peter Doran

Dr Peter Doran lectures in Environmental Planning and Sustainable Development at the School of Law, Queens University Belfast. He led the Carnegie UK Trust-QUB initiative on wellbeing in Northern Ireland. He puts Zero Waste in a global economic context presenting the circular economy, with greener products and closed resource loops, as the sustainable response to population growth, urbanization and climate change.

Recycling, A Blueprint For Northern Ireland By Eric Randall

Eric Randall, Director of Bryson Recycling says *“The generation of quality materials is essential in any recycling collection system. Jobs created from reprocessing the materials are significant to the local economy”*. Bryson worked on designing the new recycling ‘wheelie box’ containers and ‘kerbsort’ vehicles. The Bryson model has been adopted by Antrim and Newtownabbey Councils and by the Welsh Government.

Guarantee your place by registering here

ZeroWasteNW.org/countdownreg

**For more information visit ZeroWasteNW.org/countdown
or contact the organisers at countdown@ZeroWasteNW.org**

This conference was organised by Zero Waste North West and was made possible through funding from CFNI (The Community Foundation for Northern Ireland) through their Community Planning Support Programme 2015.



ULSTER ARCHITECTURAL HERITAGE SOCIETY

132

Newry, Mourne & Down District Council
Monaghan Row
Newry
BT35 8DJ

M | 53

5th June, 2015.

Dear Liam,

The Ulster Architectural Heritage Society is the leading voice for the protection, appreciation, preservation and conservation of architecture in Northern Ireland. Over the last 48 years the UAHS has established itself as a fearless advocate for historic buildings through campaigning and lobbying, support and advice, publications, education and events. We look forward to working with the new council to promote the value of built heritage in the Newry, Mourne & Down area.

As part of our campaign to promote appreciation of the province's built heritage the Ulster Architectural Heritage Society is organising a cross-border Summer School with the Irish Georgian Society from 25-27 June. A three day event, based in Armagh & Monaghan it invites practitioners and students as well as members of the local community to learn about the value and protection of our historic buildings. It is an ideal opportunity for staff and Councillors to engage with planning issues and matters relating to Conservation Areas.

I write to invite you to nominate relevant staff members and Councillors to attend this event.

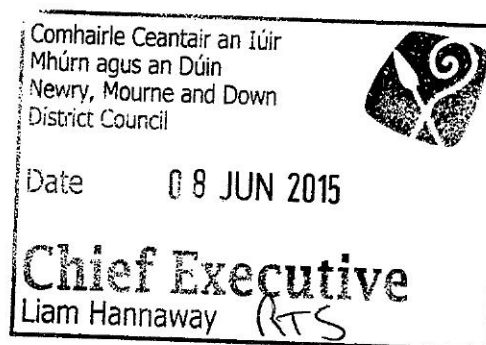
Full programme, together with a booking form is enclosed. I have also forwarded this correspondence to you via email at to facilitate sharing with staff or booking online.

Best wishes,



Nicola McVeigh
Chief Executive

Ulster Architectural Heritage Society,
66 Donegall Pass, Belfast, BT7 1BU.
T: 028 9055 0213
E: chiefexecutive@uahs.org.uk
W: www.uahs.org.uk



Conservation without Frontiers: Historic Buildings of Armagh & Monaghan in Context

Programme Overview – 25th – 27th June

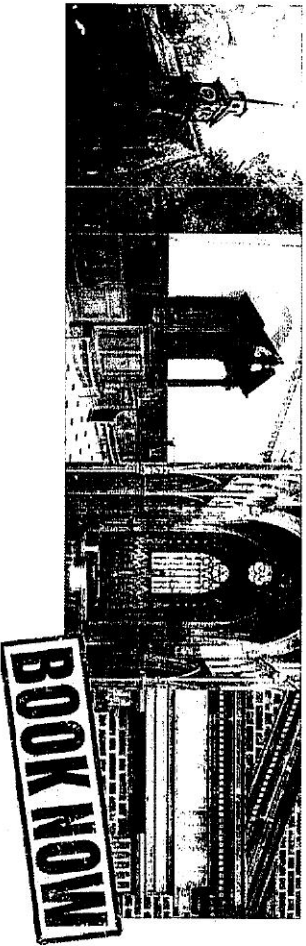


THURSDAY 25 th June	Armagh	FRIDAY 26 th June	Monaghan	SATURDAY 27 th June	Monaghan
09.15 Registration, with coffee, Synod Hall, Armagh		08.15 Bus depart Armagh + Monaghan to Castle Leslie		09.45 Morning Coffee, Market House, Monaghan	
09.30 Welcome		09.00 Tour Castle Leslie		10.00 Debate - Contemplating the Contemporary - New works in the Historic Environment	
09.35 DOE Minister Mark H. Durkan		09.45 Morning Coffee		Chair Frank McNally, Irish Times	
9.50 'Historical and geographical contexts for south Ulster's built environment' – Prof Patrick Duffy (National University of Ireland, Maynooth)		10.00 Welcome DAHG Minister Heather Humphreys		Modernist Niall McCullough, McCullough Mulvin Architects Aidan McGrath, McGonigle McGrath Architects	
10.20 Historic arrangement of Church interiors – Dr Michael O'Neill, Architectural Historian		10.15 Heritage and Housing – Dawson Steifox, Consarc Design		Traditional Liam Mulligan, Architect + surveyor Nicholas Groves-Raines, Groves – Raines Architects	
10.40 Places of Public Worship and the Planning and Development Act – Dr Fredrick O'Dwyer (Dept. Arts, Heritage and Gaeltacht)		10.35 Cross Border Heritage Initiatives – Dr. Andrew McClelland (The Institute of Historic Building Conservation)		Summary and Conclusion Shane O'Toole, Historian + Architecture Critic	
11.00 'Ecclesiastical Exemption in Northern Ireland' - Manus Deery (Northern Ireland Environment Agency)		10.55 The Buildings of Ireland Series – Prof Alistair Rowan, founding editor, Buildings of Ireland			
11.20 New work and reordering: current practice in England – A. Derrick (Architectural Heritage Practice)		11.15 Questions			
11.40 Break		11.45 Tour Glaslough – Dawson Steifox			
11.50 Introduction to conservation areas – Kevin Mulligan, author Buildings of South Ulster		12.45 Lunch, Hunting Lodge, Castle Leslie			
12.10 Conservation Areas Armagh – Damien Mulligan, Planning Manager ACBC		13.30 Visit St. Peter's Church, Laragh and Lady Anne Dawson Temple, Dartrey			
12.30 ACA's in Practice - Richard McLoughlin, Lotts Architecture + Urbanism		16.15 Afternoon Tea			
12.40 Restoration within a conservation area, with reference to Whaley's Buildings. – Marcus Patton, Hearth		17.00 Visit St. McCartan's Cathedral, Monaghan led by Prof Alistair Rowan with introduction by Bishop Joseph Duffy			
13.10 Lunch		18.00 Walking tour of Monaghan, Market Square, Church Square, St Patrick's C of I + Aviemore House – Kevin Mulligan + Shirley Clerkin, Heritage Officer MOCOCO			
14.00 Visits to Armagh Cathedrals led by Prof Alistair Rowan; Hearth Projects led by Marcus Patton; the Mall led by Dr Edward McParland; the Market Square led by Alastair Coey.		18.45 Questions, Market House, Monaghan			
16.30 Afternoon Tea, Armagh Public Library		19.30 Dinner, Ambledown Tea Rooms, Glaslough		12.00 Summer School Student Awards	
16.45 The architecture of Thomas Cooley and Francis Johnston + viewing of Thomas Cooley drawings – Judith Hill, Architectural Historian		21.00 Close		12.30 Celebratory Lunch	
17.30 Visit Primate's Palace, Chapel and Demesne – Dr Edward McParland (Trinity College Dublin)				14.00 Bus Departs to Annaghmakerrig (Tyrone Guthrie Centre)	
18.30 Discussion and Questions				14.40 Annaghmakerrig, Tyrone Guthrie Centre. Tour of house led by Christopher Fitz-Simon, author of Eleven Houses	
19.00 Dinner, The Moody Boar, Palace Stables				15.40 Close	
20.30 Table Quiz					
21.30 Close					

*Please note, all transport will be provided to and from Armagh and Monaghan each day and to all visit locations. Lunch, dinner and tea & coffee will also be provided.



Conservation without Frontiers:
Historic Buildings of Armagh & Monaghan in Context



Thursday 25th - Saturday 27th June 2015

In its first year the joint Ulster Architectural Heritage Society and Irish Georgian Society Conservation without Frontiers summer school will bring together students, enthusiasts and practitioners to explore, discuss and debate issues relating to our shared Irish heritage in the context of Armagh and Monaghan.

A key theme of the event is conservation and regeneration for community benefit which will demonstrate the critical importance of built heritage in maintaining the distinctive qualities of the region and supporting the growth of tourism, economic development and prosperity. The school will provide a platform to showcase the best that both counties have to offer in terms of their history and heritage. Leaders will include well known academics, architectural historians, architects, planners, conservation and heritage officers. The support of both councils will also reinforce the positive developing relationship between them and our respective organisations.

For more information please contact UAHS on

02890550213 (from RoI: 04890550213) or summerschool@uahs.org.uk

Booking available on Eventbrite: **Conservation without Frontiers**



Booking and Payment Form

Three Day Fee

Non – Member £210 UAHS/ IGS Member £190
 €260

Day Delegate Fee

Non – Member	Day 1	£80	<input type="checkbox"/>	UAHS/ IGS Member	Day 1	£70	<input type="checkbox"/>
	Day 2	£80	<input type="checkbox"/>		Day 2	£70	<input type="checkbox"/>
	Day 3	£70	<input type="checkbox"/>		Day 3	£60	<input type="checkbox"/>
		£95	<input type="checkbox"/>			£80	<input type="checkbox"/>

Personal Information

Title Name

Address

Tel.

Email

Special Requirements

.....

Cheque

Made payable to Ulster Architectural Heritage Society

£

Credit/ Debit Card

Please charge £ to my credit/ debit/ master card

Card Number

Security Number Issue Number

Valid From Expiry Date

.....

.....

.....

Cardholders Signature

*Financial information will not be kept on file. Registration will not be confirmed until payment is received. A receipt and additional course information will be issued in due course.