

# Public Document Pack

**Democratic Services Section  
Legal and Civic Services Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**



**Belfast  
City Council**

9th September, 2024

## **MEETING OF THE PEOPLE AND COMMUNITIES COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Tuesday, 10th September, 2024 at 5.15 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

### **AGENDA:**

#### **1. Routine Matters**

- (a) Apologies
- (b) Minutes
- (c) Declarations of Interest

#### **2. Restricted**

- (a) Request for use of Boucher Road Playing Fields - Aiken Promotions (Pages 1 - 6)
- (b) Quarter 1 Finance Update (Pages 7 - 14)
- (c) Request for the use of Botanic Gardens for a Christmas Ice Experience (Pages 15 - 24)
- (d) Consultation on the Draft Local Government Cremation Regulations NI 2024 (Pages 25 - 118)

3. **Committee/Strategic Issues**

- (a) Consultation on Policy Proposals underpinning a Public Health Bill for Northern Ireland (Pages 119 - 238)
- (b) Council's 2024 Updating and Screening Assessment for Ambient Air Quality (Pages 239 - 364)

4. **Operational Issues**

- (a) Waste Management Update (Pages 365 - 378)
- (b) Call for Social Supermarkets 2025/26 (Pages 379 - 382)
- (c) Request for nomination to Travellers Sub-Group (Pages 383 - 390)
- (d) Request from Advice Space for sponsorship of 60th Anniversary event and conference (Pages 391 - 394)
- (e) Public Right of Ways at Old Coach Road (Pages 395 - 400)
- (f) Falls Park Cyclocross Event (Pages 401 - 402)
- (g) Proposal for Dual Language Street Signage (Pages 403 - 406)
- (h) Naming of New Streets in the City (Pages 407 - 410)
- (i) Request for the use of Parks for 2024 Events (Pages 411 - 414)
- (j) Alleygating Phase 5 Update (Pages 415 - 422)
- (k) Request for the use of Alexandra Park for the North Belfast Lantern Parade (Pages 423 - 426)

5. **Issues Raised in Advance by Members**

- (a) Update report request for report on dog litter bins - Chairperson to Raise

By virtue of paragraph(s) 3 of Part 1 of Schedule 6  
of the Local Government Act (Northern Ireland) 2014.

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<b>Subject:</b>	Consultation to Public Health Bill - Consultation Response
<b>Date:</b>	10 <sup>th</sup> September 2024
<b>Reporting Officer:</b>	Siobhan Toland - Director of City Services, City and Neighbourhood Services
<b>Contact Officer:</b>	David Bone – City Services Manager, City and Neighbourhood Services Manager Vivienne Donnelly – City Protection Manager, City and Neighbourhood Services Manager

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never


<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	<b>Yes</b> <input checked="checked" type="checkbox"/> <b>No</b> <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	A public consultation has been launched by Department of Health setting out the proposals which will underpin a new health protection legislative framework for Northern Ireland, and which are based on the recommendations of the Review of the 1967 Act and learning from recent public health emergencies.
1.2	This is the second public consultation on Public Health and seeks views on specific policy proposals that will underpin the provisions to be included in the Bill. The first public consultation in September 2015 asked basic questions about current Public Health law. The outcome of that consultation enabled a final report to be published by Department of Health in March 2016, which set out key recommendations for legislative reform and the shaping of future public health protection law in Northern Ireland, leading to the current consultation.
1.3	Review of Public Health Act consultation response was ratified by Belfast City Council November 2015, following presentation to <a href="#">People and Communities committee on 10<sup>th</sup> November 2015</a> .
1.4	Responses to this current consultation are due by 14 <sup>th</sup> October 2024 an extended deadline allowing Council time to fully consider and respond. Attached for Members' consideration is a detailed response to the questions posed in the consultation questionnaire. Responses have been developed with input from Health & Environmental Services, Good Relations, and Equality team as well as Legal Services.
<b>2.0</b>	<b>Recommendation</b>
2.1	Members are asked to note the contents of the Council response <b>Appendix 1</b> and approve its submission to the Department. For members information a copy of the consultation document is attached at <b>Appendix 2</b> .
<b>3.0</b>	<b>Main Report</b>
	<b><u>Background</u></b>
3.1	As set out above, a review of the current Public Health Act (Northern Ireland) 1967 highlighted the need to update the Northern Ireland antiquated public health legislative framework to allow for an effective and fit for purpose response to 21st century public health emergencies.
3.2	The overarching principle of the draft Bill is to introduce an all-hazards approach. The focus of previous public health legislation has been to protect the public in relation to infectious diseases. The all-hazards approach allows for action in relation to a much broader range of risks to public health, including various forms of infection and contamination including biological, chemical, and radiological.
3.3	This all-hazards approach will enable broader public health surveillance in the fight against new illnesses and conditions, supporting more timely and effective interventions, controlling the further spread of infection and contamination generally.

3.4	In the context of emergency situations, it also introduces a range of new powers to control infection.
3.5	<p><b><u>Key Issues</u></b></p> <p>The consultation explores four key themes: structure and purpose of the bill, organisational responsibilities, public health powers and protecting individuals.</p>
3.6	In general officers agree with an all-hazards approach and welcomes Northern Ireland being brought into line with the rest of the UK with regards to public health legislation. However, the extent to which councils will be responsible for these additional powers has not been set out and therefore it is impossible to meaningfully respond to the consultation save for broad support of the principles which underpin the policy intent.
3.7	It is officer's view that further consultation and engagement with councils is necessary by the Department of Health and PHA to understand the proposed roles and responsibilities for these new powers and how that will impact upon councils. The key aspects of the impact of new powers and resourcing of these are of concern. Officers are also of the view that general population controls related to health security, monitoring and surveillance and emergency enforcement powers stated in the consultation document are matters for the Department of Health to determine and we state this throughout our response.
3.9	<p><b><u>Financial &amp; Resource Implications</u></b></p> <p>Any additional enforcement powers or responsibilities would require significant additional funding which must be provided on a permanent basis. The Department of Health remain key to making clear some of the critical aspects raised in the consultation and that if any impact on councils is identified, it cannot be at the expense of local rate payers. Therefore a route of resourcing and budget provision must be identified and secured. This has been highlighted throughout the draft consultation response.</p>
3.10	<p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>None at present.</p>
	<b>Appendices - Documents Attached</b>
	<p>Appendix 1 - Belfast City Council Consultation Response to Public Health Bill</p> <p>Appendix 2 – Full Consultation Document</p>

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## Consultation Response Form



### Introduction

Being transparent and providing accessible information to individuals is key to the Department of Health's (DoH) commitment to building trust and confidence in our ability to process the information you share with us.

It is important therefore to note that your response, along with all other responses to this consultation, may be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR).

If you want the information that you provide to be treated as confidential it would be helpful if you could explain to us why you regard the information you have provided as confidential, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.

### How will your information be used and shared?

The information you provide will be processed to generate a report, which may be used by a Health Minister to help inform decision-making on policy proposals to inform a new Public Health Bill. It will be shared only with the relevant officials within the Department of Health in order to produce the report. It is intended that the report will be completed in Autumn 2024, prior to the Bill's introduction into the Assembly legislative programme.

### How long will we keep your information?

We will retain consultation response information until our work on the subject matter of the consultation is complete, and in line with the Department's approved Retention and Disposal Schedule [Good Management, Good Records](#).

## CONSULTEE DETAILS

Name (Optional)	Belfast City Council
Organisation and job title (if applicable)	

Please provide details of your postal and / or e-mail address if you wish to be advised of any outcome of the consultation.

Postal Address (Optional)	
E-mail Address (Optional)	

I am responding: as an individual ☐  
on the behalf of an organisation as an ☒ (please tick a box)

If replying as an individual, please indicate if you do not wish for your identity to be made public	Yes <input type="checkbox"/> No <input type="checkbox"/> (please tick a box)
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Whilst not essential, it would assist the Department in analysing responses if responding on behalf of an organisation, you could provide details of who your organisation represents and, where applicable, how the views of members were assembled?	
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Views are invited on the following questions:

**THEME 1: STRUCTURE AND PURPOSE OF THE BILL (pages 7 – 9)**

**Principles, statement of intent and objectives**

**Q1. Do you agree or disagree with the proposed statement of intent?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer.**

Belfast City Council (“the Council”) broadly agrees with the principle of the statement of intent to ensure the capability to prevent, protect against, control, and provide response to public health threats, whether infection or contamination is appropriate and necessary and agrees that this should be included in the preamble to the Bill. The Council considers that it is appropriate for the Department to acknowledge and endeavour to implement international obligations. In addition, an explanatory note/memorandum to be read in conjunction with the Bill would provide a valuable interpretation aide and would be welcomed to assist organisations/statutory agencies who are tasked to fulfil any of the functions detailed in the Bill.

However, the detail of how this will be achieved in response to the wide range of potential scenarios needs to be fully understood **before** the Bill is drafted with linkages to existing legislative powers identified from a District Council perspective. In these circumstances the Council cannot provide a more informed or detailed response to the consultation until such times as there is the appropriate consideration of how any additional duties or powers can be resourced and implemented on a permanent basis.

**All hazards approach**

**Q2. Do you agree or disagree with the definition of “infection and contamination”?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer.**

The definition of infection and contamination proposed is “any infection or contamination which presents or could present significant harm to human health.”

The Council agrees with an “all hazards” approach and welcomes public health legislation in this jurisdiction being brought into line with other jurisdictions in the UK. This allows all significant risks to human health to be considered, managed, and controlled to protect public health.

## **THEME 2: ORGANISATIONAL RESPONSIBILITIES (pages 10-14)**

### **Scope**

**Q3. Do you agree or disagree that other existing public health legislation, i.e. environmental health legislation, sufficiently describes the functions, duties and powers of Ministers and statutory bodies needed to deal with any public health incident?**

Agree ☐

Disagree ☒

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer.**

The consultation states that the proposed bill will replicate and enhance the powers of the 1967 Act and in relation to public health investigations, the PHA will be able to authorise others to undertake specified duties. Public health legislation in other UK jurisdictions places powers and duties on local authorities which enables the relevant authorised bodies to undertake health protection functions and investigations. For example, the taking of air, water, and land samples. Councils in Northern Ireland have a range of duties and powers which may be invoked to protect public health during an incident, but there are limitations to what scenarios these duties and powers may cover e.g. public health issues such as controlling some infectious diseases in day care facilities or nurseries. In addition, councils have very limited powers in response to scenarios related to chemical hazards containment and cleanup. The Fire and Rescue Services (Emergencies) Order (Northern Ireland) 2011 extended NIFRS’ role to include statutory responsibility for Chemical, Biological, Radiation and Nuclear (CBRN) and as such this would need to be considered within the context of a public health incident.

Councils in other UK jurisdictions have much broader responsibilities whereas the Northern Ireland context is configured differently with these responsibilities straddled across many different statutory agencies including a range of NI Government Departments. It is therefore important that the proposed Bill has regard to this landscape as opposed to just replicated the GB legislative provisions.



It is important to note that whilst Environmental Health professionals can demonstrate a range of expertise and transferrable skills across our legislative remit, other agencies such as DAERA, HSENI, NIHE, FSA also have regulatory powers or responsibilities which may be relevant in a managing a health protection incident. Health and safety enforcement is split between HSENI and District Councils by sector as laid down in the Enforcing Authority (NI) Regulations 1999. HSENI have the same enforcement powers as council Environmental Health Officers in the premises for which they have enforcement responsibility.

Councils have enforcement responsibilities under health and safety legislation relating to risks arising in specified premises from work activities affecting employees and others that could be affected e.g. risk to public from legionella.

It is likely that not all future situations / scenarios will fall neatly within current legislative frameworks operated across the range of statutory stakeholders, so where PHA are “directing” in serious situations, therefore we are strongly of the view that there needs to be accompanying funding streams made available to execute such “directions”.

As new and novel hazards continue to emerge, it is essential that capability and capacity issues are adequately addressed and funded, not only to ensure the emerging issue is competently tackled but also to ensure the sustainability of that expertise and continued capacity to deliver the “authorised” organisation’s normal legislative remit in tandem.

In determining roles and responsibilities, it is also important to consider that local conflicts of interest may arise for local authorities in dealing with any incident on local authority premises.

Within the timeframe of the consultation and in the absence of a funded dedicated resource the Council is not in a position to authoritatively determine whether its environmental health legislation sufficiently describes the functions, duties and powers of ministers and statutory bodies needed to deal with any public health incident and would expect the Department for Health to undertake a full analysis through its legal advisers to determine such information in advance of this and any future consultation. For example, any expectations to carry out disinfection, disinfestation and decontamination will require new work such as specialist advice and services as these are currently not within the remit of councils to deliver. Indeed, it is questionable whether councils are best placed to assist with incidents of contamination given the “All Hazards” approach which could extend to incidents where the council have no current role, and which requires a multi-agency approach involving access to highly specialised and costly services.

Additionally, the role of the Civil Contingencies Group (Northern Ireland) (CCG (NI) and its associated structures and framework will need to be considered in response to any threat that may occur within Northern Ireland that requires a coordinated multi-agency response.

Any proposal that will place additional responsibilities (budget and people resources) and burdens on councils, and therefore the rate payer, will have to be addressed in the context of bringing forward these proposals and a Regulatory Impact Assessment will be required if any additional powers are passed to councils. A permanent central funding arrangement should be considered for this purpose.

### **Monitoring and surveillance**

**Q4. Do you agree or disagree that there is no requirement to replicate in the Bill the provisions in the Health Security (EU Exit) Regulations 2021 in relation to monitoring and surveillance?**

**Agree** ☒

**Disagree** ☐

**Undecided** ☐

**Not Applicable** ☐

#### **Please give reasons for your answer.**

The Council agrees that monitoring and surveillance is an important element of protection public health and if the Department is satisfied that such powers already exist in Health Security (EU Exit) Regulations 2021, and that the existing powers are fit for purpose for the “all hazards approach,” that there is no need to replicate the same legislative provisions in the Bill.

It is noted in paragraph 24 that it is proposed that provision is made to confer on PHA and other persons functions in in relation to the monitoring of public health risks.

Further information is requested on who said ‘other persons’ or agencies are proposed to be.

### THEME 3: PUBLIC HEALTH POWERS (page 14- 66)

#### Notification Policy

**Q5. Do you agree or disagree with the proposed “all hazards” approach to notification?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer.**

The Council agrees that notification is the first step and therefore a necessary element of the proposed “all hazards” approach. Consequently, it would logical that an “all hazards” approach to notification is necessary to meet the objectives of the new Bill. This may have resource implications and should be considered as part of a regulatory impact assessment.

**Q6(a). Do you agree or disagree with the duties to be placed on registered medical practitioners?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer.**

The Council considers this is a matter for the relevant health / medical professionals to provide comment on the proposals.

**Q6(b). Do you agree or disagree with the types of information that registered medical practitioners must notify?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer.**

The Council considers this is a matter for the relevant health / medical professionals to provide comment on the proposals.

**Q7(a) Do you agree or disagree with the duties to be placed on operators / directors of diagnostic laboratories?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer.**

The Council considers this is a matter for the relevant health / medical professionals to provide comment on the proposals taking account of benefits of the proposal versus the additional resources required to implement.

**Q7(b). Do you agree or disagree with the types of information that operators / directors of diagnostic laboratories must notify?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer.**

Consideration should be given to requiring laboratories to make notifications as soon as possible and no later than 3 days which is consistent with the requirements on medical practitioners (rather than the suggested 7-day target).

**Q7(c). Do you agree or disagree that legislation should place a duty on diagnostic laboratories to report negative test results?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer.**

Whilst the reporting of negative results is supported by the government's previous consultation, it could however prove to be an administrative burden during a large scale or regional outbreak, potentially diverting valuable resource.

**Q7(d) Do you agree or disagree that legislation should place a duty on diagnostic laboratories to report void test results?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer.**

In the event of a test result being void, it would be helpful for relevant authorities to be made aware of this as soon as possible, so that a repeat sample can be obtained and retested, if necessary. This is not only important for any individual involved, but also for decision makers who need all necessary information in which to act / take action in the given situation.

## **Offences**

**Q8(a). Do you agree or disagree that an offence may be placed on an operator / director of a diagnostic laboratory for failure to comply with the proposed duties?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

<b>Please give reasons for your answer.</b>
In order to avoid a dual standard for compliance, it is important that all laboratories across UK are subject to the same sanctions for failing to comply with any duties placed upon them.

**Q8(b). Do you agree or disagree that the level of fine is appropriate?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

<b>Please give reasons for your answer.</b>
The level of fine is a matter for the Department to consider.

## **Powers of entry and investigations**

**Q9. Do you agree or disagree with the proposed enhanced powers of entry for “authorised officers” of the PHA?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer.**

The Council agrees that the scope of the powers of entry must be sufficient for any "Authorised officers" to exercise any duty necessary to achieve compliance with the Bill and carry out any necessary function with a view to protecting public safety and health.

The Council considers that point B should not apply to commercial premises as there should be consistency with existing powers of entry available in other public health and health and safety related legislation linked to commercial premises. This should only apply for residential premises. Inclusion of the definition of a "premises" and any exemptions would be helpful.

Should the Public Health Agency decide to authorise officers outside of the PHA, then this approach should be developed in consultation with other regulators, be comprehensive but limited to those necessary. As stated above the resource impacts and impacts on any burden on Councils to be considered under this change, will need further consultation and engagement.

It recommended that consideration be given to developing an accompanying Code of Practice to sit alongside powers of entry (like that of the Environmental Better Regulation Bill) to ensure the correct and consistent use of such powers. This is of particular importance as the powers referred to in the proposed legislation impinge upon human rights, liberty and property.

The consultation lacks details on who PHA intends to authorise to exercise these functions. There is potential impact on staff resources and budgets for any Department where authorised officers are in required to 'execute any work'. This may affect ability to deliver upon their own statutory functions and services.

**Q10(a). Do you agree or disagree with the definition of "authorised officer"?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees that the definition of 'authorised officer' to be included in the Bill will mean any person authorised by the PHA to exercise functions conferred on it under the Bill (whether the person is an officer of the Agency). This will allow organisations to have their officers authorised as necessary. The definition should also be extended to allow for "other persons" who are not necessarily employed by the statutory agencies but who are specialist or experts in a particular field of expertise to accompany authorised officers.

The legislation should include limitations on the power to authorise officers outside of the Public Health Agency. Officers outside of the agency should only be authorised where deemed necessary and where it can be demonstrated that the competency, expertise and adequate resources are available to exercise any functions conferred under this Bill. It should be made clear in the proposed bill that the power to authorise other officers is in the context of co-

operation between public bodies, akin to mutual aid, so that it is not misconstrued as the PHA having the power to compel another organisation to carry out a particular function which the PHA itself can undertake.

Further consultation with any proposed authorised officers / organisation is recommended.

**Q10(b). Do you agree or disagree that the Department should specify who the “authorised officers” should be in legislation?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer**

All relevant department and agencies should be specified as authorised officers e.g. Councils, HSENI, NIFRS, FSA, PSNI, NIEA. This would allow flexibility in response and enable persons with the necessary expertise and equipment to be deployed appropriately depending on the type of incident.

**Supplementary provision as to entry**

**Q11(a) Do you agree or disagree with the supplementary powers of entry for authorised officers of the PHA?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees with the provision of supplementary powers for “authorised officers” which should be sufficient to allow officers to carry out their role with all the investigative tools that are necessary to properly assess the risks to public health and to allow them to take appropriate action to mitigate or eliminate the risk under investigation.

**Q11(b). In relation to “any such person” accompanying an “authorised officer”, who do you think should be included in this category?**

**Please provide suggestions in the box below**



Given the range of hazards incorporated under the proposed Bill, it would not be possible for the Council to pre-empt the professional/technical skills or credentials of any such person. The legislation should be drafted accordingly to allow sufficient latitude for such persons to be identified and appointed in response any type of hazard defined within the scope of this Bill.

Private contractors might fall into this category as required to accompany an Authorised Officer to provide specialist advise or expert services.

It is recommended that the legislation clarifies that PHA remain the lead authority, directing the incident response and that decision-making responsibilities lie with PHA.

A dedicated team with appropriate experience and expertise, akin to the HSENI major incident team, to fulfil this role may be worth considering.

**Q11(c) Do you agree or disagree with the supplementary provisions as to powers of entry?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees with the supplementary provisions as to the powers of entry. It is further recommended that a Code of Practice be developed to sit alongside the powers of entry to ensure the correct and consistent use of such powers. This is of particular importance as the powers referred to in the proposed legislation impinge upon human rights, liberty, and property.

**Q11(d). Do you think other actions should be included?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

Include any other reasonable power which is necessary for the purpose entry is authorised.

Inclusion would enable action not listed, to be taken if deemed necessary and would also future proof the legislation so other actions can be taken without need to change the legislation. It may also be worth including the power to secure a scene or for it to be left undisturbed.

### **Offence of Wilful Obstruction**

**Q12(a). Do you agree or disagree that an offence of wilful obstruction should be included in the Bill?**

- Agree ☒
- Disagree ☐
- Undecided ☐
- Not Applicable ☐

#### **Please give reasons for your answer**

The offence of wilful and reckless obstruction should be included in the proposed Bill to ensure acts of obstruction are appropriately dealt with and to bring this legislation into parity with other regulatory provisions to address these behaviours.

Careful consideration should be given to the definition of 'wilful'. The equivalent offence in legislation is typically 'obstruction' rather than 'wilful obstruction' which has a particularly high threshold. It is Council's experience that clauses such as this are usually framed in terms of causing obstruction without lawful excuse.

**Q12(b). If you agree, do you think the level of fine is appropriate?**

- Agree ☐
- Disagree ☐
- Undecided ☒
- Not Applicable ☐

#### **Please give reasons for your answer**

The level of fine is a matter for the Department to consider.

In considering the level of fine for an offence of obstruction in impeding the investigation to deal with a public health risk, the Department may wish to consider whether the level of fine proposed would be commensurate with the offence, taking account of the severity of public health

implications, the circumstances of those who chose to impede and obstruct investigation and the remedial action to address public health risks. The Department should also consider how the level of fine proposed for this offence might align (or conflict) with existing legislation for similar offences in other legislation. For example, the offence of obstruction in the Health and Safety at Work (Northern Ireland) Order 1978 is punishable by higher levels of fines and/or imprisonment.

### **Enhancement of PHA Powers / Magistrates' Court Orders**

**Q13. Do you agree or disagree with the “requirements and restrictions” in relation to “persons” and “groups of persons”?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

#### **Please give reasons for your answer**

The Council agrees that the “requirements and restrictions” in relation to “persons” and “groups of persons” should enable adequate measures to control risk to public health in any given scenario. Members of the public and civil liberty/human rights groups should be consulted on the proposed requirements and restrictions.

The consultation documentation lacks information on who PHA will authorise to investigate and mitigate an incident. This should be clarified in the further discussion to be entered into with the Department before a draft Bill is brought forward and will also allow for the practicalities around enforcement to be worked through.

Any potential impact on Council resources/budgets must be subject to further consultation.

**Q14. Do you agree or disagree with the “requirements and restrictions” in relation to “related parties”?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees that the “requirements and restrictions” in relation to “related parties” should enable adequate measures to control risk to public health in any given scenario.

**Q15. Do you agree or disagree with the “requirements and restrictions” in relation to “things”?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees that the “requirements and restrictions” in relation to “things” should enable adequate measures to control risk to public health in any given scenario that may arise that presents a significant risk to health. The definition of ‘thing’ includes dead body/human remains should be considered with sensitivity in the description.

The Council would like to further understand what role (if any) they may have in relation to these requirements as there would be health and safety considerations and possibly a specialist services required which would not be readily available within Councils current roles, responsibilities, and resources.

Further consideration of the specific examples would be required to inform councils understanding of the types of scenarios where a significant risk to public health is identified.

The required interventions in some cases may require specialist services that cannot be readily sourced and therefore consideration may need to be given to setting up contingency arrangements by availing expertise and services that may be already available in other jurisdictions. Further clarity will help to inform our understanding of the roles that councils will be expected to provide.

Consideration of resources and budget associated with the introduction of this Bill is a concern for council and a detailed analysis of cost should be undertaken to ensure that there is no additional cost/burden to councils. It is recommended that a central budget is held by the PHA to fund councils to undertake any additional work that is necessary.

Any proposal that will bring additional responsibilities and burdens on Council resources/budgets will need to be considered in the context of bringing forward these proposals and a Regulatory Impact Assessment will be required. A central permanent funding arrangement should be provided.

**Q16. Do you agree or disagree with the “requirements and restrictions” in relation to the health measures in relation to things for “related persons” and “related things” at paragraph 91?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees that the “requirements and restrictions” in relation to health measures in relation to “related persons” and “related things” should enable adequate measures to control risk to public health in any given scenario io that may arise that presents a significant risk to health.

**Q.17 Do you agree or disagree with the “requirements and restrictions” in relation to “premises”?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees that the “requirements and restrictions” in relation to health measures in relation to “premises” and “any place” should enable adequate measures to control risk to public health in any given scenario io that may arise that presents a significant risk to health. A definition of a premises and any exclusions would be useful.

**Q18 Do you agree or disagree with the “requirements and restrictions” in relation to the health measures for "related premises" in relation to a “related person” and a “related thing” in paragraph 98?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees that the “requirements and restrictions” in relation to health measures in relation to “premises” and “any place” should enable adequate measures to control risk to public health in any given scenario that may arise that presents a significant risk to health.

**Q19. Do you agree or disagree with the additional provisions in relation to the making of the magistrates’ court orders?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer**

The section on magistrate’s court orders lacks any detail on which agency/who will seek and implement such orders.

**Q20. Should provision in relation to a timely explanation of interference with individual rights be included?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please enter your answer and reasons for your answer in the box below.**

It is a matter for the Department to determine whether its proposals strike the correct balance between protecting public health and an individual’s rights, it is essential that a timely and

comprehensive explanation is given to any individual who is impacted by this provision including the provision of information to a family member or representative who is acting on behalf of the individual.

It is also recommended that additional safeguards and support is provided to the most vulnerable in society. Additionally, where an individual or group is subject to restrictions or deprivation of freedoms, then suitable mitigations and financial support should be provided in appropriate circumstances.

**Medical examination: least invasive and least intrusive procedures.**

**Q21. Do you agree or disagree with the provisions in relation to medical examinations?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer**

The Council however considers this is a matter for the relevant health / medical professionals to provide comment on the proposals.

**Q22. Do you agree or disagree with the list in relation to invasive procedures?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer**

The Council considers this is a matter for the relevant health / medical professionals to provide comment on the proposals.

**Q23. Do you agree or disagree with the provision of magistrates' court orders in relation to premises?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees with the provision of magistrates' court orders in relation to premises to ensures that the additional provision is available if access to a premises is not possible or is prevented. However, detail is lacking on which agency/who will implement these orders.

**Q24. Do you agree or disagree with the periods for which magistrates' court orders may be in force?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council acknowledges that where there are situations where individuals pose a severe and imminent risk to public health it may be necessary to apply powers of detention, isolation, and quarantine. The use of such powers must however be used sparingly, and the legislation should reflect that whilst at the same time allowing the statutory agencies some discretion as to assessing and balancing the risk to public health against the protection of individual freedoms / human rights obligations.

Consideration needs to be given on what actions will be taken should the risk remain after the 20 days expiration period.

**Q25(a). Do you agree or disagree with the proposals in relation to the making of magistrates' court orders?**

Agree ☐

Disagree ☐

Undecided ☐



Not Applicable ☒

**Please give reasons for your answer**

The Council considers this is a matter for the relevant health / medical professionals to provide comment on the proposals however detail is lacking on which agency/who will implement these orders.

**Q25(b). Do you agree or disagree with the proposals in relation to the varying and revocation of magistrates' court orders?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer**

The Council agrees with the principle of making court orders as described however it is a matter for the relevant health / medical professionals to provide comment on the substantive proposals. Council would again note that detail is lacking on which agency/who will implement these orders.

**Q26(a). Do you agree or disagree with the proposal in relation to the enforcement of magistrates' court orders?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees with the proposals however would welcome clarification as to who the enforcing body for this aspect of the Bill will be. As highlighted above, Council do not have medical skills or expertise to exercise these powers therefore would fall outside of the scope of Council responsibilities.

**Q26(b). Do you agree or disagree with the proposals in relation to the associated offence and fine?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

☐  
☐

**Please give reasons for your answer**

Council do not have medical skills or expertise to exercise these powers therefore would fall outside of the scope of Council responsibilities.

**Supplementary provisions in respect of magistrates' court orders**

**Q27. Do you agree or disagree with the supplementary provisions, enabling the Department to make further regulations in relation to the taking of measures pursuant to a magistrates' court order?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees the Department should have the scope to make further regulations that are deemed appropriate.

As per previous responses, detail is lacking on which agency/who will enforce magistrates court orders and how the costs of enforcing any such orders will be provided for by the Department.

**Restrictions / emergency powers**

**Q28. Do you agree or disagree with the proposed "restrictions and requirements" that may be included in health protection regulations?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

Council agrees with the proposed “restrictions and requirements” that may be included in health protection regulations. Any restrictions and requirements must be proportionate to risk and necessary to do so to protect the public from significant risks to health. Given the range of powers, councils would welcome further engagement with the Department in relation to roles and responsibilities before a draft Bill is brought forward.

The Council believes that the legislation should provide for remedial measures to apply to premises, things, and persons. Such powers should only be permissible where an on-going hazard is presented by such material or persons and the powers would provide the mechanism to ‘make safe’ the building or person and thereby eliminate the risk to public health. As it is likely that local councils may have some support role in this, the council would emphasise the need to undertake detailed consultation and to ensure that there is no additional cost/burden for councils. Given that these provisions will apply to an “all hazards” approach, councils will not have the necessary skills, expertise, or ready access to specialised services to deal with incidences where for example specialist decontamination services are required that cannot be readily sourced and therefore consideration may need to be given to setting up contingency arrangements by accessing and availing expertise and services that may be already available in other jurisdictions. Further clarity will help to inform our understanding of the roles that Councils will be expected to provide along with multi agency partners as highlighted in question 3, the role of the Civil Emergencies Contingencies Group and its associated structures will need to be considered in response to any threat that may occur within Northern Ireland.

Appropriate provision should be made for the carrying out of works in default and the recovery of costs where possible, however, it is important to recognize that where such costs are unlikely to be successfully recovered, council budgets may prohibit expensive works in default. Accordingly, to ensure that works are carried out promptly and the risk to public health is addressed as a priority it is recommended that a central budgetary resource is held which can be accessed by statutory agencies as necessary to carry out such works.

Councils will have been involved in the enforcement of the emergency Health Protection Regulations brought into effect at pace during the Covid pandemic. The lessons learnt from the Covid-19 Inquiry should inform this element of the Bill and include timely consultations with any statutory body required to enforce such special regulations to ensure that the legislation addresses the intended purpose.

**Power to require a head teacher to provide contact details of pupils.**

**Q29(a). Do you agree or disagree with the proposals in relation to the power to keep a child out of school?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer**

This falls outside of the scope of Council responsibilities and not a function to be conferred to other persons.

**Q29(b). Do you agree or disagree with the requirements on a head teacher to provide contact details?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer**

This falls outside of the scope of Council responsibilities. See response to 29(a).

Consideration should be given to GDPR and permissions for schools to share pupil's information outside of the education system.

**Restriction of access to, or contact with, dead bodies**

**Q30(a). Do you agree or disagree with the proposals in relation to access to dead bodies?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees with proposals in relation to restricting access and contact with dead bodies who pose a significant threat to the spread of infectious disease or contamination for the protection of public health. Guidance and direction would need to be lead via medical experts.

**Q30(b). Do you agree or disagree with the proposals in relation to contact with dead bodies?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees with proposals in relation to restricting access and contact with dead bodies who pose a significant threat to the spread of infectious disease or contamination for the protection of public health. Guidance and direction would need to be lead via medical experts.

**Q30(c). Who should have the power to give notice of the restriction?**

**Please provide suggestions in the box below**

The power to give notice of the restriction will be based on medical evidence and therefore Councils would not have any role in this aspect of the proposed Bill.  
Detail is lacking on which agency/who will enforce offence of non-compliance

**Relocation of dead bodies**

**Q31(a). Do you agree or disagree with the proposals in relation to relocation of dead bodies?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

Any powers conferred should be comprehensive and should allow for requirements on how the body is to be handled and ultimately treated. The Council therefore recommends that there should be powers to require precautions for handling/ preparing bodies, requiring movement to a place and arrangements for interment/disposal to prevent the risk to public health. Such requirements should be based on robust risk assessment.

**Q31(b). Who should have the responsibility to relocate or cause the dead body to be relocated?**

**Please provide suggestions in the box below**

Given that such hazards are likely to be identified via interaction with medical professionals at or around the time of death it seems likely that controls should commence at that stage by the doctor or other professional such as PHA officials.

Detail is lacking on which agency/who will enforce the failure to co-operate offence.

### **Limitations: regulations imposing restrictions or requirements**

#### **Domestic Health Protection Regulations**

**Q32(a). Do you agree or disagree with the scope of the powers to make domestic health protection regulations?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

See points raised in answer to question 28.

**Q32(b). Do you agree or disagree with the scope of the limitations imposing “restrictions or requirements” in relation to domestic health protection regulations?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

See points raised in answer to question 28.

#### **International Travel Health Protection Regulations**

**Q33(a). Do you agree or disagree with the scope of the powers to make international travel health protection regulations?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer**

The Council believes any regulations must be proportionate to risk and necessary to do so to protect the public from significant risks to health, however the issue of internal travel restrictions is a matter for the Department to consider having regard to expert advice.

**Q33(b). Do you agree or disagree with the scope of the limitations imposing “restrictions or requirements” in relation to international travel health protection regulations?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer**

See above answer.

**Q34. Do you agree or disagree with the scope of the associated offences and fines?**

Agree ☐

Disagree ☐

—

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer**

The lessons learnt from the Covid-19 Inquiry should inform this element of the Bill.

Detail is lacking on which agency/who will enforce contraventions of public health regulations failure to co-operate offence.

**Powers conferred on any other Northern Ireland Department to make regulations.**

**Q35. Do you agree or disagree that regulation making powers should be included in the Bill enabling other NI departments to make regulations at the request of the Minister of Health?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

Councils welcome any measures to ensure that any new regulations introduced in response to emergency measures are overseen and co-ordinated by the appropriate Ministerial Department. During the Covid pandemic, councils were involved in the enforcement of the emergency powers and encountered many challenges in enforcing legislation that involved several government departments.

Council welcomes advance consultation with stakeholders on any new regulations, especially with those responsible for enforcement. Failure to consult and consider feedback can result in legislation that is confusing to the public/businesses, open to interpretation and unenforceable by the enforcing authority.

Council also recommends that detailed guidance is developed wherever possible alongside the drafting of legislation to assist in its interpretation and implementation. Such guidance should be provided promptly, ideally prior to the new regulation coming into force. It is recognised that this is not always possible and if that is the case guidance should be provided as soon as possible thereafter. Whilst this may seem counter intuitive in an emergency situation, experience through the Covid pandemic was that the absence of guidance diverted significant resources in all public sector agencies to addressing queries.

**Review of regulations**



**Q36. Do you consider that the proposals in relation to the review of the operation of the health protection regulations are appropriate?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

See answer above.

**Assembly control**

**Q37. Do you consider that the proposals set out in Recommendation 3 of the Bingham report should be adopted in the new Public Health Bill?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer**

The determination of this is a matter for the Department.

The Council acknowledges that circumstances may arise which require emergency health regulations to be made to protect public health. Where possible these regulations should benefit from the approval of the Assembly so as to ensure that they are properly scrutinised and also to confer legitimacy that flows from parliamentary debate and approval. Therefore any “urgent declaration process” must be strictly regulated, fully informed, and used sparingly.

Council recommends advance consultation with stakeholders on any new regulations, especially with those responsible for enforcement. Failure to consult and consider feedback can result in legislation that is confusing to the public/businesses, open to interpretation and unenforceable by the enforcing authority.

Council also recommends that detailed guidance is developed wherever possible alongside the drafting of legislation to assist in its interpretation and implementation. Such guidance should be provided promptly, ideally prior to the new regulation coming into force. It is recognised that this is not always possible and if that is the case guidance should be provided as soon as possible thereafter.

**Q38. Do you consider that the proposals set out in Recommendation 4 of the Bingham report should be adopted in the new Public Health Bill?**

Agree ☐

Disagree ☐

Undecided ☐

Not Applicable ☒

**Please give reasons for your answer**

The determination of this is a matter for the NI Assembly.

As per Q37 the Council takes the view that this procedure should be strictly regulated and to that end agrees that the time limit between invoking the confirmatory procedure and affirmative scrutiny should be kept to the practical minimum.

**Q39. Do you consider that the proposals set out in Recommendation 5 of the Bingham report should be adopted in the new Public Health Bill?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer**

This is a matter for the Department .

The Council would however refer to paragraph 203 of the Bingham report which stated "*that all the proposals in this recommendation cannot be addressed by way of the Bill.*"

The Council is unclear as to the relevant aspects of Recommendation 5 which are under consideration.

**Q40. Do you agree or disagree that the negative procedure for making urgent international travel regulations should be retained as in Recommendation 6?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer**

This is a matter for the Department.

The Council's primary concern is that regulations that fall within their remit are legitimate, fit for purpose, properly scrutinised and enforceable.

**Q41(a). Do you agree or disagree that ministers should have a statutory duty to have regard to any relevant advice produced by National Human Rights Institutions in their jurisdiction as in Recommendation 10?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

In view of the proposals within the Bill the Council welcomes the additional safeguard of imposing a statutory obligation on ministers to have regard to advice from local Human Rights institutions.

**Q41(b) What other institutions could this duty be extended to?**

**Please provide suggestions in the box below**

Commissioner for Older People.

**Q42(a) Do you agree or disagree that an alternative formal system of enforcement, other than Fixed Penalty Notices (FPNs), should be adopted in emergency health protection regulations?**

Agree ☐

Disagree ☐

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer**

The Council agrees that legal advice should be sought on this matter and also recommends that the lessons learnt from the UK Covid-19 Inquiry should be considered to inform this element of the Bill.

Any alternative formal system of enforcement, other than Fixed Penalty Notices, must be consistent with good practice with a graduated and proportionate approach to enforcement adopted where appropriate. Taking enforcement action is a discretionary matter and it is open to any agency to consider an alternative disposal having regard to the public interest test.

There is a lack of detail on who the enforcement body would be and how decisions on the course of action to be taken would be determined.

Recording and managing warnings issued could be problematic where there are a number of enforcing authorities. Regional systems will need to be put in place to enable sharing of information to avoid individual receiving multiple warnings that should have escalated to an FPN or prosecution.

**Q42(b) If so, what should this look like?**

**Please provide suggestions in the box below**

#### **THEME 4: PROTECTING INDIVIDUALS (Page 67-69)**

**Q43. Do you consider that appropriate safeguards and protections to individuals have been captured in the proposed Bill?**

Agree ☒

Disagree ☐

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer**

--

### **Rural Impact**

The Rural Needs Act (NI) 2016 places a duty on public authorities, including government departments, to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services.

**Q44. Are the actions or proposals set out in this consultation document likely to have an adverse impact on rural areas?**

Yes ☐

Undecided ☒

Not Applicable ☐

<b>Please give reasons for your answer.</b>
This is a matter for the Department to consider.

### Equality/human rights questions

**Q45. Are you aware of any indication or evidence – qualitative or quantitative – that the actions/proposals set out in this consultation document may have an adverse impact on equality of opportunity or on good relations? If yes, please give details and comment on what you think should be added or removed to alleviate the adverse impact.**

Yes ☐

Undecided ☒

Not Applicable ☐

**Please give reasons for your answer.**

The proposed Bill includes significant powers which could potentially impact upon individual rights. The Council is not in a position to comment in relation to equality, good relations or human rights impacts until it has had the opportunity consider the draft Bill and the associated screening documentation and assessments which accompany same.

**Q46. Is there an opportunity to better promote equality of opportunity or good relations? If yes, please give details as to how.**

Yes ☒

Undecided ☐

Not Applicable ☐

**Please give reasons for your answer.**

All public authorities have statutory duties for equality and good relations. These statutory duties should be mainstreamed, through an assessment of equality and good relations impacts specific to this Bill.

**Q47. Are there any aspects of this policy proposal where potential human rights violations may occur?**

Yes ☐

Undecided ☒

Not Applicable

☐

**Please give reasons for your answer.**

Council is of the opinion that there are proposals contained within the Bill that will be construed as impinging upon human rights, and therefore the legislature must ensure the proper safeguards are embedded in the Bill to prevent violations occurring. Legal advice should be sought in this regard.

Whilst safeguards appear to have been considered in the form of appeals and review periods where restrictions and deprivation of movement are imposed, it is not possible to determine the extent, if any, of potential human rights violations until the final draft of the Bill is available for comment.

**Thank you for your comments**

Please submit your response via email or hard copy to the correspondence details below:

**Email:** [phbt@health-ni.gov.uk](mailto:phbt@health-ni.gov.uk)

**Address:** Health Protection Legislation Branch  
C/O PHD Admin Team  
Room C4.22  
Castle Buildings  
Stormont Estate  
Belfast  
Northern Ireland  
BT4 3SQ

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## **Policy underpinning the Public Health Bill (Northern Ireland)**

### **A Consultation Document**

**Date of issue:**                      **5 July 2024**

**Action required:**                      **Responses by 27 September 2024**

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## **1. MINISTER’S FOREWORD**

A review of the current Public Health Act (Northern Ireland) 1967 highlighted the need to update our public health legislative framework in order that Northern Ireland can respond to 21st century public health emergencies.

The overarching principle of the draft Bill is to protect the population against various forms of infection and contamination including biological, chemical and radiological, in addition to infectious diseases, which is the focus of the 1967 Act.

This all hazards approach will enable broader surveillance, supporting more timely and effective interventions, controlling the further spread of infection and contamination generally and if needs be, in an emergency.

This is the second consultation on Public Health and seeks your views on specific policy proposals that will underpin the provisions to be included in the Bill. The first consultation in September 2015 asked basic questions about current Public Health law<sup>1</sup>. The outcome of that consultation enabled a Final Report to be published in March 2016<sup>2</sup>, which set out key recommendations for legislative reform and the shaping of future public health protection law in Northern Ireland, leading to this current consultation.

This consultation sets out the proposals which will underpin a new health protection legislative framework for Northern Ireland, and which are based on the recommendations of the Review of the 1967 Act and learning from recent public health emergencies.

**Mike Nesbitt, MLA**  
**Minister of Health**

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<sup>1</sup> [Consultation for the review of the Public Health Act \(Northern Ireland\) 1967 | Department of Health \(health-ni.gov.uk\)](http://health-ni.gov.uk)

<sup>2</sup> [Review of the Public Health Act \(NI\) 1967 - Final report March 2016 \(health-ni.gov.uk\)](http://health-ni.gov.uk)

## 2. INTRODUCTION AND CONTEXT

### 2.1 Background

Current DoH public health legislation, the Public Health Act (Northern Ireland) 1967<sup>3</sup> (“the 1967 Act”), is over 56 years old. The purpose of the Review of the 1967 Act was to ascertain whether it is fit for purpose today. Following the publication of the Final Report of the Review in March 2016<sup>4</sup>, work commenced on scoping policy proposals that would underpin a new health protection legislative framework for Northern Ireland. Unfortunately, in January 2018, work on the Bill had to be paused as a result of other work pressures. The Department’s emergency response to the Covid-19 pandemic naturally further delayed progress on a Bill until it was feasible to divert resources to recommence this work. In May 2022, DoH ministerial agreement was given to set up a Bill Team, tasked with bringing forward a new legislative framework which would be limited in scope to health protection, which is the prevention and mitigation of the impacts of infectious disease, environmental, chemical and radiological threats on individuals, groups and populations.

A sole focus on health protection matters allows the Bill to progress at pace. Widening the scope to incorporate other public health issues which may be contentious, risks holding up the passage of the Bill while these issues are considered. Without a new health protection legislative framework, Northern Ireland (NI) remains vulnerable to other 21<sup>st</sup> century public health emergencies, in terms of a legislative response, and therefore a new health protection legislative framework is urgently required.

In summary, it is proposed that the new Bill will:

- be based on the all-hazards approach, in alignment with other UK jurisdictions, for the protection of people from known or yet to be discovered hazards, infections or contamination;
- update certain powers around restrictions on employment, quarantine, isolation and medical examination;

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<sup>3</sup> [Public Health Act \(Northern Ireland\) 1967 \(legislation.gov.uk\)](#)

<sup>4</sup> [Review of the Public Health Act \(NI\) 1967 - Final report March 2016 \(health-ni.gov.uk\)](#)

- clarify roles and responsibilities for different authorities; and
- provide underlying human rights based principles under which powers of intervention would be exercised.

## 2.2 Review of the Public Health Act (Northern Ireland) 1967

The Review of the Public Health Act (Northern Ireland) 1967 (“the 1967 Act”), including the 2015 public consultation, led the Department to the conclusions and recommendations set out in the table in the **Annex**.

The main deficiencies in the 1967 Act have been well rehearsed and are:

- the narrow scope of the Act, which is concerned almost exclusively with infectious diseases, whereas other jurisdictions and international law have adopted an ‘all hazards’ approach to protect the population against various forms of infection and contamination as well as infectious diseases;
- the Act is not consistent with World Health Organisation (WHO) International Health Regulations 2005 (IHR 2005<sup>5</sup>), to which the UK is a signatory, and which places duties on Member States in relation to public health measures;
- the powers given to authorities may not be compatible with the Human Rights Act 1998, and new legislation could ensure that actions that interfere with individual freedoms are proportionate to the public health risk;
- the powers of entry and the roles of authorised officers in carrying out certain functions are unclear; and
- the list of notifiable diseases needs to be reviewed and updated to take account of public health threats that have emerged or become more apparent since 1967, e.g. Severe Respiratory Syndrome (SARS). Other UK jurisdictions have since added a list of notifiable organisms (causative agents) to their legislation, which places Northern Ireland out of alignment.

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<sup>5</sup> [International Health Regulations \(2005\) – Third edition \(who.int\)](https://www.who.int/publications-detail/international-health-regulations-(ihr)-2005)

## 2.3 Policy proposals to address recommendations of the Review

The Department's consideration of the 18 recommendations, together with informal consultation with some key stakeholders, have led to the development of policy proposals that might underpin provisions in a draft Bill.

The aim and objectives of a draft Bill will be:

- to update outdated public health legislation to make it fit for purpose in order to better manage 21st century public health emergencies;
- to align with UK jurisdictions, where appropriate, and to better comply with IHR 2005, Human Rights and Data Protection legislation; and
- to widen the scope of current public health legislation to create permanent powers to enable Northern Ireland to respond to public health scenarios on an 'all-hazards' basis.

The Final Report of the Review reflected the main issues set out in the 2015 consultation document in terms of four key themes and the recommendations attached to each of them are highlighted below.

Recommendation 1, *the Executive should include a public health bill in its legislative programme for the next Assembly mandate* has been accepted, the remaining recommendations are addressed in this consultation document.

Theme 1: Structure and purpose of the Bill	Rec. 2, 3 & 17
Theme 2: Organisational responsibilities	Rec. 7
Theme 3: Public Health powers	Rec. 4 - 6, 8 -16
Theme 4: Protecting Individuals	Rec. 16, 18

Accordingly, this consultation paper will set out the policy proposals under each theme and identify which of the recommendations are incorporated.

## **THEME 1: STRUCTURE AND PURPOSE**

### **Principles, statement of intent and objectives**

**Recommendation 3: The Public Health Bill should include a statement of principles, or of intent, or objectives, or a combination of these.**

1. The 2015 consultation sought views on whether the new legislation should include a set of principles, a statement of intent, a list of objectives, a combination of all three, or none at all.
2. Whilst most respondents supported the inclusion of a combination of principles, a statement of intent and/ or a list of objectives, the final position should reflect the importance of clarity regarding the purpose and scope of the legislation. The scope of this legislation is health protection and therefore a reference to the promotion of public health, for example, is not required.
3. A statement of intent could be included in the preamble to the Bill which will clarify the purpose of the new Health Protection Framework. This will be confirmed when the final content of the Bill is known, however the intention behind the Bill is “to restate and amend the law on public health protection, and to make provision for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Northern Ireland, and to implement the Department’s obligations under the International Health Regulations”.
4. Whilst the statement of intent clarifies the risks the legislation is trying to mitigate, the Department does not consider that it is necessary to include a set of objectives within the Bill itself. On the basis that the legislation is drafted accurately the objectives are clear to see. However, these aspects could be discussed in the Explanatory Memorandum accompanying the Bill.

**Question 1: Do you agree or disagree with the proposed statement of intent? Please give reasons for your answer.**

## **All-hazards approach**

### **Recommendation 2: The Public Health Bill should be based on the all-hazards approach and be consistent with the WHO International Health Regulations.**

5. In the 2015 consultation, views were sought on how could new legislation best be future-proofed in order to protect the public's health against threats that are as yet unknown and what categories of threat to human health should be grounds for state interventions.
6. The 1967 Act establishes that those who are suffering from or are carriers of a 'notifiable disease' (Schedule 1) or 'infectious disease' (section 32) may have orders made against them. The term 'contamination' is only mentioned in relation to vessels and aircraft (section 2A(1)(1A)). Both the Public Health (Ships) Regulations (Northern Ireland) 2008 and Public Health (Aircraft) Regulations (Northern Ireland) 2008 contain provisions for 'an infected person' and an infected ship or aircraft. There are no other clear categories of threat to human health in the 1967 Act.
7. Section 14 of the Public Health etc. (Scotland) Act 2008 asp 5, places duties on registered medical practitioners (RMPs) where they have reasonable grounds to suspect that a patient whom they are attending has been exposed to a health risk state. "A 'health risk state' is defined as meaning a highly pathogenic infection (i.e. an infection highly likely to cause a serious disease), or exposure to any contamination, poison or other hazard that is a significant risk to public health. A patient's exposure to a health risk state means either physical contact with or contamination by a health risk state or physical contact with or contamination by a person who, or an object which, has been in physical contact with, or been contaminated by, a health risk state." The duties in relation to health risk states are set out separate to the notification duties in relation to notifiable diseases.
8. It is extremely important that Northern Ireland creates flexibility to monitor for new illnesses and conditions in line with European and international health regulations obligations. Knowledge of new cases of unknown conditions needs to be fed into monitoring systems to enable public health professionals to respond before a definitive



diagnosis is made. Defining ‘health risk state’ too tightly could limit our capacity to respond to new threats to public health.

## **Definitions of infection and contamination**

9. To define ‘infection’ and ‘contamination’, the Department prefers to use the model presented in English legislation to maintain flexibility. The definition of infection and contamination proposed is ***any infection or contamination which presents or could present significant harm to human health***. This model is described more fully in Theme 3.
10. The Department also proposes to specify that any reference to the spread of contamination includes a reference to the spread of any source of contamination. In addition, the Bill will make provision to the effect that any reference to disinfection or decontamination includes a reference to the removal of any vector, agent or source of the infection or contamination.
11. The Department proposes to make provision to adopt an all-hazards approach to align with other UK jurisdictions and the IHR 2005. That is, in addition to the duty on registered medical practitioners (RMPs) to notify specified infectious diseases, to notify in relation to other infections, not listed in the Schedule of notifiable diseases, which they believe present or could present, a significant risk to human health. They will also be required to notify cases of contamination that present or could present a significant risk to human health.
12. To support this approach, it is proposed that the Bill will, in particular, give the Department regulation making powers for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Northern Ireland (whether from risks originating there or elsewhere). This will afford the Department flexibility as new issues emerge over time.

**Question 2: Do you agree or disagree with the definition of “infection and contamination”? Please give reasons for your answer.**

## THEME 2: ORGANISATIONAL RESPONSIBILITIES

**Recommendation 7: The Department should aim to ensure that new legislation provides a greater clarity regarding the roles and responsibilities of the bodies concerned.**

### Demarcation

13. The 2015 Review asked whether legislation should describe the functions, duties and powers for ministers and each of the statutory bodies concerned in relation to public health.
14. It is considered that the functions and duties of the Department and the Public Health Agency are clearly set out in the Health and Social Care (Reform) Act (Northern Ireland) 2009 c. 1<sup>6</sup> and do not need to be repeated in the Bill, although a reference to the 2009 Act may be appropriate. Section 2 of the 2009 Act sets out the Department's general duty in relation to the provision of health and social care in Northern Ireland. Section 3 sets out the Department's general power and provides that the Department may provide or secure the provision of such health and social care as it considers appropriate to the discharge of its duty. Section 6 provides a power for the Department to give directions (either general or specific) to the Public Health Agency (PHA) as to how they should carry out their functions. Section 13 sets out the functions of the PHA in relation to the areas of health improvement and health protection. The section also provides that in exercising its functions, the PHA must co-operate with other bodies which exercise functions relating to health improvement or protection. Section 13(1)(b) provides that the PHA shall exercise on behalf of the Department health protection functions which are specified as:
  - the protection of the community (or any part of the community) against:
    - communicable disease, in particular by the prevention or control of such disease;

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<sup>6</sup> [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(legislation.gov.uk\)](https://legislation.gov.uk/ukni/2009/1/contents)

- other dangers to health and social well-being, including dangers arising on environmental or public health grounds or arising out of emergencies.
15. In particular, the 2009 Act makes provision as to the types of actions that the PHA may undertake for the purpose of health improvement or health protection functions, and these are:
- engage in or commission research;
  - obtain and analyse data and other information;
  - provide laboratory and other technical and clinical services;
  - provide training in relation to matters in respect of which the Regional Agency has functions;
  - make available to any other body such persons, materials and facilities as it thinks appropriate;
  - provide information, advice and assistance.
16. The powers of the Department and the PHA in relation to health protection matters will be clearly set out throughout this consultation document.

## **Scope**

17. The scope of the proposed Bill is health protection. The Bill will replicate and enhance the existing powers of the PHA in the 1967 Act, and in relation to public health investigations, the PHA will be able to authorise others to undertake specified duties. Public health legislation in other UK jurisdictions places powers and duties on local authorities which enables the relevant authorised bodies to undertake health protection functions and investigations. For example, the taking of air, water and land samples. The structures in Northern Ireland are different in that we do not have local authorities in the same way and some of the current investigatory powers in Northern Ireland are set out in other legislation which falls under the policy remit of other Northern Ireland departments.

18. Consequently, a targeted consultation with local councils, environmental health officers and PHA will take place as part of this consultation exercise. This will enable comprehensive consideration and mapping of current roles and responsibilities in relation to response and investigation of health protection matters, as well as who would be responsible for decontamination and disinfection. Clarity and understanding in respect of current accountability and responsibility is needed in order to manage a health protection incident where there may not be a clear role or responsibility nor a legislative platform underpinning that responsibility. A decision on how we fill this health protection gap is needed.

**Question 3: Do you agree or disagree that other existing public health legislation, i.e. Environmental health legislation, sufficiently describes the functions, duties and powers of ministers and statutory bodies needed to deal with any public health incident? Please give reasons for your answer.**

### **Monitoring and surveillance**

19. One of the functions of the PHA is to obtain and analyse data and other information. The 2015 Review of the 1967 Act asked whether it provided a sufficient statutory basis for this role. However, since the 2015 Review, the UK Government has introduced legislation that applies to all Public Health Agencies in the UK, the Health Security (EU Exit) Regulations 2021<sup>7</sup>. The focus of this legislation is monitoring and surveillance.

### **Health Security (EU Exit) Regulations 2021**

20. Current Northern Ireland public health legislation does not make provision in relation to surveillance undertaken by the PHA in Northern Ireland. This is outside the scope of the Bill. However, in relation to ensuring alignment with other UK Public Health Agencies, it is paramount that an all-hazards approach to notification is adopted in the Bill to enable PHA to comply with the requirements under these regulations.

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<sup>7</sup> [The Health Security \(EU Exit\) Regulations 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

21. Part 2 (starting with Regulation 6) of the Health Security (EU Exit) Regulations 2021, imposes an obligation on all UK public health agencies to carry out epidemiological surveillance on the communicable diseases and related special health matters listed in the Schedule to the regulations in relation to their respective part of the United Kingdom. Regulation 2 defines "communicable disease" to mean any infectious disease caused by a contagious agent which is transmitted from person to person by direct contact with an infected individual or by indirect means such as exposure to a vector, animal, fomite, product or environment, or exchange of fluid which is contaminated with the contagious agent. "Related special health matters" means antimicrobial resistance and healthcare associated infections related to communicable diseases.
22. The regulations also place a duty on UK public health agencies to collect information from epidemiological surveillance and share it with other UK public health agencies. There is a duty on the UK Focal point, which is the United Kingdom Health Security Agency (UKHSA) to report to WHO. The information to be shared by UK public health agencies is:
- comparable and compatible data and information in relation to the epidemiological surveillance of those communicable diseases and related special health matters;
  - information concerning the progression of any epidemic situations; and
  - information concerning unusual epidemic phenomena or new communicable diseases of unknown origin.
23. These regulations also require that the UK authorities must consult each other with a view to coordinating their efforts to develop, strengthen and maintain their respective capacities for monitoring, early warning and assessment of, and response to, serious cross-border health threats.
24. It is proposed therefore, to introduce a new duty on diagnostic laboratories to notify the PHA when they identify evidence of infection caused by specified causative agents. Powers to make domestic health protection regulations will also include provision

conferring on the PHA and other persons functions in relation to the monitoring of public health risks. This will be discussed further under Theme 3 Public Health powers.

**Question 4: Do you agree or disagree that there is no requirement to replicate in the Bill the provisions in the Health Security (EU Exit) Regulations 2021 in relation to monitoring and surveillance? Please give reasons for your answer.**

### **THEME 3: PUBLIC HEALTH POWERS**

#### **Recommendations 4 and 8 to 16.**

25. This Theme concerns itself with powers of entry and investigations, quarantine and isolation, compulsory medical treatment, restrictions, cleansing and disinfection of premises, things and persons, emergency powers and provisions in relation to dead bodies. It will also set out the proposed notification policy proposals which pre-empt actions that are needed in response to these notifications.

#### **Notification policy**

26. In England, the Health Protection (Notification) Regulations 2010<sup>8</sup> (HPNR 2010), made under sections 13, 45C(1), (2) and (3)(a), 45F(2)(a) and (b), 45P(2) and 60A of the Public Health (Control of Disease) Act 1984, sets out the policy in relation to the notification process in respect of infectious diseases, infection and contamination. The regulations also apply in relation to suspected disease, infection or contamination in a dead body. The regulations also place duties on diagnostic laboratories to notify the United Kingdom Health Security Agency (UKHSA – formerly Public Health England) if they identify a causative agent listed in Schedule 2 to the regulations, or evidence of such an agent, in a human sample.

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<sup>8</sup> [The Health Protection \(Notification\) Regulations 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukhr/2010/1100/contents/made)

27. Scotland's notification process, which is set out on the face of the Public Health etc. (Scotland) Act 2008<sup>9</sup> closely mirrors the policy intent under the HPNR 2010.
28. A decision as to whether the notification policy is placed on the face of the Bill or in regulations, will be taken during the drafting stage, however, the proposed overarching notification policy is set out below.

### **List of notifiable diseases and causative agents**

29. Current Northern Ireland legislation does not include provision for the notification of causative agents, but the policy intent will be to do so. A Four Nations working group is currently undertaking a review of the lists of notifiable diseases and causative agents within Northern Ireland and GB legislation, with a view to securing alignment on a Four Nations basis. The outcome of the notifiable diseases review is not expected for some months and the definitive list cannot be presented for consultation at this time. However, Northern Ireland public health consultants are working with DoH policy officials in support of the Four Nations review in order that agreed aligned lists can be included in the new legislation.

### **Duties on a registered medical practitioner**

30. A registered medical practitioner (RMP) will be defined as – ***a fully registered person within the meaning of the Medical Act 1983 who holds a licence to practice under that Act.***
31. The RMP will be under a duty to report to the PHA where they have reasonable grounds for suspecting that a patient:
- has a notifiable disease;
  - has an infection, which in their view presents or could present significant harm to human health; or

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<sup>9</sup> [Public Health etc. \(Scotland\) Act 2008 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2008/36/contents)

- is contaminated in a manner which, in the view of the RMP, presents or could present significant harm to human health.

#### What must be notified.

32. The notification must include the following information in relation to the patient so far as it is known to the RMP:

- name, date of birth and sex;
- home address including postcode;
- current residence (if not home address);
- telephone number;
- HSC number;
- occupation (if the RMP considers it relevant);
- the name, address and postcode of the place of work or education (if the RMP considers it relevant);
- any relevant overseas travel history;
- ethnicity;
- contact details for a parent (or person with parental responsibility) of the patient (where the patient is a child under the age of 18 years);
- the disease or infection which the patient has or is suspected of having or the nature of the patient's contamination or suspected contamination;
- the date of onset of symptoms;
- the date of the RMP's diagnosis; and
- the RMP's name, address and telephone number.

#### When the notification must be made

33. The notification must be provided in writing within 3 days beginning with the day on which the RMP forms a suspicion.

34. Provision will be made in the Bill to allow any notifications, information, disclosures, lists and reports that are required in writing to be communicated electronically if:



- the recipient has consented in writing to receiving the notification, information, disclosure, list or report (as the case may be) by an electronic communication; and
- the communication is sent to the number or address specified by the recipient when giving that consent.

#### Considerations as to whether to notify an urgent case

35. Where a RMP considers that the case is urgent, they must provide oral notification as soon as reasonably practicable. In determining whether the case is urgent the RMP must have regard to the following:
- the nature of the suspected disease, infection or contamination;
  - the ease of spread of that disease, infection or contamination;
  - the ways in which the spread of the disease, infection or contamination can be prevented or controlled; and
  - the patient's circumstances (including age, sex and occupation).
36. Provision will also be made to the effect that the duty on the RMP to notify the PHA does not apply where the RMP reasonably believes that the PHA has already been notified of the patient's suspected disease, infection or contamination by another RMP.

#### Duty to notify suspected disease, infection or contamination in dead persons

37. The Department proposes to include provision placing a duty on the RMP to notify PHA where they have reasonable grounds for suspecting that the person they are attending has died whilst:
- infected with a notifiable disease;
  - infected with a disease which, in the view of RMP, presents or could present, or presented or could have presented (whilst that person was alive), significant harm to human health; or
  - contaminated in a manner which, in the view of the RMP, presents or could present, or presented or could have presented (whilst the person was alive), significant harm to human health.

#### What must be notified

38. The notification must include the following information in relation to the person insofar as it is known to the RMP:

- name, date of birth and sex;
- date of death;
- home address including postcode;
- place of residence at time of death (if different from home address);
- HSC number;
- occupation at time of death (if the RMP considers it relevant);
- the name, address and postcode of the person's place of work or education at the time of death (if the RMP considers it relevant);
- relevant overseas travel history;
- ethnicity;
- the disease or infection which the person had or is suspected of having had or the nature of the person's contamination or suspected contamination;
- the date of onset of symptoms;
- the date of the RMP's diagnosis; and
- the RMP's name, address and telephone number.

#### When the notification must be made

39. The notification must be provided in writing within 3 days beginning with the day on which the RMP forms a suspicion.

#### Considerations as to whether to notify an urgent case

40. Where a RMP considers that the case is urgent, they must provide oral notification as soon as reasonably practicable. In determining whether the case is urgent the RMP must have regard to the following:

- the nature of the suspected disease, infection or contamination;
- the ease of spread of that disease, infection or contamination;
- the ways in which the spread of the disease, infection or contamination can be prevented or controlled; and
- the person's circumstances (including age, sex and occupation).

41. Provision will also be made to the effect that the duty on the RMP to notify the PHA does not apply where the RMP reasonably believes that the PHA has already been notified of the person's suspected disease, infection or contamination by another RMP.

**Duties on operators/directors of diagnostic laboratories to notify PHA of causative agents found in human samples**

42. A new duty on operators/ directors of diagnostic laboratories will be introduced to notify the PHA where a causative agent specified in a list is identified in a human sample.

What must be notified

43. The information to be included in the notification insofar as it is known to the operator/ director must include the following:
- name and address of the diagnostic laboratory;
  - the date and time the sample was received by the diagnostic laboratory;
  - where a causative agent is identified, the details of that agent;
  - date of the sample;
  - nature of the sample;
  - the results of any antimicrobial susceptibility test and any resistance mechanism identified in respect of the sample;
  - name of person from whom the sample was taken;
  - that person's:
    - date of birth and sex;
    - current home address including postcode;
    - current residence (if not home address);
    - ethnicity;
    - HSC number;
  - the name, address and organisation of the person who solicited the test.

#### When the notification must be made

44. The notification must be provided in writing within 7 days beginning with the day on which the causative agent is identified.
45. Provision will be made that only a Northern Ireland diagnostic laboratory will be under a duty to notify PHA. The Northern Ireland diagnostic laboratory identifies a causative agent where:
  - the diagnostic laboratory identifies the causative agent; or
  - the causative agent is identified by another laboratory under an arrangement made with that diagnostic laboratory.

#### Considerations as to whether to notify an urgent case

46. If the operator/ director of the diagnostic laboratory considers that a particular case is urgent, the notification must be provided orally as soon as reasonably practicable.
47. In determining whether the case is urgent, the operator/director of the diagnostic laboratory must have regard to the following:
  - the nature of the causative agent;
  - the nature of the disease which the causative agent causes;
  - the ease of spread of the causative agent;
  - the ways in which the spread of the causative agent can be prevented or controlled; and where known, the person's circumstances (including age, sex and occupation).
48. Provision will also be made to the effect that the duty to notify does not apply where the operator/ director of the diagnostic laboratory reasonably believes that the PHA has already been notified by the operator/ director of another diagnostic laboratory in relation to the same causative agent being found in a sample from the same person.
49. We will include a definition of a causative agent to mean (a) a causative agent listed in the legislation, or (b) evidence of an infection caused by such an agent.

**Question 5: Do you agree or disagree with the proposed “all hazards” approach to notification? Please give reasons for your answer.**

**Question 6 – Please give reasons for your answers.**

**(a): Do you agree or disagree with the duties to be placed on registered medical practitioners?**

**(b): Do you agree or disagree with the types of information that registered medical practitioners must notify?**

### **UK Government consultation on the Health Protection (Notification) Regulations 2010 (HPNR 2010)**

50. The UK Government ran a consultation from 12 July 2023 to 15 November 2023 in relation to proposed amendments to the HPNR 2010 seeking views on proposed additions to the list of notifiable diseases and notifiable causative agents and amendments to the reporting requirements on diagnostic laboratories in England<sup>10</sup>. The consultation proposed an extension of current reporting requirements placed on diagnostic laboratories to also report negative and void test results, in addition to the positive results already required.
51. The UK consultation sought views from stakeholders to update the HPNR 2010 to meet their current surveillance needs and to support prompt and effective public health action.
52. We also seek views on whether Northern Ireland legislation should include this additional duty on diagnostic laboratories.
53. As outlined above we are unable to share a composite list of notifiable diseases and notifiable causative agents to be included in Northern Ireland legislation until such

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<sup>10</sup> [Health Protection \(Notification\) Regulations 2010: proposed amendments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/health-protection-notification-regulations-2010-proposed-amendments)

times as the Four Nations Review has completed, which will also take into account the outcome of the HPNR 2010 consultation.

**Question 7 – Please give reasons for your answers.**

**(a): Do you agree or disagree with the duties to be placed on operators / directors of diagnostic laboratories?**

**(b): Do you agree or disagree with the types of information that operators / directors of diagnostic laboratories must notify?**

**(c): Do you agree or disagree that legislation should place a duty on diagnostic laboratories to report negative test results?**

**(d): Do you agree or disagree that legislation should place a duty on diagnostic laboratories to report void test results?**

**Offences**

54. The Department also proposes to include an offence to the effect that if the operator/ director of a diagnostic laboratory fails without reasonable excuse to comply with the duties set out above, they will commit an offence. Any person who commits an offence will be liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000). The suggested offence aligns with the equivalent offence set out in English legislation.

**Question 8 – Please give reasons for your answers.**

**(a): Do you agree or disagree that an offence may be placed on an operator/ director of a diagnostic laboratory for failure to comply with the proposed duties?**

**(b): Do you agree or disagree that the level of fine is appropriate?**

**Powers of entry and investigations**

55. The 1967 Act makes provision in relation to powers of entry by an authorised officer of the PHA. Section 22 provides that the authorised officer has the

right to enter any premises to ascertain whether there is, or has been, on, or in connection with premises, contravention of the Act or regulations made under the Act. Powers are given to the authorised officer to ascertain whether circumstances exist which would authorise or require PHA to take action or execute any work under the Act or regulations under the Act. In addition, the authorised officer is given powers to take any action or execute any work, authorised or required by the Act, or any regulations, or any (magistrates' court) orders made under the Act to be taken or executed by the PHA. Admission cannot be demanded as of right in relation to premises used as a dwelling house unless 24 hours' notice of intended entry has been given to the occupier.

56. A definition of 'authorised officer' will be included in the Bill to mean ***any person authorised by the PHA to exercise functions conferred on it under the Bill (whether or not the person is an officer of the Agency).***
57. It is proposed to enhance these powers of entry and investigations by supplementing them with a wide range of powers such as applying for a warrant in specified circumstances, using reasonable force when necessary, directing that premises be left undisturbed, taking measurements or photographs, making recordings, requiring a person to answer questions, or dismantling any article or substance.
58. The enhanced policy proposals in relation to powers of entry are as follows:
  - a) An authorised officer of the PHA shall have a right to enter any premises at all reasonable hours:
    - for the purposes of ascertaining whether there is or has been any contravention of any provision in the Bill, or of an order made by the magistrates court under the Bill, which it is the function of the PHA to enforce;
    - for the purposes of ascertaining whether or not circumstances exist which would authorise or require the PHA to take any action, or execute any work, under such a provision or in relation to such an order;
    - to take any action, or execute any work, authorised or required under a provision in the Bill or in relation to a magistrates court order; or

- generally, for the purpose of the performance by the PHA of their functions under such a provision, or in relation to a magistrates court order.
- b) Admission to any premises shall not be demanded as of right unless twenty-four hours' notice of the intended entry has been given to the occupier.
- c) Paragraph (a) above does not authorise entry to any part of premises which is used as a private dwelling (but this does not affect the power of a magistrate court to issue a warrant authorising entry to a private dwelling or to any part of premises used as a private dwelling).
- d) A magistrates' court warrant may authorise the PHA to enter the premises, if need be by force, if it is shown to the satisfaction of the magistrates court on sworn information in writing that:
- that admission to any premises has been refused, or that refusal is apprehended, or that the premises are unoccupied, or the occupier is temporarily absent, or that the case is one of urgency, or that an application for admission would defeat the object of the entry; and
  - that there is reasonable ground for entry into the premises for any such purposes as is mentioned in sub paragraphs (a) above.
- e) The magistrates' court shall not issue a warrant unless it is satisfied that notice of the intention to apply for a warrant has been given to the occupier, or that the premises are unoccupied, or that the occupier is temporarily absent, or that the case is one of urgency, or that the giving of such notice would defeat the object of the entry.

**Question 9: Do you agree or disagree with the proposed enhanced powers of entry for “authorised officers” of the PHA? Please give reasons for your answer.**



**Question 10 – Please give reasons for your answers.**

**(a): Do you agree or disagree with the definition of “authorised officer”?**

**(b): Do you agree or disagree that the Department should specify who the “authorised officers” should be in legislation?**

**Supplementary provision as to entry**

59. The Department also proposes to include supplementary provision as to entry.

60. An authorised officer entering any premises, may take with them any such person or equipment and materials as may be necessary. If authorised to enter premises by virtue of a warrant, they will be under a duty to leave any unoccupied premises as effectively secured against trespassers as he found them.

61. The officer may for the purpose for which entry is authorised:

- search the premises;
- carry out measurements and tests of the premises or of anything found on them;
- take and retain samples of the premises or of anything found on them;
- inspect and take copies or extracts of any documents or records found on the premises;
- require information stored in an electronic form and accessible from the premises to be produced in a form in which it can be taken away and in which it is visible and legible or from which it can readily be produced in a visible and legible form; and
- seize and detain or remove anything which the officer reasonably believes to be evidence of any contravention relevant to the purpose for which entry is authorised.

**Question 11 – Please give reasons for your answers.**

**(a): Do you agree or disagree with the supplementary powers of entry for “authorised officers” of the PHA?**

**(b): In relation to “any such person” accompanying an “authorised officer”, who do you think should be included in this category?**

**(c): Do you agree or disagree with the supplementary provisions as to the powers of entry?**

**(d): Do you think other actions should be included?**

62. Every warrant issued under these provisions will continue in force until the purpose for which the entry is necessary has been satisfied. A provision will also be included in the Bill to the effect that nothing in the power of entry provisions or the supplementary powers will limit the other parts of the Bill, or of regulations made under it, with respect to entry into or upon, and inspection of, any premises.

**Offence of wilful obstruction**

63. It is proposed to include an offence of wilful obstruction to the effect that a person commits an offence if the person wilfully obstructs any person acting in execution of the above provisions or of a warrant made or issued. A person guilty of an offence liable on summary conviction to a fine not exceeding level 5 on the standard scale (£5000).

**Question 12 – Please give reasons for your answers.**

**(a): Do you agree or disagree that an offence of wilful obstruction should be included in the Bill?**

**(b): If you agree, do you think the level of fine is appropriate?**

## Enhancement of PHA powers

64. A number of factors make alignment with Public Health Protection legislation in England, Wales and Scotland, complicated. Firstly, the remit of Local Authorities in the other jurisdictions is wide and includes social care, schools, housing, as well as waste management and planning etc. whereas Northern Ireland's health protection functions are dispersed across a range of bodies such as Environmental Health Officers in local councils, the Health and Safety Executive, the Drinking Water Inspectorate, health and social care trusts etc.
65. Currently there are a number of response plans, drawing on legislation, memorandums of understanding, and operational frameworks which provide strategic direction on what agencies should carry out which functions in a range of health protection or emergency scenarios. The main plans are the PHA's Northern Ireland Infectious Disease Incident/Outbreak Plan (September 2018)<sup>11</sup>, Department of Health Emergency Response Plan (March 2024)<sup>12</sup> and the Northern Ireland Civil Contingencies Framework (November 2023)<sup>13</sup>.
66. These plans relate to the statutory functions and responsibilities of relevant Government Departments and organisations and how they should engage with each other to protect public health.
67. Given the dispersed nature of the functions and responsibilities in Northern Ireland in comparison with the unitary authorities in England, Scotland and Wales, and given the broadening of the legislation to include a response to all public health hazards, it is proposed that the Bill builds on the current functions of the PHA. This means that, in addition to its advisory role, it is given the power to authorise other bodies to act to investigate and mitigate an incident within their remits.
68. In an instance, where the novel nature of the health threat means there is no clear agency with the power to act, the PHA will be able to authorise and resource the

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<sup>11</sup> [Northern Ireland Infectious Disease Incident / Outbreak Plan | HSC Public Health Agency \(hscni.net\)](https://hscni.net/northern-ireland-infectious-disease-incident-outbreak-plan)

<sup>12</sup> [Department of Health – Emergency Response Plan – March 2024](#)

<sup>13</sup> [Nov 23 - Version 2 Draft - NICCF \(executiveoffice-ni.gov.uk\)](#)

proposed functions either to be undertaken by another body or to carry out the function itself.

69. Given the understanding and cross working between organisations currently, it is envisaged that this is only a precautionary measure to act as a failsafe.

### **Magistrates' court orders**

70. Consequently, the Bill will include a suite of provisions enabling the PHA to make applications to the magistrates' court to order health measures in relation to persons, things or premises.

71. It is proposed that the Bill will make provision at the start of this suite of provisions to describe what we mean when we refer to a person, thing or premises being infected or contaminated. For example:

- references to infection or contamination are to infection or contamination which presents, or could present, significant harm to human health (whether from risks originating in Northern Ireland or elsewhere);
- references to contamination include radiation;
- references to a person who is infected or contaminated include references to a person who carries the source of an infection or contamination;
- references to a thing or premises being infected or contaminated include references to the thing or premises carrying the source of an infection or contamination;
- references to infecting or contaminating persons, things or premises include references to passing the source of an infection or contamination to persons, things or premises;
- references to the spread of contamination include the spread of any source of contamination; and
- references to disinfection or decontamination include the removal of any vector, agent or source of the infection or contamination.

## Health measures in relation to persons

72. The PHA will have the power to serve a notice on any person or groups of people requesting them to do, or refrain from doing, anything for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination which presents or could present significant harm to human health. The notice must provide contact details for an officer of the PHA who is able to discuss the notice. The PHA may offer compensation or expenses in connection with its request.
73. Where this power is deemed not effective, the PHA can make an application to the magistrates' court for an order. Before a magistrates' court order can be made, specified criteria must be met.
74. A magistrates' court may make an order imposing on a person one or more restrictions or requirements if the court is satisfied that:
- a person is or may be infected or contaminated;
  - the infection or contamination is one which presents or could present significant harm to human health;
  - there is a risk that the person might infect or contaminate others; and
  - it is necessary to make the order in order to remove or reduce that risk.
75. A magistrates' court may make an order imposing on one or more persons in the group one or more of the restrictions or requirements if the court is satisfied, in relation to a group of persons, that:
- each person in the group is or may be infected or contaminated;
  - the infection or contamination is one which presents or could present significant harm to human health;
  - there is a risk that each person in the group might infect or contaminate persons outside the group; and
  - it is necessary to make the order in order to remove or reduce that risk.
76. The restrictions or requirements that may be imposed on a person by an order are that:
- the person submit to medical examination;

- the person be removed to a hospital or other suitable establishment;
- the person be detained in a hospital or other suitable establishment;
- the person be kept in isolation or quarantine;
- the person be disinfected or decontaminated;
- the person wear protective clothing;
- the person provide information or answer questions about the person's health or other circumstances;
- the person's health be monitored and the results reported;
- the person attends training or advice sessions on how to reduce the risk of infecting or contaminating others;
- the person be subject to restrictions on where the person goes or with whom the person has contact;
- the person abstains from working or trading.

77. Where a court is satisfied as to the criteria set out above in relation to persons or groups of persons, the order may also make provision in relation to a child in that a person with parental responsibility for the child (within the meaning of the Children (Northern Ireland) Order 1995) to secure that the child submits to or complies with the restrictions or requirements imposed by the order.

**Question 13: Do you agree or disagree with the “requirements and restrictions” in relation to “persons” and “groups of persons”? Please give reasons for your answer.**

Health measures in relation to persons: related parties

78. The Department proposes to include measures in relation to related parties.

79. A definition of ‘related party’ will be included to mean:

- a person who has or may have infected or contaminated a person, or who has or may have been infected or contaminated by a person;
- a person who has or may have infected or contaminated a member of the group, or who has or may have been infected or contaminated by a member of the group.

80. A magistrates' court may make an order imposing on or in relation to a person a requirement that a person provide information or answer questions about a person's health or other circumstances (including, in particular, information or questions about the identity of a related party).
81. Before such an order can be made, the court must be satisfied that:
- a person is or may be infected or contaminated;
  - the infection or contamination is one which presents or could present significant harm to human health;
  - there is a risk that a related party might infect or contaminate others; and
  - it is necessary to make the order in order to remove or reduce that risk.
82. A magistrates' court may make an order imposing on or in relation to one or more persons in the group a requirement that the person provide information or answer questions about the person's health or other circumstances (including, in particular, information or questions about the identity of a related party).
83. Before such an order can be made, the court must be satisfied, in relation to a group of persons that:
- each person in the group is or may be infected or contaminated;
  - the infection or contamination is one which presents or could present significant harm to human health;
  - there is a risk that a related party might infect or contaminate others; and
  - it is necessary to make the order in order to remove or reduce that risk.
84. Where a court is satisfied as to the criteria set out above in relation to a related party, the order may also make provision in relation to a child in that a person with parental responsibility for the child (within the meaning of the Children (Northern Ireland) Order 1995) to secure that the child submits to or complies with the restrictions or requirements imposed by the order.

**Question 14: Do you agree or disagree with the “requirements and restrictions” in relation to “related parties”? Please give reasons for your answer.**

### Health measures in relation to things

85. A magistrates' court may make an order imposing, in relation to the thing, one or more restrictions or requirements if the court is satisfied that:
- the thing is or may be infected or contaminated;
  - the infection or contamination is one which presents or could present significant harm to human health;
  - there is a risk that the thing might infect or contaminate humans; and
  - it is necessary to make the order in order to remove or reduce that risk.
86. A magistrates' court may make an order imposing, in relation to one or more things in the group, one or more restrictions or requirements if the court is satisfied that:
- each thing in the group is or may be infected or contaminated;
  - the infection or contamination is one which presents or could present significant harm to human health;
  - there is a risk that each thing in the group might infect or contaminate humans; and
  - it is necessary to make the order in order to remove or reduce that risk.
87. The restrictions or requirements that may be imposed by an order are:
- that the thing be seized or retained;
  - that the thing be kept in isolation or quarantine;
  - that the thing be disinfected or decontaminated;
  - in the case of a dead body, that the body be buried or cremated;
  - in any other case, that the thing be destroyed or disposed of.
88. The definition of 'thing' will include a reference to (a) human tissue, (b) a dead body or human remains, (c) animals, and (d) plant material.

**Question 15: Do you agree or disagree with the “requirements and restrictions” in relation to “things”? Please give reasons for your answer.**



#### Health measures in relation to things: related persons or related things

89. A magistrates' court may make an order under requiring (a) the owner of the thing, or (b) any person who has or has had custody or control of the thing, to provide information or answer questions about the thing (including, in particular, information or questions about where the thing has been or about the identity of any related person or the whereabouts of any related thing).
90. Before such an order can be made, the court must be satisfied that:
- the thing is or may be infected or contaminated;
  - the infection or contamination is one which presents or could present significant harm to human health;
  - there is a risk that a related person or related thing might infect or contaminate humans; and
  - it is necessary to make the order in order to remove or reduce that risk.
91. A magistrates' court may make an order requiring (a) any owner of one or more things in the group, or (b) any person who has or has had custody or control of one or more things in the group, to provide information or answer questions about the thing (including, in particular, information or questions about where the thing has been or about the identity of any related person or the whereabouts of any related thing).
92. Before such an order is made, the court must be satisfied that:
- each thing in the group is or may be infected or contaminated;
  - the infection or contamination is one which presents or could present significant harm to human health;
  - there is a risk that a related person or related thing might infect or contaminate humans; and
  - it is necessary to make the order in order to remove or reduce that risk.
93. The Bill will make provision to define a "related person" to mean:
- a person who has or may have infected or contaminated the thing, or a person who has or may have been infected or contaminated by that thing;

- a person who has or may have infected or contaminated any thing in the group, or a person who has or may have been infected or contaminated by any such thing.

94. The Bill will make provision to define a “related thing” to mean:

- a thing which has or may have infected or contaminated the thing, or a thing which has or may have been infected or contaminated by that thing;
- a thing which has or may have infected or contaminated any of the things in the group, or a thing which has or may have been infected or contaminated by any such thing.

**Question 16: Do you agree or disagree with the “requirements and restrictions” in relation to health measures in relation to things for “related persons” and “related things” at paragraph 91? Please give reasons for your answer.**

#### Health Measures in relation to premises

95. A magistrates’ court order may make an order imposing, in relation to “premises” or a “group of premises”, one or more restrictions or requirements if the court is satisfied that:

- the premises, or group of premises, are or may be infected or contaminated;
- the infection or contamination is one which presents or could present significant harm to human health;
- there is a risk that the premises or each set of premises in the group might infect or contaminate humans; and
- it is necessary to make the order to remove or reduce the risk.

96. The restrictions or requirements which may be imposed by an order are:

- that the premises be closed;
- in the case of a conveyance or movable structure, that the premises or group of premises be detained;
- that the premises be disinfected or decontaminated; and
- in the case of a building, conveyance or structure, that the premises be destroyed.

97. A definition of “premises” will be included to mean “any place, and in particular, will include (a) any vehicle, train, vessel or aircraft, (b) and tent or movable structure, and (c) any offshore installation.”

**Question 17: Do you agree or disagree with the “requirements and restrictions” in relation to “premises”? Please give reasons for your answer.**

Health measures in relation to premises: related persons or related things

98. A magistrates’ court order may make an order requiring the owner(s) or any occupier of one or more sets of premises in the group to provide information or answer questions about that set of premises, including information about the identify of any related person or the whereabouts of any related thing.
99. Before such an order can be made, the court must be satisfied that:
- the premises or each set of premises in the group are or may be infected or contaminated or are or may be a place where infection or contamination was spread between person or things;
  - the infection or contamination is one which presents or could present significant harm to human health;
  - there is a risk that a related person or related thing might infect or contaminate humans; and
  - it is necessary to make the order to remove or reduce that risk.
100. The Bill will make provision to define a “related person” to mean:
- a person who has or may have infected or contaminated:
    - the premises,
    - a person who is or has been on the premises, or
    - a thing which is or has been on the premises; and
  - a person who has or may have been infected or contaminated by:
    - the premises,
    - a person who is or has been on the premises, or
    - a thing which is or has been on the premises.

101. The Bill will make provision to define a “related thing” to mean:

- a thing which has or may have been infected or contaminated the premises, a person who is or has been on the premises, or a thing which is or has been on the premises; or
- a thing which has or may have been infected or contaminated by the premises, a person who is or has been on the premises, or a thing which is or has been on the premises.

**Question 18: Do you agree or disagree with the “requirements and restrictions” in relation to health matters relating to “premises” in relation to a “related person” and a “related thing” in paragraph 98? Please give reasons for your answer.**

Additional provision in relation to magistrates’ court orders

102. The Department also proposes to make additional provision in relation to magistrates’ court orders. The Bill will provide that the orders may include, in addition to the restrictions or requirements mentioned above:

- such other restrictions or requirements as the court considers necessary for the purpose of reducing or removing the risk in question;
- a restriction or requirement contained in an order may be expressed to take effect subject to conditions specified in the order;
- two or more orders may be combined in a single order and the order may contain such directions as the court considers appropriate to give effect to it;
- the order may order the payment of compensation or expenses in connection with the taking of measures pursuant to the order; and
- an order is authority for those persons to whom it is addressed to do such things as may be necessary to give effect to it.

**Question 19: Do you agree or disagree with the additional provisions in relation to the making of the magistrates’ court orders. Please give reasons for your answer.**

## **Right to a timely explanation of interference with individual rights**

103. Sections 37 and 38 of the Public Health etc. (Scotland) Act 2008 asp 5 provide for a Scottish health board to make an exclusion or restriction order where it knows that a person has, or has been exposed to, an infectious disease or is contaminated, or has been exposed to a contaminant, and that this appears to present a significant risk to public health. An exclusion or restriction order may prohibit a person from entering or remaining in any place, or from carrying on any activity, and impose such other conditions as are considered appropriate by the board.
104. If a health board considers that there is a significant risk to public health, section 90 makes provision for it to restrict the release of a body from a hospital where a person has died of an infectious disease, or had such a disease, or was contaminated, before dying of another cause.
105. Under sections 34, 40, 42, 43 and 45 of the 2008 Act, a health board may also apply to the sheriff for an order for medical examination, quarantine, removal to, or detention in, a hospital.
106. In all of the above cases, under either section 31 or section 90, the health board is required to provide an explanation of the need for the action taken. In relation to an exclusion, restriction or sheriff's order, this must be provided to the intended subject of the order and must explain:
- that there is a significant risk to public health;
  - the nature of that risk; and
  - why the board considers it necessary for the proposed action to be taken.
107. Where the subject is incapable of understanding the explanation (whether because of youth, illness or otherwise), the board must give the explanation to a parent, guardian, welfare attorney, or any other person appointed or having authority to intervene in their affairs.

108. Where the action is in relation to a dead body, the board must explain to any person who appears to be responsible for the removal and disposal of the body:
- that there is a significant risk to public health;
  - the nature of that risk;
  - any precautions which should be taken; and
  - any other matter which the board considers appropriate.
109. The explanation of the need for an exclusion, restriction or sheriff's order must be provided before the proposed action is taken. Where this is not possible, it should be provided as soon as reasonably practicable after taking the action.
110. Furthermore, applications for sheriff's orders must specify whether such an explanation has been given and any response made by, or representations made on behalf of, the person in relation to whom the order is sought. Where no explanation has been given, the board must show that it was not reasonably practicable to do so. The making of an order is subject to the sheriff's satisfaction on these matters.
111. The review of the 1967 Act recommended that the new Public Health Bill aims to strike an appropriate balance between the state's responsibility to protect the public's health and the autonomy, rights and dignity of the individual. The Act preceded the development of human rights and data protection legislation in the United Kingdom. As such, it does not include a statutory requirement for a person to be provided with an explanation of the need for an action that interferes with their rights.
112. The review found such a right to be in accordance with the Human Rights Act 1998 and the European Convention on Human Rights ("the ECHR"). It recognised, in particular, strong stakeholder support for aligning with Scottish legislation, which requires a timely explanation for restrictions on the removal of a body and for orders imposing detention, isolation, quarantine or medical examination.
113. The Department also wishes to consider whether such a right should be extended further and welcomes views in relation to the additional restrictions and requirements likely to be provided under the new Bill.

**Question 20: Should provisions in relation to a timely explanation of interference with individual rights be included? Please give reasons for your answer.**

Medical examination: least invasive and least intrusive procedures

114. Where a magistrates' court order imposes a requirement that a person submit to medical examination, any health care professional authorised to carry out that examination:

- must not use invasive or intrusive procedures unless that professional considers such procedures are necessary to achieve the purpose for which the examination is being carried out; and
- must, where the professional considers such procedures are necessary for that purpose, use the least invasive and least intrusive procedures practicable.

115. A provision will be made to the effect that "invasive procedures" do not include:

- examination of the ear, nose or mouth;
- temperature assessment using:
  - an ear, oral or cutaneous thermometer;
  - or thermal imaging;
- physical examination of skin and hair;
- auscultation;
- external palpation;
- retinoscopy;
- external collection of urine, faeces or saliva samples;
- external measurement of blood pressure;
- electrocardiography.

**Question 21: Do you agree or disagree with the provisions in relation to medical examinations? Please give reasons for your answer.**

**Question 22: Do you agree or disagree with the list in relation to invasive procedures? Please give reasons for your answer.**

### Orders in relation to premises - Powers of entry

116. The Bill will include provision in relation to a magistrates' order in relation to premises where the court is satisfied that:

- admission to any premises has been refused;
- if admission to the premises is requested, it will be or is likely to be refused;
- a request for admission would defeat the object of the entry;
- the occupier is temporarily absent;
- the premises are unoccupied; or
- the case is one of urgency.

117. The order will authorise a person (who must be named or described in the order) to enter the premises, if need be by force. Any person entering any premises by virtue of an order may be accompanied by such other persons and such equipment and materials as may be necessary.

118. Provision will also require that on leaving any unoccupied premises which the officer has entered by virtue of such an order, the officer must leave them as effectively secured against trespassers as the officer found them.

119. The purposes under which an order may be made authorising entry will be to enable the officer to:

- search the premises;
- carry out measurements and tests of the premises or of anything found on them;
- take and retain samples of the premises or of anything found on them,
- inspect and take copies or extracts of any documents or records found on the premises;
- require information stored in an electronic form and accessible from the premises to be produced in a form in which it can be taken away and in which it is visible and legible or from which it can readily be produced in a visible and legible form; and



- seize and detain or remove anything which the officer reasonably believes to be evidence of any contravention relevant to the purpose for which entry is authorised.

**Question 23: Do you agree or disagree with the provision of magistrates' court orders in relation to premises? Please give reasons for your answer.**

Period for which a magistrates' court order may be in force

120. The order must specify the period for which any restriction or requirement imposed by or under the order is to remain in force. That period may be extended by a further order.
121. The period specified in the order nor any extension of the order may not exceed 28 days in relation to restrictions or requirements in respect of a person required to be detained in hospital or other suitable establishment, or to require that the person be kept in isolation or quarantine.
122. The Department will be given powers to make regulations to prescribe the maximum period that an order may remain in force and the maximum period of any extension of the order. Regulations may specify a shorter period for the purposes of a person subject to an order requiring them to be detained in hospital or other suitable establishment, or to be kept in isolation or quarantine.

**Question 24: Do you agree or disagree with the periods for which magistrates' court orders may be in force? Please give reasons for your answer.**

Procedure for making orders

123. An application to the magistrates' court may be made by the PHA by notice under Part 7 of the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)).
124. The Department may make regulations to require the PHA to give notice, to such persons as may be specified in the regulations, of the making of an application for a magistrates' court order but if the court considers it necessary to do so the court may

make an order without a person having been given such notice as is otherwise required to be given to that person under magistrates' court rules or regulations.

125. Regulations made by the department will also make provision about the evidence that must be available to a magistrates' court before the court can be satisfied to make the order in relation to a person.

126. The Department will consult on the policy underpinning the regulations when they are being drafted. However, the Department may be minded to follow the policy underpinning regulation 4 of The Health Protection (Part 2A Orders) Regulations 2010<sup>14</sup> which specifies that the following evidence must be made available to the justice of the peace:

- a report which gives details (insofar as known and relevant), or gives reasons for the omission of details, of:
  - the signs and symptoms of the infection or contamination in the person who is the subject of the application,
  - the person's diagnosis,
  - the outcome of clinical or laboratory tests, and
  - the person's recent contacts with, or proximity to, a source or sources of infection or contamination.

The report must contain the at least one of the details listed above.

- a summary of the characteristics and effects of the infection or contamination which the person has or may have which includes an explanation of:
  - the mechanism by which the infection or contamination spreads,
  - how easily the infection or contamination spreads amongst humans, and
  - the impact of the infection or contamination on human health (by reference to pain, disability and the likelihood of death);
- an assessment of the risk to human health that the person presents, including a description of any acts or omissions, or anticipated acts or omissions, of the person which affect that risk;

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<sup>14</sup> [The Health Protection \(Part 2A Orders\) Regulations 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2010/1226/contents/make)

- an assessment of the risk to human health that the related party presents, including any acts or omissions, or anticipated acts or omissions, of the related party which affect that risk;
- an assessment of the options available to deal with the risk that person presents; and
- an assessment of the options available to deal with the risk that the related party presents.

127. The evidence must be given by persons who are suitably qualified to give the evidence and the evidence may be given orally or in writing.

128. The Department will also have a power to make regulations to make other provision for the procedure on an application for a magistrates' court order (including provision modifying the Magistrates' Courts (Northern Ireland) Order 1981 and magistrates' courts rules).

#### Varying and revoking orders

129. A magistrates' court order may be varied or revoked by a magistrates' court on the application of an affected person, the PHA, or any other authority with the function of executing or enforcing the order in question.

130. In the case of an order for health measures in relation to persons or related parties, the following persons are affected persons:

- any person on whom a restriction or requirement is imposed by the order,
- a person with parental responsibility (within the meaning of the Children (Northern Ireland) Order 1995) for the person,
- a person's husband, wife or civil partner,
- a person living with a person as if they were spouses or civil partners of each other, and
- such other persons as may be specified.

131. In the case of an order for health measures in relation to things, the following persons are affected persons:

- the owner of the thing;
- any person with custody or control of the thing; and
- such other persons as may be specified.

132. In the case of an order for health measures in relation to premises, the following persons are affected persons:

- the owner of the premises;
- any occupier of the premises; and
- such other persons as may be specified.

133. In the case of an order for health measures in relation to things: related persons or things or premises: related persons or things, the following persons are affected persons:

- any person required to provide information or answer questions; and
- such other persons as may be specified.

134. The Bill will also provide that the variation or revocation of a magistrates' court order does not invalidate anything done under the order prior to the variation or revocation.

**Question 25 – Please give reasons for your answers.**

**(a): Do you agree or disagree with the proposals in relation to the making of magistrates' court orders?**

**(b): Do you agree or disagree with the proposals in relation to varying and revocation of magistrates' court orders?**

#### Enforcement of magistrates' court orders

135. The Bill will make provision for the enforcement of magistrates' court orders and will provide that a person commits an offence if they fail without reasonable excuse to

comply with a restriction or requirement imposed by the order, or wilfully obstructs anyone acting in the execution of an order.

136. A person guilty of an offence is liable on summary conviction to a fine not exceeding £5,000.

137. If a person is convicted of an offence, and the court by which the person is convicted is satisfied that the failure or wilful obstruction constituting the offence has caused premises or things to become infected or contaminated or otherwise damaged them in a material way, the court may, if it considers it appropriate to do so, order the person to take or pay for such remedial action as may be specified in the order.

138. Where a magistrates' court order imposes a requirement that a person be detained or kept in isolation or quarantine in a place, and that person leaves that place contrary to the requirement, a constable may take a person into custody and return a person to that place. A person may not be taken into custody after the expiry of the period for which the requirement is in force.

**Question 26 – Please give reasons for your answers.**

**(a): Do you agree or disagree with the proposals in relation to the enforcement of magistrates' court orders?**

**(b): Do you agree or disagree with the proposals in relation to the associated offence and fine?**

Supplementary provisions in respect of magistrates' court orders

139. The Bill will contain supplementary provision giving the Department a power to make further provision by regulations, in particular:

- The taking of measures pursuant to a magistrates' court order and may make particular provision about:
  - the type of investigation which may be carried out as part of a medical examination;
  - the manner in which measures are to be taken;

- who is to be responsible for executing and enforcing measures;
- who is to be liable for the costs of measures;
- the payment of compensation or expenses in connection with the taking of measures.

140. The Department will consult further on this policy when the regulations are to be drafted, however provision will be made in the Bill to state that these regulations may not confer functions on officers of Revenue and Customs to execute or enforce the magistrates' court orders unless the regulations are made with the consent of the Commissioners for His Majesty's Revenue and Customs.

**Question 27: Do you agree or disagree with the supplementary provisions, enabling the Department to make further regulations in relation to the taking of measures pursuant to a magistrates' court order? Please give reasons for your answer.**

### **Restrictions/ emergency powers**

141. It is proposed that the Bill will make a provision at the start of this suite of provisions in relation to references to infection and contamination. These are described in paragraph 71 above.
142. The Bill will include regulation making powers allowing the Minister of Health to make domestic and international travel health protection regulations. The power in relation to domestic public health protection regulations may be exercised: in relation to infection or contamination generally, or in relation to particular forms of infection or contamination. The powers will enable regulations to be made of a general nature, to make contingency provision, or to make regulations specifically to respond to particular circumstances.
143. Domestic regulations may be made for the purposes of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Northern Ireland (whether from risks originating there or elsewhere).

The regulations may;

- impose restrictions or requirements on or in relation to **persons, things or premises** in the event of, or in response to, a threat to public health, or enable a Northern Ireland department, the Regional Agency or another person, by virtue of a decision taken under the regulations, to impose such restrictions or requirements.
  
- In relation to a **person**, the regulations may impose a ‘special restriction or requirement’ such as:
  - requiring a person to submit to a medical examination;
  - be removed to a hospital or other suitable establishment;
  - be detained in a hospital or other suitable establishment;
  - keep a person in isolation or quarantine;
  - require a person to vaccinated or to receive other prophylactic treatment;
  - a person to be disinfected or decontaminated;
  - that the person wear protective clothing;
  - that the person provide information or answer questions about the person’s health or other circumstances;
  - that the person’s health be monitored and the results reported;
  - that the person attend training or advice sessions on how to reduce the risk of infecting or contaminating others;
  - that the person be subject to restrictions as to where the person may go or with whom the person has contact;
  - that the person abstain from working or trading.
  
- In relation to a **thing**, the regulations may impose a ‘special restriction or requirement’ such as:
  - that the thing be seized or detained;
  - that the thing be kept in quarantine;
  - that the thing be disinfected or decontaminated;
  - in the case of a dead body, that the body be buried or cremated;
  - in any other case, that the thing be destroyed or disposed of.

- In relation to ***premises***, the regulations may impose a ‘special requirement or restriction’ such as:
  - that the premises be closed;
  - that, in the case of a vehicle or movable structure, the premises be detained;
  - that the premises be disinfected or decontaminated;
  - that, in the case of a building, structure, mobile home or vehicle, the premises be destroyed.
  
- The regulations may also make provision as to:
  - imposing duties on registered medical practitioners or other persons to record and notify cases or suspected cases of infection or contamination;
  - conferring on the Regional Agency or other persons functions in relation to the monitoring of public health risks;
  - a requirement that a child is to be kept away from school;
  - a prohibition or restriction relating to the holding of an event or gathering, a restriction or requirement relating to the handling, transport, burial or cremation of dead bodies or the handling, transport or disposal of human remains.

144. Specific provision will be made prohibiting regulations that impose or enable the imposition of a requirement that a person undergoes medical treatment. Medical treatment does not include vaccination and other prophylactic treatment.

**Question 28: Do you agree or disagree with the proposed “restrictions and requirements” that may be included in health protection regulations? Please give reasons for your answer.**

### **Keeping a child away from school**

145. The Department proposes to make provision giving the PHA the power to require a child is kept away from school.



146. Section 5 of the 1967 Act currently provides that the PHA may serve a notice on a person having the care of a child who is suffering from or has been exposed to infection from a notifiable disease not to attend school for a specified period. Any person who permits a child to attend school in contravention of the notice commits an offence.

147. The Department proposes to enhance this provision to widen scope to all-hazards, so that the PHA may serve a notice on the parent of a child (or person with parental responsibility of a child) to require that they keep the child away from school. This applies where the PHA is satisfied that:

- a child is infected or contaminated;
- the infection or contamination is one which presents or could present significant harm to human health;
- there is a risk that the child might infect or contaminate others;
- it is necessary to keep the child away from school in order to remove or reduce that risk; and
- keeping the child away from school is a proportionate response to the risk to others presented by the child.

148. Provision will be made to specify the information to be included in the notice as follows:

- 1) the date from which the requirement commences;
- 2) the duration of the requirement (up to a maximum of 28 days);
- 3) why the requirement is believed to be a necessary and proportionate measure;
- 4) the penalty for failing to comply with the notice; and
- 5) contact details for the PHA officer who is able to discuss the notice.

149. It is proposed that the PHA will be under a duty to inform the head teacher at the child's school that a notice has been served and the contents of that notice. This should be done as soon as reasonably practicable after serving notice.

150. A parent may request that the PHA review the notice at any time before the requirement lapses. PHA will be under a duty to review the notice within 5 working days beginning with the day on which the request is made where the parent is

requesting a review for the first time. For all other requests, the PHA may undertake a review but will not be under a duty to do so.

151. PHA must inform the parent and the head teacher of the outcome of any review it conducts as soon as is reasonable practicable after the review is concluded.
152. PHA will be able to vary or revoke a notice and must inform the parent or head teacher that the notice has been varied or revoked and, if varied, the nature of the variation.
153. The PHA will be able to serve consecutive notices but must inform the parent of the child and the head teacher where a notice has expired, and no further notice is to be served.
154. A parent will be guilty of an offence if they fail without reasonable excuse, to comply with the notice served or a varied notice. The offence is liable on summary conviction to one or both of:
  - 1) a fine not exceeding level 2 on the standard scale (£500);
  - 2) a further fine not exceeding an amount equal to 50% of level 1 (£200) on the standard scale for each day on which the default continues after conviction.

### **Power to require a head teacher to provide contact details of pupils**

155. The Department proposes to make provision giving the PHA the power to require that a head teacher provides PHA with the names and contact details of the pupils at that head teacher's school, where the PHA has served a notice on a parent of a child requiring them to keep a child away from school.
156. The PHA may serve a notice on the head teacher requiring them to provide a list of the names, addresses and contact telephone numbers for all the pupils of that school, or such group of pupils attending that school as it may specify, where PHA is satisfied that:
  - 1) a person who is or has recently been on the school's premises is or may be infected or contaminated;

- 2) the infection or contamination is one which presents or could present significant harm to human health;
- 3) there is a risk that the person may have infected or contaminated pupils at the school;
- 4) it is necessary for PHA to have the list in order to contact those pupils with a view to ascertaining whether they are or may be infected or contaminated; and
- 5) requiring the list (and contacting those pupils which may be infected or contaminated) is a proportionate response to the risk presented by the person.

157. The notice must:

- 1) specify a time limit for meeting the requirement;
- 2) specify an address where the list is to be sent;
- 3) provide contact details for an officer of PHA who is able to discuss the notice.

158. The head teacher will be guilty of an offence if they fail without reasonable excuse to comply with the notice and will be liable on summary conviction to a fine not exceeding level 1 on the standard scale (£200).

**Question 29: Please give reasons for your answers.**

**(a): Do you agree or disagree with the proposals in relation to the power to keep a child out of school?**

**(b): Do you agree or disagree with the requirement on a head teacher to provide contact details?**

**Restriction of access to, or contact with, dead bodies**

159. The Department proposes to make specific provision in relation to dead bodies.

160. Access to and contact with a dead body will be prohibited where the PHA or some other medical practitioner is satisfied that:

- 1) a dead body is or may be infected or contaminated;

- 2) the infection or contamination is one which presents or could present significant harm to human health;
- 3) there is a risk that the dead body might infect or contaminate people;
- 4) it is necessary to restrict entry to the room in which the dead body is located in order to remove or reduce that risk; and
- 5) prohibiting any person from entering the room in which the dead body is located or having contact with the dead body is a proportionate response to the risk presented by that dead body.

161. The PHA or some other medical practitioner may serve on the person having charge or control of the premises in which the dead body is located a notice prohibiting any person from entering the room in which the dead body is located or having any contact with the dead body. This person must arrange for a copy of the notice to be conspicuously displayed at each of the entry points to the room without delay.

162. The notice must include:

- 1) a statement to the effect that entering the room in which the dead body is located or having any contact with the dead body is prohibited;
- 2) a statement to the effect that breach of the prohibition is a criminal offence;
- 3) contact details for an officer of the PHA or the medical practitioner who is able to discuss the notice; and
- 4) the legal authority for the prohibition.

163. An offence is committed if, without reasonable excuse:

- 1) the person on whom the notice is served fails to arrange for a copy of the notice to be displayed at each of the entry points to the room;
- 2) any person removes or defaces a displayed notice; or
- 3) any person fails to comply with a displayed notice.

164. An offence is not committed where a person fails to comply with the notice if:

- 1) the person has the PHA's or medical practitioner's consent to enter the room in which the dead body is located or to have contact with the dead body; or

- 2) the person is exercising the functions of a coroner or is acting under the authority of a coroner.

165. Any person who commits an offence under this regulation is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000).

**Question 30: Please give reasons for your answers.**

**(a): Do you agree or disagree with the proposals in relation to access to dead bodies?**

**(b): Do you agree or disagree with the proposals in relation to contact with dead bodies?**

**(c): Who should have the power to give notice of the restriction?**

### **Relocation of dead bodies**

166. Similar to the powers described above in respect of access to and contact with a dead body, the Department wishes to make provision in relation to the relocation of a dead body.

167. Where PHA or some other medical practitioner is satisfied that:

- 1) a dead body is or may be infected or contaminated;
- 2) the infection or contamination is one which presents or could present significant harm to human health;
- 3) there is a risk that the dead body might infect or contaminate people;
- 4) it is necessary to relocate the dead body in order to remove or reduce that risk;
- 5) relocating the body is a proportionate response to the risk to people presented by the dead body in its current location;

the PHA, or some other medical practitioner may relocate or cause to be relocated, the dead body to a place where they consider that the risk of the dead body infecting or contaminating people is reduced or removed.

168. The dead body cannot be relocated if a coroner has jurisdiction over the dead body; or the PHA or some other medical practitioner has failed to take reasonable steps to inform the person with charge or control of the premises where the dead body is located of its intention to take action.

169. Any person having charge or control of premises in which a dead body is located must co-operate with the PHA or the medical practitioner, and where they fail to cooperate, without reasonable excuse, they are guilty of an offence. The offence is liable on summary conviction of a fine not exceeding level 3 on the standard scale (£1000).

**Question 31: Please give reasons for your answers.**

**(a): Do you agree or disagree with the proposals in relation to relocation of dead bodies?**

**(b): Who should have the responsibility to relocate or cause the dead body to be relocated?**

**Limitations: Regulations imposing restrictions or requirements**

Domestic Health Protection Regulations

170. The Bill will provide that domestic health protection regulations that include provision imposing restrictions or requirements on or in relation to persons, things or premises in the event of, or in response to, a threat to public health, the Department may not make the regulations unless it considers, at that time, that the restriction or requirement is proportionate to what is sought to be achieved by imposing it.

171. The Bill will also provide that where regulations include provision enabling a person to make a decision to impose a restriction or requirement (by a Northern Ireland Department, the PHA or another person), and the regulations enable the person to make a decision to impose a special restriction or requirement on or in relation to a person, a thing or premises, the regulations must provide for a right of appeal to a court of summary jurisdiction against any decision to impose a special restriction or requirement.

172. Regulations that include provision imposing a requirement on persons to be vaccinated or to receive other prophylactic treatment must:
- provide for exemptions from that requirement; and
  - include provision about how a person who is entitled to an exemption is to evidence that entitlement.
173. Where the special restriction or requirement is capable of remaining in force in relation to any person, thing or premises for more than a specified period, the regulations must provide that a specified person may, by application, require that the continuation of the restriction or requirement be reviewed in accordance with the regulations at specified intervals.
174. In relation to a restriction or requirement in relation to detention in a hospital etc, or isolation or quarantine, the period specified, and the intervals specified must be 28 days or less, and the regulations must also require that the continuation of the restriction or requirement be reviewed at specified intervals if an application is not made.
175. Reviews must be carried out by a person determined in accordance with the regulations. The Bill will define “specified” to mean specified in the regulations.

**Question 32 - Please give reasons for your answers.**

**(a): Do you agree or disagree with the scope of the powers to make domestic health protection regulations?**

**(b): Do you agree or disagree with the scope of the limitations imposing restrictions or requirements in relation to domestic health protection regulations?**

#### International Travel Regulations

176. The Bill will contain a regulation making power enabling the Department to make regulations:

- for preventing danger to public health from persons or vessels, aircraft, trains or other conveyances arriving in Northern Ireland from any place outside Northern Ireland;
- for preventing the spread of infection or contamination by means of any person or vessel, aircraft, train or other conveyance leaving Northern Ireland for any place outside Northern Ireland; and
- for giving effect to any international agreement or arrangement relating to the spread of infection or contamination.

177. These regulations will include provision:

- for the medical examination, detention, isolation or quarantine of persons;
- for the detention of conveyances;
- for the inspection, analysis, retention, isolation, quarantine or destruction of things;
- for the disinfection or decontamination of conveyances, persons or things or the application of other sanitary measures;
- for prohibiting or regulating the arrival or departure of conveyances and the entry or exit of persons or things;
- imposing duties on masters, pilots, train managers and other persons onboard conveyances and on owners and managers of ports, airports and other points of entry; and
- requiring persons to provide information or answer questions (including information or questions relating to their health).

178. Regulations made under this suite of provisions (international travel) may not include provision requiring a person to undergo medical treatment. Medical treatment does not include vaccination and other prophylactic treatment.

179. Regulations that include provision requiring persons to be vaccinated or to receive other prophylactic treatment must:

- provide for exemptions from that requirement; and



- include provision about how a person who is entitled to an exemption is to evidence that entitlement.

**Question 33 – Please give reasons for your answers.**

**(a): Do you agree or disagree with the scope of the powers to make international travel health protection regulations?**

**(b): Do you agree or disagree with scope of the limitations imposing “restrictions or requirements” in relation to international travel health protection regulations?**

Supplementary provision about public health protection regulations (domestic and international travel)

180. The Bill will make further provision about public health protection regulations (domestic and international travel).

181. Public health protection regulations may in particular:

- confer functions on a Northern Ireland department, the Regional Agency and other persons;
- create offences;
- enable a court to order a person convicted of any such offence to take or pay for remedial action in appropriate circumstances;
- provide for the execution and enforcement of restrictions and requirements imposed by or under the regulations;
- permit or require the sharing of information;
- provide for appeals from and reviews of decisions taken under the regulations;
- permit or prohibit the levying of charges;
- permit or require the payment of incentive payments, compensation and expenses; and
- provide for the resolution of disputes.

182. It is proposed that public health protection regulations may amend any statutory provision. Public health protection regulations may not confer functions on officers of Revenue and Customs unless the regulations are made with the consent of the Commissioners for His Majesty's Revenue and Customs.

183. Public health protection regulations may not create an offence triable on indictment.

184. Public health protection regulations:

- may not create an offence punishable with a fine exceeding £10,000; and
- if the regulations provide for a further fine for each day on which the default continues after conviction, may not provide for the daily penalty to exceed an amount equal to 2% of level 5 on the standard scale (£5000).

185. If public health protection regulations provide for the imposition of a daily penalty in respect of a continuing offence:

- the court by which a person is convicted of the original offence may fix a reasonable period from the date of conviction for compliance by the defendant with any directions given by the court; and
- where the court fixes such a period, the daily penalty shall not be recoverable in respect of any day before that period expires.

**Question 34: Do you agree or disagree with the scope of the associated offences and fines? Please give reasons for your answer.**

Powers conferred on any other Northern Ireland department to make regulations

186. Part 1A of the 1967 Act conferred regulation-making powers that were all exercisable by the Department of Health. During the COVID-19 pandemic, this led to the Department making regulations and setting policy in areas where it was not normally the policy lead. For example, many of the later regulations in 2021 addressed hospitality requirements; and COVID-19 certification covered hospitality and leisure industries, not healthcare provision. Whilst initially in 2020, arguably the Department was best placed to understand the virus and its consequences, gradually regulations

became more intricate and the operational reality of the sectors played a greater part in the development of the policy behind them.

187. Not only did this prove problematic at official level, but it also led to the Minister of Health leading debates on policy areas he was not familiar with and for which the Department had no responsibility.
188. Therefore, the Department would like the regulation making powers that are available in a public health emergency under new provisions in the Bill to be exercisable by any Northern Ireland Department. These would only be exercisable by another Department at the request of the Minister of Health.
189. In this case, there is potential for this model to create some confusion as multiple Departments become responsible for amending the same set of regulations, and indeed could lead to not only duplicated work, but work which actually counteracts that which another Department is planning. The potential for public confusion is high. Therefore, two safeguards are proposed.
190. Firstly, the Department of Health is the default regulation making authority, and, secondly, any regulations made by another minister need to be agreed with the Department of Health prior to making, to ensure they continue to meet the needs of the public health emergency as this is their primary function. This could follow similar models where HMRC agree regulations that have relevance to benefits, e.g. see the introductory text of The Statutory Parental Bereavement Pay (Administration) Regulations (Northern Ireland) 2022.

**Question 35: Do you agree or disagree that regulation making powers should be included in the Bill enabling other Northern Ireland departments to make regulations at the request of the Minister of Health? Please give reasons for your answer.**

#### Review of regulations

191. The Department proposes to make specific provision in relation to the review of regulations made under the Bill.

192. Proposals include that where public health protection regulations make specific provision in response to particular circumstances, a review of the regulations must be conducted by the Department of Health. The review must consider all the regulations that make specific provision in response to those circumstances and are in operation at the time the review is conducted.
193. The first review must be conducted no more than 28 days after the making of the first regulations that make specific provision in response to the circumstances. The subsequent reviews must be conducted at intervals of not more than 28 days.
194. The review must consider (among other matters):
- the risk created by the infection or contamination or other danger to public health in response to which the regulations were made;
  - any change in that risk during the review period;
  - the effect of the regulations during the review period;
  - the effect of any other measures taken during the review period to deal with that risk; and
  - whether the provision made by the regulations is a necessary and proportionate response to that risk.

**Question 36: Do you consider that the proposals in relation to the review of the operation of the health protection regulations are appropriate? Please give reasons for your answer.**

### **Assembly control**

195. It is anticipated the public health protection regulations may not be made unless a draft of the regulations has been laid before, and approved by a resolution of the Assembly, but this is subject to urgent regulations and any regulations making minor amendments. Consequently, provision will be included in relation to emergency procedures. In order to fully consider the mechanics of standing up future emergency health protection regulations, the Department has taken cognisance of the recommendations made in the Final Report for the Independent Commission on UK

Public Health Emergency Powers undertaken by the Bingham Centre for the Rule of Law<sup>15</sup> (“the Bingham report”) which was published on 15 May 2024.

196. Among other things, the Bingham report proposes amendments to the general framework in Part 2A of the Public Health (Control of Disease) Act 1984 and Parts 5A and 7 of the Public Health etc. (Scotland) Act 2008. The Department’s policy proposals for the draft Bill, in the main, mirror the 1984 Act and incorporates some aspects of the 2008 Act.
197. The Department notes the recommendations in the Bingham report in relation to Assembly control. In particular, the procedure under which emergency health protection regulations can be made and the relevant Assembly scrutiny.
198. Recommendation 3 of the Final Report proposes that before ministers can make urgent health protection regulations by way of the made affirmative procedure, this should be restricted to situations when a **declaration of an urgent health situation** is in effect. The Bingham report helpfully describes the made affirmative procedure in the Glossary:

*Made affirmative scrutiny procedure (in Northern Ireland the “confirmatory procedure”)*

*In cases of urgency an affirmative statutory instrument can be made into law by a minister and come into force without parliamentary approval, but will expire within a specified period (usually 28 or 40 days) unless it is debated and approved by the legislature.*

199. Recommendation 3 sets out what the urgent declaration procedure should look like:
- The condition for making a declaration should be that, after consulting the Chief Medical Officer in their jurisdiction, the minister considers that an infectious disease or contaminant constitutes, or may constitute, a danger to human health, and it is necessary to make regulations on an urgent basis in order to

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<sup>15</sup> [https://binghamcentre.biiicl.org/documents/2185\\_icukphep\\_final\\_report.pdf](https://binghamcentre.biiicl.org/documents/2185_icukphep_final_report.pdf)

protect against that danger. The declaration must be revoked if those conditions are no longer satisfied.

- The declaration should be laid in draft before the relevant legislature before being made, and be subject to a debate and confirmation vote. If the minister considers that it is not practicable for the declaration to be approved by the legislature in advance, retrospective approval should be required within 14 days.
- The legislature should be recalled if a public health declaration is made during a period of parliamentary prorogation or adjournment, and the declaration would otherwise be approved more than 21 days after it was made. If circumstances make recall impracticable then the Speaker/Presiding Officer should have discretion to instruct the recall to take place virtually rather than in person, or in extremis for the recall requirement to be set aside, following consultation with the leaders of all the political parties represented in the Chamber.
- Any advice provided by the Chief Medical Officer should be made available to the legislature.
- The declaration should be subject to a two-month sunset period that can only be renewed following a debate and vote on a motion to extend the declaration.
- Before any debate and vote on an approval or extension motion, the minister should be required to lay a report outlining the justification for the declaration, having regard to (i) the public health advice received, (ii) the nature of the risks being faced, (iii) plans being drawn up to deal with the emergency, and (iv) the need to show respect for human rights, the principle of proportionality, and the special interests of vulnerable persons.

200. Section 86B of the Public Health etc. (Scotland) Act 2008 currently makes provision for public health declarations and Recommendation 3 suggests enhancements of this process to align with the urgent declaration process outlined above. The Department is seeking views on whether an urgent declaration procedure should be included in the draft Bill. The Bingham report suggests that the introduction of the urgent declaration procedure would unlock the urgent made affirmative procedure in public health

emergencies, meaning that the legislature would have greater oversight of the use of this procedure. Other parliamentary scrutiny processes would remain available without a declaration needing to be made.

**Question 37: Do you consider that the proposals set out in Recommendation 3 of the Bingham report should be adopted in the new Public Health Bill? Please give reasons for your answer.**

201. The Department proposes to make provision in the Bill in relation to the 'confirmatory procedure', similar to section 45R of the Public Health (Control of Disease) Act 1984 – Emergency procedure (for making regulations). Recommendation 4 of the Bingham Report proposes that section 45R is amended so that the maximum time between the making of made affirmative regulations (confirmatory procedure in Northern Ireland) and their affirmative scrutiny in the legislature should be reduced from 28 to 14 days. Similar to Recommendation 3 above, it is proposed that:

- The minister should be required to take into account relevant advice provided by the Chief Medical Officer when determining whether regulations need to be made urgently, and to lay a written statement before the legislature explaining why it is considered that the regulations need to be made urgently with reference, if applicable, to this advice,
- The maximum time between the making of made affirmative regulations and their affirmative scrutiny in the legislature should be reduced from 28 to 14 days,
- The legislature should be recalled to debate regulations that are laid using the made affirmative procedure during a period of parliamentary prorogation or adjournment, if such regulations would otherwise be approved more than 21 days after the were made. If circumstances make recall impracticable then the speaker/Presiding Officer should have discretion to instruct the recall to place virtually rather than in person, or in extremis for the recall requirement to be set aside, following consultation of all the political parties represented in the Chamber,

- Any regulations made using the made affirmative procedure should expire after two months,
- As a matter of best practice, governments should set out the anticipated impact of regulations made using the made affirmative procedure before any parliamentary approval debate takes place. Where this is not possible, if any provision within the made affirmative regulations is to be continued in substantially the same form beyond the original two-month sunset period, then an impact evaluation should be provided to the legislature in advance of the approval vote.

**Question 38: Do you consider that the proposals set out in Recommendation 4 of the Bingham report should be adopted in the new Public Health Bill? Please give reasons for your answer.**

202. Recommendation 5 of the Bingham report makes proposals in respect of the draft affirmative procedure for making domestic health protection regulations. Section 45Q(2) & (4) of the Public Health (Control of Disease) Act 1984 – Parliamentary control - which the Department is minded to replicate, whereby active parliamentary approval of a statutory instrument (a statutory rule in Northern Ireland) is required in advance of it being made and coming into force. Recommendation 5 proposes the following amendments:

- The four legislatures should be consulted on the minimum amount of time needed to ensure proper scrutiny of draft affirmative regulations, with a view to an expedited draft affirmative scrutiny procedure being developed for public health emergencies, without making scrutiny weaker than it would be under the made affirmative procedure;
- Impact assessments should be laid before the legislature in advance of the approval debate for draft affirmative regulations;
- Draft affirmative regulations should expire after six months;
- If any provision within the draft affirmative regulations is to be continued in substantially the same form beyond six months, an impact evaluation should be provided to the legislature in advance of the approval debate.



203. All the proposals in this recommendation cannot be addressed by way of the Bill. For example, an expedited draft affirmative scrutiny procedure being developed for public health emergencies. However, provision could be made in the Bill for the expiration of draft affirmative domestic health protection regulations after 6 months.

**Question 39: Do you consider that the proposals set out in Recommendation 5 of the Bingham report should be adopted in the new Public Health Bill? Please give reasons for your answer.**

204. Recommendation 6 of the Bingham report addresses the assembly procedure used to make emergency international travel regulations. It notes that Scotland applies the draft affirmative procedure whereas England, Wales, and Northern Ireland (under temporary powers given by the Coronavirus Act 2020) applied the negative resolution procedure.

205. Again, the Bingham report helpfully provides a definition of the Made negative scrutiny procedure in the Glossary:

*Under the made negative procedure, a statutory instrument does not require active approval by the legislature: it comes into force and remains law unless the legislature rejects it within a specified period. If the legislature does not reject the instrument within that period, it is deemed to have consented.*

206. The Bingham report is unable to fully recommend a solution to address this anomaly and recognises that removing the negative procedure and requiring that international travel regulations are made under the draft affirmative, or in urgent cases, the made affirmative (confirmatory procedure in Northern Ireland) would increase the strain on legislatures' capacity to review regulations. In Northern Ireland, over 75 international travel regulations were made during the Coronavirus pandemic, all of which would have needed parliamentary time for approval, in addition to any domestic restriction regulations presented. The Bingham report has stated that, "...it was not made aware of any occasions when the negative procedure was used by the administrations in

*England, Wales and Northern Ireland in circumstances when it should not have been.”*  
(page 65).

207. The Department therefore proposes to retain the negative procedure for the making of urgent international travel regulations.

**Question 40: Do you agree or disagree that the negative procedure for making urgent international travel regulations should be retained as in Recommendation 6? Please give reasons for your answer.**

208. Recommendation 10 of the Bingham report proposes that ministers should have a statutory duty to have regard to any relevant advice produced by National Human Rights Institutions in their jurisdiction when making or continuing a declaration of an urgent health situation and when laying or continuing public health regulations. This duty might also usefully be extended to other independent rights institutions that represent groups likely to be affected by public health interventions, such as the Children’s Commissioners.

209. The Department is minded to accept this recommendation and would seek views on this issue.

**Question 41 – Please give reasons for your answer.**

**(a): Do you agree or disagree that ministers should have a statutory duty to have regard to any relevant advice produced by National Human Rights Institutions in their jurisdiction as in Recommendation 10?**

**(b): What other institutions should this duty be extended to?**

210. Recommendation 35 of the Bingham report relates to enforcement matters. Emergency domestic and international travel restriction regulations made under GB health protection legislation utilises Fixed Penalty Notices (FPNs) as the enforcement tool. The Bingham report suggests that Governments should consider whether some type of formal warning system could be a first-stage alternative to the use FPNs. The

report suggests that when considering whether emergency health measures should be underpinned by criminal law, careful judgement must be made taking account the threat level, what the public are being asked to do, and what the public sentiment is around compliance and enforcement (paragraph 312).

211. In order to adopt this recommendation, the Bill would need to make provision for such an informal system to be included in the primary powers to make the emergency restriction regulations. Legal advice is required as to whether the proposed powers to make emergency regulations which include a power to enforce the regulations would be interpreted to apply to a FPN regime only or could it enable an alternative formal warning system to be created in regulations at a later stage.

212. As the department is proceeding at pace with the Bill, we are seeking views on what such a formal warning system might look like, short of FPNs.

**Question 42 – Please give reasons for your answers.**

**(a): Do you agree or disagree that an alternative formal system of enforcement, other than Fixed Penalty Notices (FPNs), should be adopted in emergency health protection regulations?**

**(b): If so, what should this look like?**

**THEME 4: PROTECTING INDIVIDUALS**

213. The 2016 Final Report of the Review of the 1967 Act highlighted the need to balance health protection and personal freedom. The Department has taken cognisance of these issues and this consultation document has highlighted throughout the safeguards and protections that have been into the proposed policy.

214. For example, where regulations include provision enabling a person to make a decision to impose a restriction or requirement (by a Northern Ireland department, the PHA or another person), and the regulations enable the person to make a decision to impose a special restriction or requirement on or in relation to a person, a thing or premises,

the regulations must provide for a right of appeal to a court of summary jurisdiction against any decision to impose a special restriction or requirement.

215. Similarly, express provision is placed in the Bill to ensure that the Department may not make health protection regulations unless it considers, at that time, that the restriction or requirement is proportionate to what is sought to be achieved by imposing it.
216. Where the PHA is proposing to apply for a magistrates' court order which may impose a restriction or requirement, they are under a duty to give notice to the person concerned of their intentions and provisions will provide for a review. This includes next of kin in relation to deceased persons.
217. The magistrates' court cannot be satisfied the specified criteria are met to make an order unless a prescribed list of comprehensive evidence is available to the justice. The criteria to be satisfied, in relation to persons, are that a person is or may be infected or contaminated, the infection or contamination is one which presents or could present significant harm to human health, there is a risk that the person might infect or contaminate others, and it is necessary to make the order in order to remove or reduce that risk. Provision will also be included requiring the PHA to give a timely explanation to the person affected by the order. The making of the order will be conditional on this, where practicable.
218. Time limits are imposed in relation to the period an order may be in force in relation to persons with limits specified for any period of extension of an order.
219. A duty, which will be specified in regulations, will be placed on PHA to have regard to the impact of the order on the welfare of a person and the person's dependants, if any, for the duration of the order, where they are detained in a hospital or other suitable establishment, or where they are kept in isolation or quarantine.
220. Where public health protection regulations, or a magistrates' court order impose or enable imposition of a requirement that a person submit to medical examination, any health care professional authorised to carry out that examination must not use invasive

or intrusive procedures unless that professional considers that such procedures are necessary to achieve the purpose for which the examination was being carried out, and must use the least invasive and least intrusive procedures practicable. The Bill includes provision enabling a person to apply to the court for a variation or a revocation of a magistrates' court order.

221. The Bill also places limitations on the use of powers by way of reference to a requirement that the powers are only exercised where there is a significant risk to human health, or by requiring that the exercise of powers is proportionate to the risk being met.

222. The Department considers therefore that the balance to protect human health and personal freedoms has been achieved.

223. The health protection powers are for use where voluntary cooperation to avert a health risk cannot be secured and where other methods of control are ineffective, unsuitable or disproportionate to the risk involved.

**Question 43: Do you consider that the appropriate safeguards and protections to individuals have been captured in the proposed Bill? Please give reasons for your answer.**

### **3. IMPACT SCREENING**

#### **3.1 Equality Implications**

An equality screening has been carried out on the policy proposals underpinning a draft Public Health Bill and a preliminary decision has been taken that a full equality impact assessment is not required at this stage. The preliminary decision is subject to change following analysis of feedback received during this consultation.

Further screenings will be undertaken when regulations are to be drafted.

#### **3.2 Human Rights**

A draft Human Rights Impact Assessment has been developed for these proposals. This draft assessment will be revisited following analysis of feedback received during this consultation.

#### **3.3 Data Protection Impact Assessment**

A data protection screening has been carried out and consultation with the Information Commissioner's Office is ongoing. This draft assessment will be revisited following analysis of feedback received during this consultation.

#### **3.4 Regulatory Impact Assessment**

A draft Regulatory Impact Assessment has been developed for these proposals. This draft Regulatory Impact Assessment will be revisited following analysis of feedback received during this consultation.

#### **3.5 Rural Impact Assessment**

A Rural Impact screening has been carried out and it is considered that the proposals in the draft Bill would impact equally on the population, regardless of where they lived in Northern Ireland. Further screenings will be undertaken when regulations are to be drafted.

## 4. GET INVOLVED

### 4.1 How to respond

This consultation has been launched using Citizen Space. Citizen Space is the Northern Ireland Civil Service (NICS) recommended online Consultation tool and preferred surveying tool.

You can also share your views on this consultation in a number of other ways. Additional copies are available electronically and can be downloaded from <https://www.health-ni.gov.uk/consultations>

In addition, a separate questionnaire is available to help you record your comments and views. This can be completed and submitted in the following ways:

- Download and Email us at: [phbt@health-ni.gov.uk](mailto:phbt@health-ni.gov.uk)
- Download, print and post to: Public Health Bill Team,  
Castle Buildings, Stormont,  
Belfast, Northern Ireland, BT4 3SQ

This document is also available in alternative formats on request. Please contact the Department, at the address above or email, to make your request.

The consultation will close on **27 September 2024**. Responses received after this date will only be considered in exceptional circumstances and with prior agreement from the Department.

Following this consultation, the Department will produce an analysis of the responses and the report will be published on the Department's website.

## **5. PRIVACY, CONFIDENTIALITY AND ACCESS TO CONSULTATION RESPONSES**

The Department may publish a summary of responses following completion of the consultation process, except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public). All responses from organisations and individuals responding in a professional capacity will be published. We will remove email addresses and telephone numbers from these responses; but apart from this, we will publish them in full.

Responses to the consultation, may be published or disclosed on request in accordance with information legislation; these chiefly being the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR), the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR) (EU) 2016/679. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The FOIA gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation.

If you do not wish information about your identity to be made public please include an explanation in your response regard the information you have provided as confidential, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.



## 6. PRIVACY NOTICE – CONSULTATIONS (DOH)

Data Controller Name: Department of Health (DoH)  
Address: Castle Buildings, Stormont, BELFAST, BT4 3SG  
Email: [phbt@health-ni.gov.uk](mailto:phbt@health-ni.gov.uk)  
Telephone: 028 90532337

Data Protection Officer Name: Charlene McQuillan  
Telephone: 028 90522353  
Email: [DPO@health-ni.gov.uk](mailto:DPO@health-ni.gov.uk)

Being transparent and providing accessible information to individuals about how we may use personal data is a key element of the [Data Protection Act \(DPA\)](#) and the [UK General Data Protection Regulation](#) (UK GDPR). The Department of Health (DoH) is committed to building trust and confidence in our ability to process your personal information and protect your privacy.

### 6.1 Purpose for processing

We will process personal data provided in response to consultations for the purpose of informing the development of our policy, guidance, or other regulatory work in the subject area of the request for views. We will publish a summary of the consultation responses and, in some cases, the responses themselves but these will not contain any personal data. We will not publish the names or contact details of respondents but will include the names of organisations responding.

If you have indicated that you would be interested in contributing to further Department work on the subject matter covered by the consultation, then we might process your contact details to get in touch with you.

## **6.2 Lawful basis for processing**

The lawful basis we are relying on to process your personal data is Article 6(1)(e) of the UK GDPR, which allows us to process personal data when this is necessary for the performance of our public tasks in our capacity as a Government Department.

We will only process any special category personal data you provide, which reveals racial or ethnic origin, political opinions, religious belief, health or sexual life/orientation when it is necessary for reasons of substantial public interest under Article 9(2)(g) of the UK GDPR, in the exercise of the function of the department, and to monitor equality.

## **6.3 How will your information be used and shared**

We process the information internally for the above stated purpose. We don't intend to share your personal data with any third party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance the provisions of the data protection laws.

## **6.4 How long will we keep your information**

We will retain consultation response information until our work on the subject matter of the consultation is complete, and in line with the Department's approved Retention and Disposal Schedule [Good Management, Good Records](#) (GMGR).

## **6.5 What are your rights?**

You have the right to obtain confirmation that your data is being [processed, and access to your personal data](#).

You are entitled to have personal data [rectified if it is inaccurate or incomplete](#).

You have a right to have personal data [erased and to prevent processing](#), in specific circumstances.

You have the right [to 'block' or suppress processing](#) of personal data, in specific circumstances.

You have the right to [data portability](#), in specific circumstances.

You have the right to [object to the processing](#), in specific circumstances.

You have rights in relation to [automated decision making and profiling](#).

## **6.6 How to complain**

If you are not happy with how we process your personal information and if you wish to request access, object or raise a complaint about how we have handled your data, you can contact our Data Protection Officer using the details above.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

[casework@ico.org.uk](mailto:casework@ico.org.uk)

## Review of Public Health Act (Northern Ireland) 1967 – Final Report (March 2016)

### Conclusions and recommendations

The Review of the Public Health Act (Northern Ireland) 1967, including the public consultation, has led the Department to the following conclusions and recommendations.

Conclusions	Recommendations
1. The 1967 Act is deficient in a number of aspects.	1. The Executive should include a public health bill in its legislative programme for the next Assembly mandate.
The remaining recommendations assume that the Executive will agree to do so.	
2. The 1967 Act is concerned almost exclusively with infectious diseases, whereas the International Health Regulations 2005 and a number of jurisdictions have adopted the all-hazards approach to health protection legislation.	2. The Public Health Bill should be based on the all-hazards approach and be consistent with the WHO International Health Regulations.
3. There is support for the inclusion of a statement of principles or a statement of intent or a list of objectives or a combination of any of these.	3. The Public Health Bill should include a statement of principles, or of intent, or objectives, or a combination of these.
4. The 1967 Act does not require authorities to act in ways that are proportionate to the threats to the public's health.	4. The Public Health Bill should aim to strike a balance between the state's responsibility to protect the public's health, and the autonomy,

	rights and dignity of the individual. The Bill should be compliant with the state's duties in respect of human rights.
5. Given the infrequency with which this legislation is reviewed, there is a particular need to future-proof new legislation.	5. The Department should aim to future-proof the legislation by a combination of the all-hazards approach; careful choices of terminology in the legislation including the categories of threat to population health, judicious use of subordinate legislation.
6. Many categories of threat to population health are being used in different jurisdictions.	6, In preparing instructions to OLC the Department should consider in particular the categories of threat used in the Scottish legislation.
7. One of the shortcomings of the 1967 Act is a lack of clarity or completeness as regard the roles and responsibilities of different authorities.	7. The Department should aim to ensure that new legislation provides a greater clarity regarding the roles and responsibilities of the bodies concerned.
8. The current powers of statutory agencies to investigate public health risks appear to be inadequate.	8. Investigatory powers should be strengthened, and the Department should give further consideration to specific investigatory powers.
9. Powers of quarantine, isolation, detention, and compulsory medical examination need to be updated.	9. The Public Health Bill should include provisions to update these powers.
10. Opinion is divided as to whether there should be a power to impose medical treatment on an individual.	10. The Department should give further consideration to the ethical and practical aspects of this, and

	should consult on any specific proposals.
11. There is general agreement that there is a need to modernize powers to place employment restrictions on persons and premises.	11. The Public Health Bill should modernize such powers and the associated constraints and controls.
12. Powers to disinfect, disinfest, and decontaminate premises, things and persons need to be modernised.	12. The Department should give further consideration to these powers, particularly in relation to persons, and should consult on specific proposals.
13. There is support for the creation of powers to introduce emergency subordinate legislation to deal with certain scenarios, subject to necessary constraints and controls.	13. The Department should give further consideration to whether the Public Health Bill should include powers to make emergency subordinate legislation and should consult on specific proposals.
14. There is support for controls to be applied when a deceased person poses a threat to public health.	14. The Department should give further consideration to such powers and should consult on specific proposals.
15. There is general support for rights of review and appeal in the event of certain interventions.	15. The Public Health Bill should enshrine such safeguards.
16. There is strong support for a right to a timely explanation for certain interventions including restrictions on the removal of a body; and the imposition of quarantine, isolation, detention or medical examination.	16. The Public Health Bill should enshrine such rights.

17. There are differing views as whether the legislation should continue to be limited to health protection, or also include provisions relating to other domains of public health.	17. The Department should consider further the scope of new legislation.
18. Current legislation needs to be modernised in many respects and particulars, including the language used in the Act. The necessary amendments are so numerous that an amending bill would be significantly more complex to produce, to understand and to interpret than a fresh start bill. This could have adverse operational consequences in the event of a public health emergency.	18. The Public Health Bill should be an entirely new piece of legislation which would re-enact provisions from the 1967 Act as necessary.

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**Belfast**  
City Council

## PEOPLE AND COMMUNITIES COMMITTEE

<b>Subject:</b>	2024 Air Quality Updating and Screening Assessment (USA) Report.
<b>Date:</b>	10 <sup>th</sup> September 2024
<b>Reporting Officer:</b>	Siobhan Toland, Director of City Services
<b>Contact Officer:</b>	Alastair Curran, Environmental Protection Manager

### Restricted Reports

**Is this report restricted?**

Yes

☐

No

☒

**Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.**

**Insert number**

1. Information relating to any individual.
2. Information likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the council holding that information).
4. Information in connection with any labour relations matter.
5. Information in relation to which a claim to legal professional privilege could be maintained.
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction.
7. Information on any action in relation to the prevention, investigation or prosecution of crime.

**If Yes, when will the report become unrestricted?**

**After Committee Decision**

**After Council Decision**

**Sometime in the future**

**Never**

☐  
☐  
☐  
☐

### Call-in

**Is the decision eligible for Call-in?**

Yes

☒

No

☐

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	The People and Communities Committee will be aware that Belfast City Council is required to manage ambient air quality across the city in accordance with the provisions of Part III of the Environment (Northern Ireland) Order 2002 and current accompanying Local Air Quality Management Technical Guidance (LAQM.(TG22)). LAQM.TG(22) establishes a cycle of annual ambient air quality reporting for Northern Ireland councils, to include that an Updating and Screening Assessment (USA) report be submitted to the Department of Environment, Agriculture and Rural Affairs (DAERA) technical assessors by 30 <sup>th</sup> June 2024. An Updating and Screening Assessment is intended to identify any significant changes that may have occurred since the previous round of ambient air quality review and assessment was completed. An extension to the above-mentioned submission date has been obtained from DAERA to allow for the 2024 USA report to be considered by the People and Communities Committee in advance of submission. The USA report has been developed using the Department for Environment, Food and Rural Affairs (Defra) Northern Ireland Updating and Screening Assessment 2024 Template. A copy of the Belfast City Council 2024 Updating and Screening Assessment (USA) Report is provided as <b>Appendix 1</b> to this Committee report.
1.2	The Committee will be additionally aware that the council has declared four Air Quality Management Areas (AQMA) across the city for exceedances of the nitrogen dioxide (NO <sub>2</sub> ) objectives, associated principally with road transport emissions. These AQMA therefore encompass arterial road transport routes within the city including, the M1 Motorway / A12 Westlink corridor, Ormeau Road, Upper Newtownards Road and area around Cromac Street, East Bridge Street, Ravenhill Road and the Albertbridge Road. All of these AQMA have been declared for exceedances of the nitrogen dioxide 40 µgm <sup>-3</sup> annual mean objective, with the M1 Motorway / A12 Westlink corridor AQMA additionally having been declared for exceedances of the nitrogen dioxide 200 µgm <sup>-3</sup> 1-hour mean objective.
1.3	Key conclusions from the 2024 USA report include that there were no exceedances during the 2023 monitoring year of any air quality objectives at locations of relevant public exposure across the city. A further conclusion of the 2024 USA report is that based upon current and historical monitoring data for road transport related nitrogen dioxide, the Ormeau Road and Upper Newtownards Road Air Quality Management Areas should now be revoked.
<b>2.0</b>	<b>Recommendation</b>
2.1	<ul style="list-style-type: none"> <li>The People and Communities Committee are requested to note the contents and conclusions of the Belfast City Council 2024 Updating and Screening Assessment report and to agreed that the report be submitted to DAERA's technical assessors for appraisal.</li> <li>The Committee is further requested to agree that pending acceptance of the 2024 USA report and the conclusions detailed and also taking account of the recommendation received from DAERA for the BCC 2023 Air Quality Progress Report, Belfast City Council will move to revoke the Ormeau Road and Upper Newtownards Road Air Quality Management Areas by order.</li> </ul>
<b>3.0</b>	<b>Main Report</b>
3.1	The 2024 USA report has considered the results of ambient air quality monitoring undertaken across the city during 2023 for a range of ambient air pollutants as detailed within The Air

<p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p>	<p>Quality Strategy for England, Scotland, Wales and Northern Ireland, with a principal focus on road transport related nitrogen dioxide monitoring.</p> <p>Belfast City Council undertakes automatic monitoring at roadside locations for nitrogen dioxide within the M1 Motorway / A12 Westlink corridor, Ormeau Road and Upper Newtownards Road AQMAs. During 2023, there were no monitored exceedances of the nitrogen dioxide annual or hourly mean objectives recorded at any of our automatic monitoring sites. Moreover, we additionally undertake particulate matter (PM<sub>10</sub>) monitoring at our Stockmans Lane roadside monitoring site, within the M1 Motorway / A12 Westlink AQMA. No exceedances of the PM<sub>10</sub> annual or 24-hour mean objectives were recorded during 2023.</p> <p>The Belfast Centre Automatic Urban and Rural Network (AURN) site is located at Lombard Street within a pedestrianised area of the city centre and classified as an urban centre site, meaning that it is representative of a continuously built-up urban area, but located such that its pollution levels are not influenced significantly by any single source or street, but rather by the integrated contribution from all sources upwind of the station. Automatic and non-automatic monitoring is undertaken at the Belfast Centre AURN site for carbon monoxide (CO), ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), sulphur dioxide (SO<sub>2</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and benzene (C<sub>6</sub>H<sub>6</sub>). No exceedances of any Air Quality Strategy objectives were recorded during 2023 at the Belfast Centre site.</p> <p>During 2023, we augmented our automatic roadside monitoring for nitrogen dioxide with a series of 84 passive nitrogen dioxide diffusion tubes, located at 76 predominantly roadside or kerbside monitoring locations across the city. Monitoring results for 2023 indicate that there were exceedances of the 40 µgm<sup>-3</sup> nitrogen dioxide annual mean objective only at two kerbside monitoring locations; Henry Place (43.0 µgm<sup>-3</sup>), within the existing M1 Motorway / A12 Westlink corridor AQMA, and at the junction of the M3 Motorway off slip with the A12 Westlink and Nelson Street (42.3 µgm<sup>-3</sup>), immediately adjacent to the M1 Motorway / A12 Westlink corridor AQMA. A diffusion tube located at Stockmans Lane roundabout was within 10% of the objective in 2023, having recorded an annual mean of 36.3 µgm<sup>-3</sup> during 2023.</p> <p>Annual mean objectives apply only at locations where members of the public may be regularly exposed over a substantial period of the objective, including at building façades of residential properties, schools, hospitals and care homes, etc. Accordingly, when the above-mentioned kerbside monitored nitrogen dioxide annual mean concentrations were distance corrected to the façade of the nearest residential premises, the 2023 nitrogen dioxide annual mean concentrations were reduced to 29.2 µgm<sup>-3</sup> and 29.1 µgm<sup>-3</sup> respectively, both comfortably below the 40 µgm<sup>-3</sup> annual mean objective. This reduction is supported by a second diffusion tube monitoring location at Henry Place, situated at residential apartments in Carlisle Road adjacent to the A12 Westlink, which recorded a nitrogen dioxide annual mean concentration of 26.0 µgm<sup>-3</sup> in 2023. Technical details of all various quality assurance, quality controls and distance corrections applied to our monitoring data are detailed within the USA report.</p> <p>In addition, and in respect of the nitrogen dioxide 200 µgm<sup>-3</sup> 1-hour mean objective, Defra have advised that where NO<sub>2</sub> 1-hour mean monitoring data is not available, as in the case of nitrogen dioxide monitoring by passive diffusion tube, local authorities may rely on the outworkings of a Defra study, which indicates that exceedances of the NO<sub>2</sub> 1-hour mean objective are unlikely to occur where the nitrogen dioxide annual mean concentration is below 60 µgm<sup>-3</sup>. Accordingly, all annual mean nitrogen dioxide diffusion tube monitoring data would</p>
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	indicate that there were no exceedances of the nitrogen dioxide 1-hour mean objective in 2023.
3.7	On the basis of our ambient monitoring data for 2023, it is considered that there is no need to proceed to a detailed assessment for any of the ambient air pollutants under consideration. Moreover, it is additionally considered that there is no need to extend the boundaries of any of our Air Quality Management Areas at this time.
3.8	Reflecting upon historical monitoring data and monitoring trends within our AQMAs, it is however noted that the annual mean objective for nitrogen dioxide has now been achieved within our Ormeau Road and Upper Newtownards Road AQMAs over a number of years. Monitoring data for the Upper Newtownards Road AQMA indicates that the annual mean objective for nitrogen dioxide has been achieved at the automatic monitoring site since 2011 and at the diffusion tube monitoring site, at the complex junction of the Upper Newtownards Road, Knock Road and Hawthornden Way since 2017. Moreover, monitoring data within the Ormeau Road AQMA indicates that the nitrogen dioxide annual mean objective has been achieved at the automatic monitoring site since 2014, and at the diffusion tube monitoring sites since before 2011.
3.9	LAQM.TG(22) advises that the revocation of an AQMA should be considered following three consecutive years of compliance with the relevant objective, as evidenced through monitoring. Where NO <sub>2</sub> monitoring is completed using diffusion tubes, to account for the inherent uncertainty associated with the monitoring method, it is recommended that revocation of an AQMA should be considered following three consecutive years of annual mean NO <sub>2</sub> concentrations being lower than 36 µgm <sup>-3</sup> (i.e. within 10% of the annual mean NO <sub>2</sub> objective). There should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period.
3.10	In respect of the impact of the Covid-19 pandemic on revocation, Defra has advised that compliance first achieved in 2020 is unlikely to be representative of long-term trends in pollutant concentrations due to the impact of Covid-19 and associated lock down measures, adding that similarly in 2021, pollutant concentrations continued to be impacted by the change in typical activity that resulted from Covid-19 restrictions. Defra have further advised however that where 2020 and 2021 monitoring years are a continuation of a downward trend and part of many consecutive years of compliance (e.g. where compliance has also been achieved in 2019, prior to Covid-19), the AQMA may be appropriate for revocation.
3.11	Moreover, DAERA's technical assessors, in their report concerning the council's 2023 Air Quality Progress report advised that nitrogen dioxide annual mean concentrations have been below the objective for over five years in AQMA Nos. 3 (Upper Newtownards Road) and 4 (Ormeau Road) and that additionally, the council's Detailed Assessment, published in 2023, predicted that there were no exceedances at relevant public exposure locations within the AQMAs for a 2019 base year and for a 2028 forward projection year. The assessors therefore recommended that the Council should liaise with DAERA to consider revoking AQMA Nos. 3 and 4. The assessors additionally recommended that the AQMA No 1 (M1 Motorway / A12 Westlink) should be amended to revoke the designation for the 1-hour mean NO <sub>2</sub> objective as compliance has been achieved for more than five years.
3.12	The People and Communities Committee will recall that it considered the outworkings of the Air Quality Detailed Assessment under agenda item 12 at its meeting of 13 <sup>th</sup> June 2023.

<p>3.13</p> <p>3.14</p> <p>3.15</p> <p>3.16</p> <p>3.17</p> <p>3.18</p> <p>3.19</p>	<p><a href="https://minutes3.belfastcity.gov.uk/ieListDocuments.aspx?CId=166&amp;MId=11151">https://minutes3.belfastcity.gov.uk/ieListDocuments.aspx?CId=166&amp;MId=11151</a></p> <p>On the basis of the abovementioned technical assessor comments, in compliance with Defra LAQM.TG(22) technical guidance, and in consideration of a further full year of post Covid-19 pandemic ambient monitoring data, confirming continuing compliance with the annual mean objective for nitrogen dioxide within the Upper Newtownards Road and Ormeau Road AQMAs, Belfast City Council will now move to revoke these AQMAs by order in accordance with the provisions of Article 12(4)b of Part III of The Environment (Northern Ireland) Order 2002. As part of the revocation process, Belfast City Council will also give consideration to the continuing need for the M1 Motorway / A12 Westlink Corridor AQMA 1-hour mean declaration.</p> <p>The revocations will require completion of a detailed assessment for each AQMA, to be informed by atmospheric dispersion modelling confirming compliance with the annual nitrogen dioxide annual mean objective throughout the entirety of the AQMA, as opposed to just those areas of compliance demonstrated by ambient monitoring alone. Reports concerning the revocation of AQMA Nos 3 (Upper Newtownards Road) and 4 (Ormeau Road) will in due course be provided to the People and Communities Committee for consideration.</p> <p>Members are advised that the council will consider the continuing need for automatic and passive nitrogen dioxide monitoring within the areas of the two revoked AQMAs in consultation with DAERA. Data from our roadside automatic monitoring sites currently forms a component of the nitrogen dioxide annual mean for urban roadside monitoring sites reported within the annual Northern Ireland Statistics &amp; Research Agency (NISRA) and DAERA Northern Ireland Environmental Statistics Reports. <a href="https://www.daera-ni.gov.uk/articles/northern-ireland-environmental-statistics-report">https://www.daera-ni.gov.uk/articles/northern-ireland-environmental-statistics-report</a></p> <p>As a further aspect of the Updating and Screening Assessment, Belfast City Council has conducted a review of key road traffic routes and road transport sources across the city for the 2023 year in order to identify any recent significant changes that might affect ambient air quality. The council has confirmed within the 2024 USA report that there are no new or updated road transport sources that have not been considered through previous review and assessment processes. We have also confirmed that the air quality impacts of the new Grand Central Station development have previously been considered as an aspect of the planning process. We have provided similar commentary concerning air quality impacts of Belfast Harbour and George Best Belfast City Airport.</p> <p>With regard to new significant industrial premises or processes, we have identified 2 new industrial processes within the 2024 USA report but confirmed that respective air quality impacts have been assessed and managed through the planning process.</p> <p>For commercial and domestic sources, we have confirmed that these sources were considered in detail as a component of the council's 2023 Air Quality Detailed Assessment, adding that there were no further relevant commercial or domestic sources identified during the 2023 year.</p> <p>By way of conclusion to the 2024 Updating and Screening Assessment report, we have confirmed that there is no need to declare any new Air Quality Management Areas for the city at this time. We have additionally confirmed that on this basis of our historical and current monitoring data, we will move to revoke the Ormeau Road and Upper Newtownards Road Air Quality Management Areas.</p>
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3.20	<p><b><u>Financial and Resource Implications.</u></b></p> <p>There are no financial or resource implications associated with the development of this 2024 Updating and Screening Assessment Report. This report has been developed from within existing staff resources. The Committee is advised however, the revocation orders for the AQMAs are required to be published in the Belfast Gazette and once at least in each of two successive weeks in more than one newspaper circulating within the district to which the revocation order relates. There will be financial costs associated with publication of the revocation orders.</p>
3.21	<p><b><u>Equality or Good Relations Implications/Rural Needs Assessment.</u></b></p> <p>There are no equality or good relations implications associated with this Updating and Screening Assessment report. A Rural Needs Assessment is not required.</p>
<b>4.0</b>	<b>Appendices - Documents Attached</b>
	Appendix 1 - Belfast City Council 2024 Updating and Screening Assessment (USA) Report.



**Belfast**  
City Council



## 2024 Updating Screening Assessment for Belfast City Council

In fulfilment of Environment (Northern Ireland) Order  
2002

Local Air Quality Management

Date: August 2024

	<b>Belfast City Council</b>
<b>Local Authority Officer</b>	Eliza Barszczewska-Lyner
<b>Department</b>	City and Neighbourhood Services
<b>Address</b>	The Cecil Ward Building 4-10 Linenhall Street Belfast BT2 8BP
<b>Telephone</b>	028 9027 0428
<b>E-mail</b>	envhealth@belfastcity.gov.uk
<b>Report Reference Number</b>	N/A
<b>Date</b>	2 <sup>nd</sup> August 2024



## Executive Summary

Belfast City Council has completed this 2024 Updating and Screening Assessment in accordance with the provisions of the Environment (Northern Ireland) Order 2002 and the Northern Ireland Local Air Quality Management Policy Guidance document LAQM.PGNI (09).

In completing this Updating and Screening Assessment, we have undertaken a review of potentially significant sources of air pollution across the city in order to identify new sources, sources with increased emissions and locations close to air pollution sources where public exposure did not previously exist.

We have completed a review of recent ambient air quality monitoring data for the city in order to identify locations where new or existing exceedances of Air Quality Strategy objectives are occurring. This review has also identified locations where ambient air quality has improved and exceedances are no longer occurring.

In addition, we have also completed a Detailed Assessment (2021-2023) for the city. This project has been undertaken mainly to address the emerging pollutant of concern, fine particulate matter (PM<sub>2.5</sub>) but it has also considered nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>) concentrations, all in terms of national and European air quality standards and objectives, and the World Health Organisation (WHO) Air Quality Guideline values (September 2021).

There are four Air Quality Management Areas (AQMAs) declared across the city for a combination of exceedances of the nitrogen dioxide (NO<sub>2</sub>) annual and hourly mean Air Quality Strategy objectives. A review of the monitoring data for these Air Quality Management Areas and for the city generally indicates that there have been further improvements in ambient nitrogen dioxide concentrations across Belfast over recent years, notwithstanding the impact of the Covid-19 pandemic on transport and other emissions.

Moreover the conclusions of the recent Detailed Assessment confirmed that based on predicted/modelled annual mean nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>)

concentrations for a pre Covid-19 2019 base year and for a 2028 forward projection year, all annual mean and shorter-term average concentrations are predicted to be below the UK AQOs for nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>) at locations of relevant human health exposure within the Belfast City Council area.

The Detailed Assessment's conclusion was therefore that consideration should be given to revocation of the Ormeau Road and Upper Newtownards Road AQMAs. More information concerning the detailed assessment are contained within Section 1.5 of our 2023 Progress Report. A summary of the 2023 Detailed Assessment is also attached to this report (Appendix D).

Consequently, based on recent monitoring data and conclusions of the Detailed Assessment, the council will proceed with the revocation of the above-mentioned two AQMAs.

The council also notes and considers DAERA's recommendations, included within the appraisal letter (dated 28<sup>th</sup> October 2022), in relation to the council's 2022 Progress Report. The Department recommended that the council should also 'consider the revocation of the Cromac Street and Albertbridge Road AQMA due to continual compliance with the NO<sub>2</sub> annual mean objective. Additionally, the M1 Motorway / A12 Westlink AQMA could be amended to revoke the designation for the 1-hour mean NO<sub>2</sub> objective as compliance has been achieved for the past 5 years.

There have been no monitored exceedances of Air Quality Strategy Objectives for any pollutant other the nitrogen dioxide (only within AQMA 1) in recent years across the city, and no new emission sources have been identified that would have the potential to alter this position.

Monitored levels of benzene (C<sub>6</sub>H<sub>6</sub>) and sulphur dioxide (SO<sub>2</sub>) remain well below the objectives and show no reason for concern at this time.

Additionally, the council, its competent authority partners, Translink, Belfast Harbour and other significant transport organisations and partners from across the city continue working towards implementation of the various measures included within a Belfast City Air Quality Action Plan 2021-2026.

The aim of the current AQAP is to continue to reduce nitrogen dioxide (NO<sub>2</sub>) emissions from transport sources and to promote and enable a shift towards more sustainable modes of transport in order to achieve compliance with UK Air Quality Strategy objectives for NO<sub>2</sub>. Where necessary, an additional aim of this Action Plan is to identify, develop and implement mitigation measures to address concentrations of fine particulate matter (PM<sub>2.5</sub>) across the city.

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# 1 Introduction

## 1.1 Description of Local Authority Area

Belfast is the capital city of Northern Ireland and as such, the city, and its wider metropolitan area, is the largest settlement in the region and the second largest city on the island of Ireland with an estimated population of around 348,000. The city lies at the head of Belfast Lough in the lower reaches of the Lagan Valley and is flanked by the Black Mountain to the west and the Castlereagh Hills to the east. The Belfast City Council district area sits at the heart of the growing population of the wider Belfast Metropolitan Urban Area, which also comprises part of the surrounding areas of Lisburn and Castlereagh City Council, North Down and Ards District Council, Antrim and Newtownabbey District Council and Mid and East Antrim District Council.

In terms of historical air quality issues, Belfast used to experience sustained elevated levels of sulphur dioxide (SO<sub>2</sub>) and particulate matter (PM<sub>10</sub>), associated principally with the widespread use of solid fuel for domestic heating. However, through the introduction of the Council's smoke control programme in the late 1960s, the Clean Air (Northern Ireland) Order 1981 and the more recent availability of natural gas to domestic, commercial and industrial sectors, levels of particulate matter and sulphur dioxide have declined substantially to the extent that we do not experience exceedances of any air quality strategy objectives, or indeed European Commission limit values, for either of these pollutants. Accordingly, the number of locations where we monitor these ambient pollutants have been reduced over recent years in accordance with the government's risk and exposure-based approach to local air quality management.

Although Belfast city does not experience exceedances of any air quality strategy objectives, for particulate matter (PM<sub>10</sub>), we are aware of growing concerns around the effects of fine particulate matter (PM<sub>2.5</sub>) on human health. Therefore, although not included in regulations at present for Northern Ireland councils, Belfast City Council has proactively opted to report PM<sub>2.5</sub> monitoring data as part of this Progress Report. Moreover, we are aware of the recent evidence from national studies showing that domestic solid fuel burning contributes more than previously thought to particulate emissions.



At the end of 2017, Defra issued a practical guide on open fires and wood burning stoves. This guide (updated in April 2022) provides steps that should be taken to reduce the health impacts of burning solid fuel. This guidance can be found on the Defra smoke control webpage: [https://uk-air.defra.gov.uk/library/reports?report\\_id=948](https://uk-air.defra.gov.uk/library/reports?report_id=948).

The contribution from solid fuel combustion to fine particulate matter (PM<sub>2.5</sub>) concentrations has been also recognised within the UK Clean Air Strategy 2019 and the Clean Air Strategy NI (Public Discussion Document, DAERA November 2020). Therefore, Belfast City Council decided to undertake a detailed assessment for the city, for particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>) pollutants. This project commenced in February 2021 and was concluded in March 2023; it comprised additional ambient air quality monitoring (using Zephyr small sensor air quality monitors), development of an emissions inventory database for the city and detailed atmospheric dispersion modelling. The outcomes of this detailed assessment were presented within 2023 Progress Report. Furthermore, a Detailed Assessment Summary Report (March 2023) is attached to this report (Appendix D).

Over recent years, emissions of nitrogen oxides, associated principally with road transport, have become more prominent. This is a similar situation to that experienced in many other major cities and conurbations across the United Kingdom. Accordingly, as a result of the first round of the review and assessment process, which was completed in 2004, Belfast City Council opted to declare four Air Quality Management Areas across the city. We published our first Air Quality Action Plan for the city back in 2006 and it was completed substantially in 2010, with around 90% of planned actions delivered to schedule. Of the outstanding 10% of actions, it was considered that the majority of these would have had limited additional impact within our Air Quality Management Areas.

In order to address the remaining 'hot spot' areas of elevated nitrogen dioxide, the council along with relevant partners developed a 2015-2020 Air Quality Action Plan (AQAP) for the city that contained a manageable number of proven air quality mitigation measures. This AQAP concluded at the end of 2020. A final review of the implementation of the various mitigation measures included within 2015-2020 AQAP was undertaken and reported by the council to the Department of Agriculture Environment and Rural Affairs (DAERA) as part of the council's 2023 Progress Report, submitted to DAERA in June 2020.

Whilst previous AQAPs have delivered further improvements in ambient air quality across the city, a limited number of nitrogen dioxide (NO<sub>2</sub>) hotspots still remain. Moreover, fine particulate matter (PM<sub>2.5</sub>) has emerged as an additional ambient air pollutant of concern for the city.

Accordingly in 2021, the council, competent authorities and other partner organisations developed a new Air Quality Action Plan for the city; the Plan was approved by DAERA and Defra's independent technical appraisers in February 2022 and can be viewed on the Belfast City Council website: <https://www.belfastcity.gov.uk/Documents/Belfast-City-Air-Quality-Action-Plan-2021-2026>

The aim of the new Air Quality Action Plan 2021-2026 is to continue to reduce nitrogen dioxide emissions from transport sources and to promote and enable a shift towards more sustainable modes of transport in order to achieve compliance with UK Air Quality objectives for nitrogen dioxide. Where necessary, an additional aim of this Action Plan is to identify, develop and implement mitigation measures to address concentrations of fine particulate matter (PM<sub>2.5</sub>) across the city.

## 1.2 Purpose of Report

This report fulfils the requirements of the Local Air Quality Management process as set out in The Environment (Northern Ireland) Order 2002, the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 and the relevant Policy and Technical Guidance documents. The LAQM process places an obligation on all local authorities to regularly review and assess air quality within their areas, and to determine whether or not the air quality objectives are likely to be achieved. Where exceedances are considered likely, the local authority must then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives.

The aim of this Updating and Screening Assessment is to identify any matters that have changed which may lead to risk of an air quality objective being exceeded. A checklist approach and screening tools are used to identify significant new sources or changes and whether there is a need for a Detailed Assessment. In addition, the USA report should provide an update of any outstanding information requested previously in Review and Assessment reports.

### 1.3 Air Quality Objectives

The air quality objectives applicable to LAQM in Northern Ireland are set out in the Air Quality Regulations (Northern Ireland) 2003, Statutory Rules of Northern Ireland 2003, no. 342, and are shown in Table 1.1. This table shows the objectives in units of microgrammes per cubic metre  $\mu\text{g}/\text{m}^3$  (milligrammes per cubic metre,  $\text{mg}/\text{m}^3$  for carbon monoxide) with the number of exceedances in each year that are permitted (where applicable).

**Table 1.1 Air Quality Objectives included in Regulations for the purpose of LAQM in Northern Ireland**

<b>Pollutant</b>	<b>Air Quality Objective Concentration</b>	<b>Air Quality Objective Measured as</b>	<b>Date to be achieved by</b>
<b>Benzene</b>	16.25 µg/m <sup>3</sup>	Running annual mean	31.12.2003
	3.25 µg/m <sup>3</sup>	Running annual mean	31.12.2010
<b>1,3-Butadiene</b>	2.25 µg/m <sup>3</sup>	Running annual mean	31.12.2003
<b>Carbon monoxide</b>	10.0 mg/m <sup>3</sup>	Running 8-hour mean	31.12.2003
<b>Lead</b>	0.5 µg/m <sup>3</sup>	Annual mean	31.12.2004
	0.25 µg/m <sup>3</sup>	Annual mean	31.12.2008
<b>Nitrogen dioxide</b>	200 µg/m <sup>3</sup> not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 µg/m <sup>3</sup>	Annual mean	31.12.2005
<b>Particles (PM<sub>10</sub>) (gravimetric)</b>	50 µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 µg/m <sup>3</sup>	Annual mean	31.12.2004
<b>Sulphur dioxide</b>	350 µg/m <sup>3</sup> , not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 µg/m <sup>3</sup> , not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

## 1.4 Summary of Previous Review and Assessments

As part of the continuing review and assessment process, Belfast City Council completed a 2<sup>nd</sup> and 3<sup>rd</sup> stage review and assessment of air quality throughout the city in early 2004. This assessment concluded that modelled and monitored exceedances of short and longer-term objectives for both nitrogen dioxide and particulate matter were occurring in the city and would be likely to continue to do so in some locations beyond 2010.

Consequently, in August 2004, the council, in consultation with other relevant authorities, declared four Air Quality Management Areas (AQMA), comprising of the M1 Motorway and

Westlink corridor, Cromac Street to the junction of Short Strand, Woodstock Link and the Albertbridge Road, the Upper Newtownards Road and the Ormeau Road.

The M1-Westlink AQMA was declared on the basis that annual and hourly-mean nitrogen dioxide concentrations would exceed the 31<sup>st</sup> December 2005 Air Quality Strategy objectives. In addition, particulate matter annual and 24-hour mean concentrations were predicted also to exceed relevant objectives at this location. The three other Air Quality Management Areas were declared on the grounds that the annual mean nitrogen dioxide objective would be exceeded at these locations during 2005 and beyond. A subsequent source apportionment study, completed for each of the Air Quality Management Areas, indicated that the principal source of the exceedances was emissions associated with road transport.

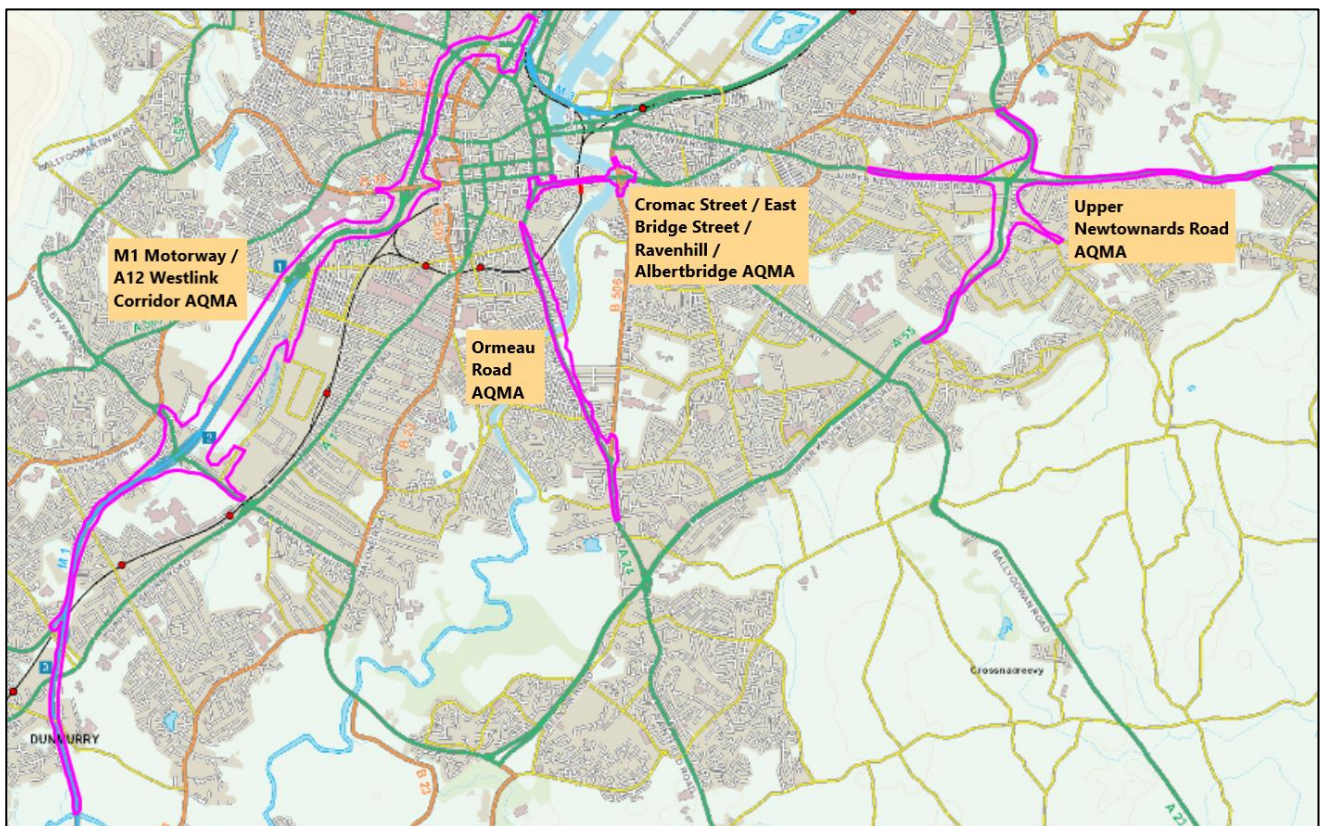
**Current Air Quality Management Areas are described and depicted in more detail as follows:**

1. The M1 / Westlink corridor from the Belfast City boundary at Sir Thomas and Lady Dixon Park to the end of the Westlink at the junction with Great George's Street and York Street including Stockman's Lane and Kennedy Way. This area was declared for predicted exceedances of both the nitrogen dioxide and particulate material annual mean air quality strategy objectives as well as exceedances of the particulate matter 24-hour mean objective and the nitrogen dioxide 1-hour mean objective. The boundary of the Air Quality Management Area is denoted in pink and has been set to take account of dispersion modelling uncertainties. This AQMA was revoked for exceedances of particulate matter objectives in September 2015, but currently continues to exceed the annual mean air quality objective for nitrogen dioxide.
2. Cromac Street to the junction with East Bridge Street and then from East Bridge Street to the junction with the Ravenhill and Albertbridge Roads and Short Strand. This AQMA was declared for predicted exceedances of the nitrogen dioxide annual mean Air Quality Strategy objective.
3. The Upper Newtownards Road from the North Road junction to the Belfast City boundary at the Ulster Hospital, incorporating the Knock Road to the City boundary at Laburnum Playing Fields and Hawthornden Way. This AQMA was declared for predicted exceedances of the nitrogen dioxide annual mean Air Quality Strategy objective.

4. The Ormeau Road from the junction with Donegall Pass to the city boundary at Galwally. This area was declared for predicted exceedances of the nitrogen dioxide annual mean Air Quality Strategy objective.

Please note that the Belfast City Council boundary was revised in 2015 as a consequence of the reform of local government in Northern Ireland. The above-mentioned AQMAs were declared on the basis of the previous council boundary.

**Figure 1.1 Map of AQMA Boundaries**



A further detailed air quality review and assessment was completed by Belfast City Council in 2010, informed by the outcome of the 2009 Updating and Screening Assessment. Accordingly, the 2010 Detailed Assessment considered the potential for exceedances of nitrogen dioxide objectives at a number of further locations across the city, including at the junction of the Sydenham Bypass with the Lower Newtownards Road, Shaftesbury Square, Donegall Road and Albertbridge Road, and at locations throughout the city centre. Although atmospheric dispersion modelling studies, undertaken as part of the detailed review and assessment process, did suggest exceedances of the nitrogen dioxide annual mean objective at some of the above-mentioned locations, the review and

assessment identified also that there was no relevant public exposure at these locations during 2010. As a result, the 2010 Detailed Air Quality Review and Assessment for Belfast City Council concluded that there was no need to declare further Air Quality Management Areas or to expand or revoke the existing AQMAs. This conclusion was accepted by DAERA.

Ambient air quality monitoring results, as presented in previous annual progress and updating and screening assessment reports, had identified sustained improvements in particulate matter concentrations within the M1 Motorway / A12 Westlink Air Quality Management Area, confirming that it had been in compliance with the particulate matter (PM<sub>10</sub>) objectives for a number of years. This resulted in the Westlink / M1 AQMA being revoked for particulate matter 24 hour and annual mean objectives in September 2015.

The current stage of the Review and Assessment process requires that an Updated Screening Assessment be completed. This report therefore addresses the requirements of the Defra LAQM.TG(22) technical guidance publication in identifying any significant changes that have occurred since the previous round of Review and Assessment, which may have the potential to affect the local air quality.

This report additionally refers to the outcome of 2021-2023 Detailed Assessment, undertaken for particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>) pollutants (Appendix D).

For reference and additional background information, historical Belfast City Council air quality review and assessment reports are listed in the following table, and are available to download from the Department of Agriculture, Environment & Rural Affairs for Northern Ireland 'Northern Ireland Air Quality' website via the follow weblink:

<https://www.airqualityni.co.uk/laqm/district-council-reports#511>



**Table 1.2 Historical Belfast City Council Air Quality Reports**

• <a href="#">Belfast City Council 2023 Air Quality Progress report</a> - Published: 10th January 2024
• <a href="#">Belfast City Council 2022 Air Quality Progress Report</a> - Published: 15th February 2023
• <a href="#">2021 Updating and Screening Assessment for Belfast City Council</a> - Published: 1st October 2021
• <a href="#">Belfast - Progress Report - 2020</a> - Published: 11th November 2020
• <a href="#">Belfast - Progress Report - 2019</a> - Published: 11th November 2020
• <a href="#">Belfast - Updating and Screening Assessment - 2018</a> - Published: 17th December 2018
• <a href="#">Belfast - Progress Report - 2017</a> - Published: 17th November 2017
• <a href="#">Belfast - Progress Report - 2016</a> - Published: 21st October 2016
• <a href="#">Belfast - Updating and Screening Assessment - 2015</a> - Published: 21st October 2016
• <a href="#">Belfast - LAQM Progress Report - 2014</a> - Published: 14th November 2014
• <a href="#">Belfast - LAQM Progress Report - 2013</a> - Published: 1st April 2013
• <a href="#">Belfast - Updating and Screening Assessment report - 2012</a> - Published: 3rd October 2012
• <a href="#">Belfast - Progress Report - 2011</a> - Published: 30th April 2011
• <a href="#">Belfast - Detailed Assessment - September 2010</a> - Published: 30th September 2010
• <a href="#">Belfast - Progress Report - 2010</a> - Published: 30th April 2010
• <a href="#">Belfast - Updating and Screening Assessment - 2009</a> - Published: 30th April 2009
• <a href="#">Belfast - Joint Air Quality Progress and Action Plan Progress Report - 2007</a> - Published: 30th April 2007
• <a href="#">Belfast - Detailed Assessment - April 2007</a> - Published: 30th April 2007
• <a href="#">Belfast - Joint Air Quality Progress and Action Plan Progress Report - 2008</a> - Published: 10th June 2008
• <a href="#">Belfast - Updating and Screening Assessment - 2006 Appendix</a> - Published: 31st July 2006
• <a href="#">Belfast - Updating and Screening Assessment - 2006</a> - Published: 31st July 2006
• <a href="#">Belfast - Health Impact Assessment of the Draft Air Quality Action Plan for Belfast</a> - Published: 1st May 2006
• <a href="#">Belfast - Progress Report</a> - Published: 1st September 2005



## 2 New Monitoring Data

### 2.1 Summary of Monitoring Undertaken

#### 2.1.1 Automatic Monitoring Sites

Belfast City Council operates four automatic monitoring stations across the city in order to help inform its air quality management processes and to provide real time information to the public in relation to air pollution levels across the city centre and within our Air Quality Management Areas.

Accordingly, to ensure that the data from our sites is both accurate and representative, the monitors at each site are calibrated on a bi-weekly (Stockman's Lane AURN site) or on a four-weekly basis by the council's technical staff in accordance with the procedures detailed in the Defra Automatic Urban and Rural Network (AURN) local site operators' manual. In addition, data management, quality assurance and quality control and service and maintenance support are all provided by appointed contractors. The data from our sites is made available to the Department of Agriculture, Environment and Rural Affairs (DAERA) and is reported on the 'Northern Ireland Air' website in near real time (<https://www.airqualityni.co.uk>). Under the current LAQM regime, and for the purpose of LAQM reporting, concentrations should be reported to 1 decimal place; monitoring data in this required format are not currently available from the 'Northern Ireland Air' website. Consequently all 2023 automatic monitoring data reported in this progress report have been obtained from the Defra UK AIR (Air Information Resource) website (<https://uk-air.defra.gov.uk>). Automatic monitoring data presented in this report relate to the calendar year (i.e. January – December). 2023 data capture levels exceeded the Department's 75% data capture threshold for the calculation of annual statistics at all council sites. Further information regarding our QA/QC procedures and processes can be obtained in Appendix A to this report.

In addition to the council's automatic monitoring sites, the UK Environment Agency and DAERA operate an AURN urban background monitoring site at Lombard Street in Belfast City Centre. Unfortunately, during 2023, data capture levels at the Belfast Centre site were below the Department's 75% data capture threshold for nitrogen dioxide (70%). The target data capture for the AURN network is 90%.

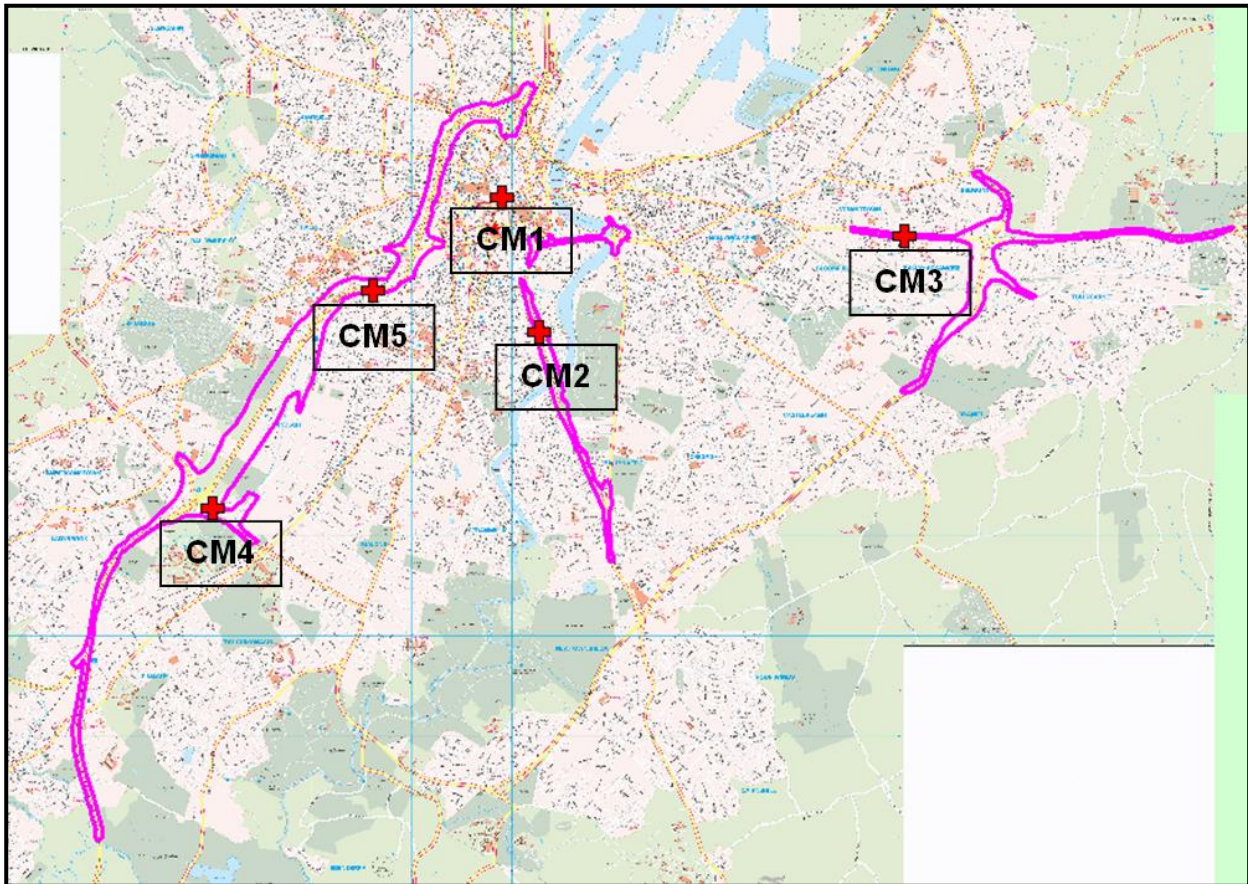
In relation to correction of our automatic monitoring data, this process is generally of principal concern with regard to the treatment of particulate matter monitoring data. In 2019, the Belfast Centre site employed Filter Dynamics Measurement System (FDMS) equipped Tapered Element Oscillating Microbalances (TEOMs) for particulate matter (PM<sub>10</sub>) monitoring up until September whereupon the FDMS equipped TEOMs were replaced by a Palas Fidas 200, which complies with Defra's UK PM Pollution Climate standard. Government equivalence tests have determined that both of types of equipment meet the equivalence criteria, and on that basis, no correction factors need to be applied to this monitoring data.

The Stockman's Lane site is equipped with a Beta Attenuation Monitor (BAM) with a heated inlet for monitoring particulate matter (PM<sub>10</sub>). Government technical guidance highlights that a BAM, equipped with a heated inlet, also meets the equivalence criteria for PM<sub>10</sub> monitoring, provided that the results are corrected for slope. This correction involves dividing measured concentrations by a factor of 1.035. It should be noted that the data presented on the Defra UK-Air, Northern Ireland Air website and in this report have already been corrected to the reference equivalent.

During 2019, Belfast City Council replaced ageing NO<sub>x</sub> API M200A analysers at two of its monitoring sites, namely the Upper Newtownards Road and Stockman's Lane. In addition, the unheated BAM 1020 particulate matter (PM<sub>10</sub>) analyser at Stockman's Lane was also replaced with a heated inlet variant in order to continue to collect high quality data and to achieve >90% data collection rates throughout the year. In 2020, the council also replaced a further API M200 NO<sub>x</sub> analyser at the Ormeau Road site.

During 2022, we progressed with the upgrade of our communication system (including modems) at our four monitoring sites. AQMSs were consequently updated from GSM modems to 4G IP Routers and the T200 analysers were converted to use NumaView software.

A location map showing automatic monitoring site locations across the Belfast City Council area is presented in the following Figure 2.1, with further site-specific monitoring details provided in Table 2.1.

**Figure 2.1 Map of Automatic Monitoring Sites**

*Reproduced from Ordnance Survey of Northern Ireland's data with the permission of the Controller of His Majesty's Stationery Office, Crown Copyright and database rights CSLA156. Unauthorised reproduction infringes © Crown Copyright and may lead to prosecution or Civil Proceedings.*

Table 2.1 Details of Automatic Monitoring Sites

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Inlet Height (m)	Pollutants Monitored	In AQMA?	Monitoring Technique	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
CM1	Belfast Centre AURN site Lombard Street	Urban Background	333898	374358	4.0	Nitrogen dioxide, sulphur dioxide, carbon monoxide, ozone and particulate matter (PM <sub>10</sub> and PM <sub>2.5</sub> )	N	Chemiluminescence, UV Fluorescence, IR Absorption, UV Absorption, Light-Scattering Monitor (Palas Fidas 200)	Y (Monitoring site is located in a city centre pedestrian precinct)	26 m	Y
CM2	Belfast Ormeau Road	Roadside	334272	373012	1.3	Nitrogen dioxide	Y	Chemiluminescence	Y (6 m)	3 m	Y
CM3	Belfast Upper Newtownards Road	Roadside	337911	373972	1.3	Nitrogen dioxide	Y	Chemiluminescence	Y (7 m)	2 m	Y
CM4	Belfast Stockman's Lane	Roadside	331010	371252	3.0	Nitrogen dioxide and particulate matter (PM <sub>10</sub> )	Y	Chemiluminescence Beta Attenuation Monitor	Y (10 m)	3 m	Y
CM5	Belfast Westlink Roden Street	Roadside	332609	373434	2.6	Nitrogen dioxide	Y	Chemiluminescence	Y (17 m)	5 m	Y

### 2.1.2 Non-Automatic Monitoring Sites

The government's risk and exposure-based approach to local air quality management means that Belfast City Council's principal focus has been on addressing citywide ambient nitrogen dioxide (NO<sub>2</sub>) levels over recent years. Accordingly, in order to understand how nitrogen dioxide levels are varying across the city and in addition to our automatic analysers, the council operates a range of passive diffusion tubes for nitrogen dioxide at a range of both background and roadside locations across the city.

The NO<sub>x</sub> diffusion tube monitoring network has changed considerably since the declaration of the Air Quality Management Areas in 2004. In 2023, the extensive council monitoring network comprised 84 diffusion tubes throughout the city at 76 locations, which generate annual mean NO<sub>2</sub> data to assist in the review and assessment process and to aid developers in conducting air quality impact assessments, where deemed necessary. The council regularly reviews its monitoring locations and relocates or discontinues tubes from areas of continued low nitrogen dioxide concentrations. In 2023, we added 8 tubes to the network; 7 (109-115) were added as a result of the outcomes of detailed assessment and to verify compliance with the air quality objective, and one (116) as a result of a local resident's request. No tubes were removed from the network during 2023. All locations are detailed in Figure 2.2 and Table 2.2.

Nitrogen dioxide diffusion tubes comprise a small clear plastic tube containing a chemical reagent supported on stainless steel grids that absorb the pollutant directly from the surrounding ambient air. In this case, triethanolamine is used as the reagent to monitor levels of ambient nitrogen dioxide. Belfast City Council's diffusion tubes are exposed for successive four- or five-week periods, in general accordance with the Defra Diffusion Tube Monitoring Calendar and, as a result, they provide a good general indication of average nitrogen dioxide concentrations, thereby allowing a comparison with the annual mean objective.

To ensure that experimental error is minimised in the preparation and analysis of its nitrogen dioxide diffusion tubes, Belfast City Council has appointed Gradko International Ltd. to supply, analyse and report data for its diffusion tubes. Gradko employs a 20% triethanolamine solution for monitoring ambient nitrogen dioxide and adheres to the

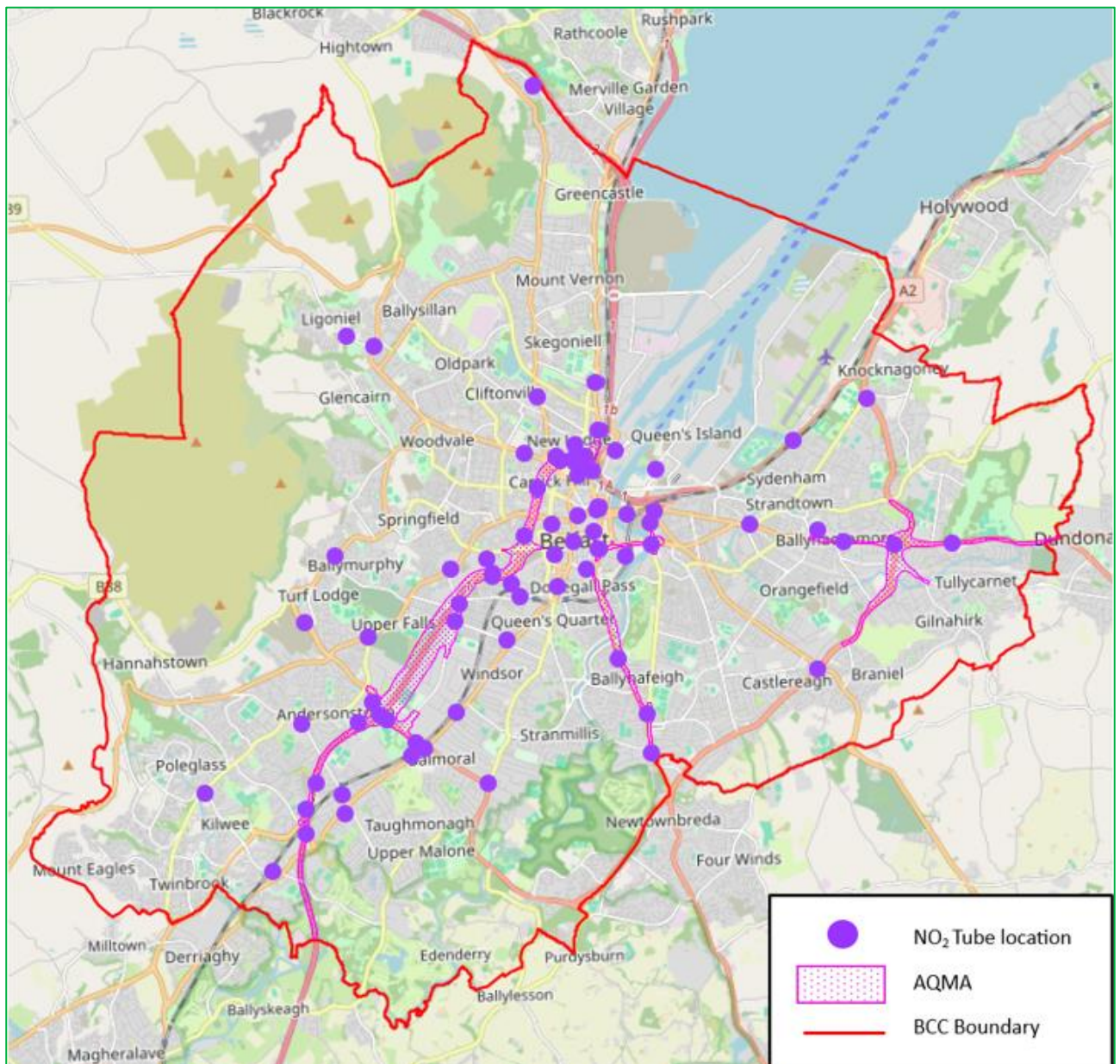
requirements of the government's 'Diffusion Tubes for Ambient NO<sub>2</sub> Monitoring: Practical Guidance for Laboratories and Users' publication.

To further ensure that its diffusion tube monitoring data is as accurate as possible, the council co-locates a number of diffusion tubes with reference method compliant chemiluminescent nitrogen dioxide analysers at the Lombard Street, Upper Newtownards Road, Westlink/Roden Street and Stockman's Lane monitoring sites. This process allows a bias adjustment factor (with a 95% confidence interval as an estimate of the uncertainty on the bias adjustment factor) to be calculated and used to correct the diffusion tube monitoring data.

In the case of the diffusion tube data presented in this report, the monitoring data has been corrected using a local bias adjustment factor derived from the above-mentioned three co-location studies (Upper Newtownards Road, Westlink/Roden Street and Stockman's Lane monitoring sites). The Lombard Street site (Belfast Centre) was unable to be considered in 2023 co-location study due to the low data capture rate (70%).

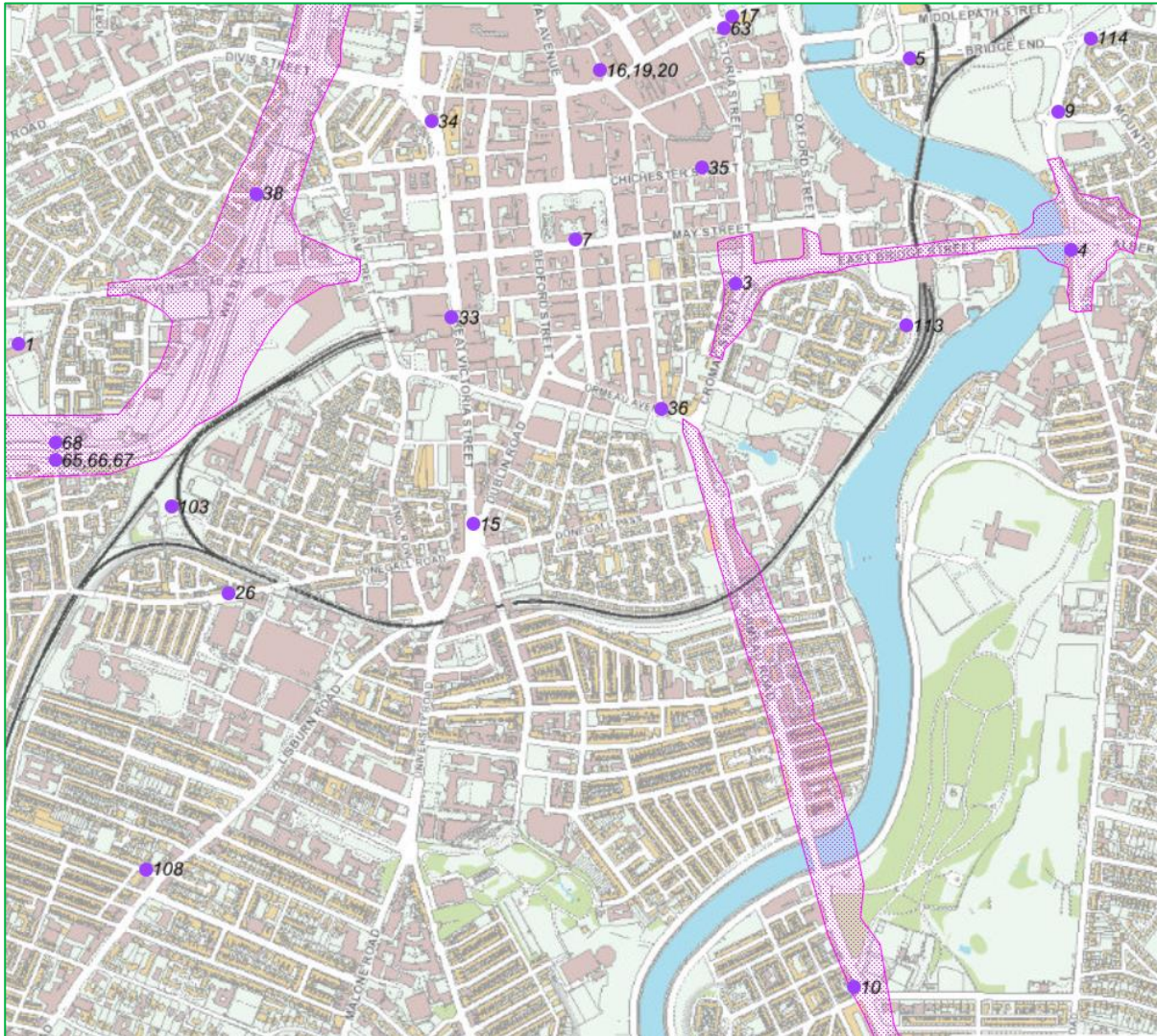
The bias calculation and data scaling were undertaken using Defra's new Diffusion Tube Data Processing Tool. Outputs from the spreadsheet for treatment of Belfast City Council's 2023 diffusion tube data are included in Appendix A to this report.



**Figure 2.2 Maps of Non-Automatic Monitoring Sites***Belfast City Boundary*

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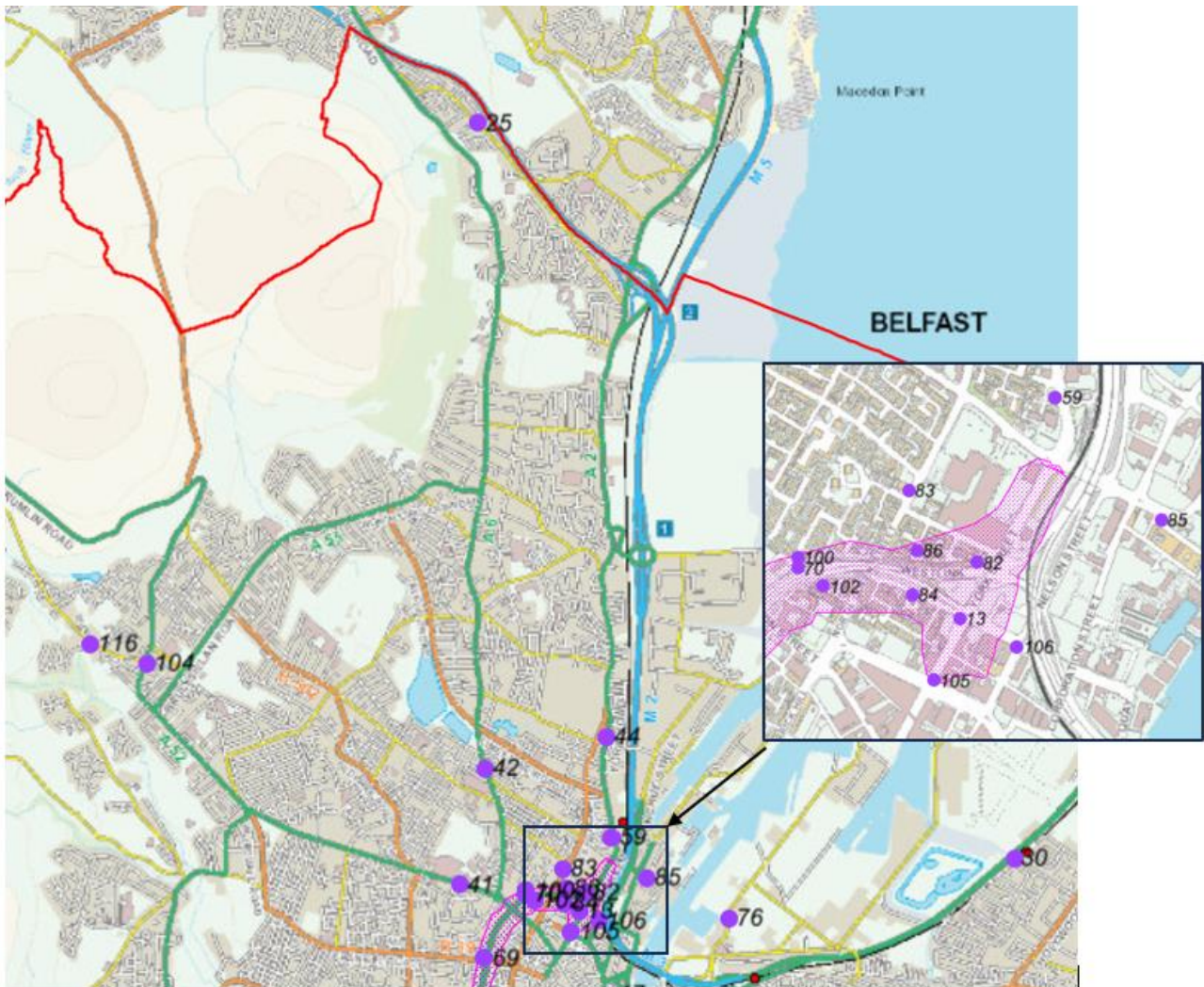


*Belfast City Centre*

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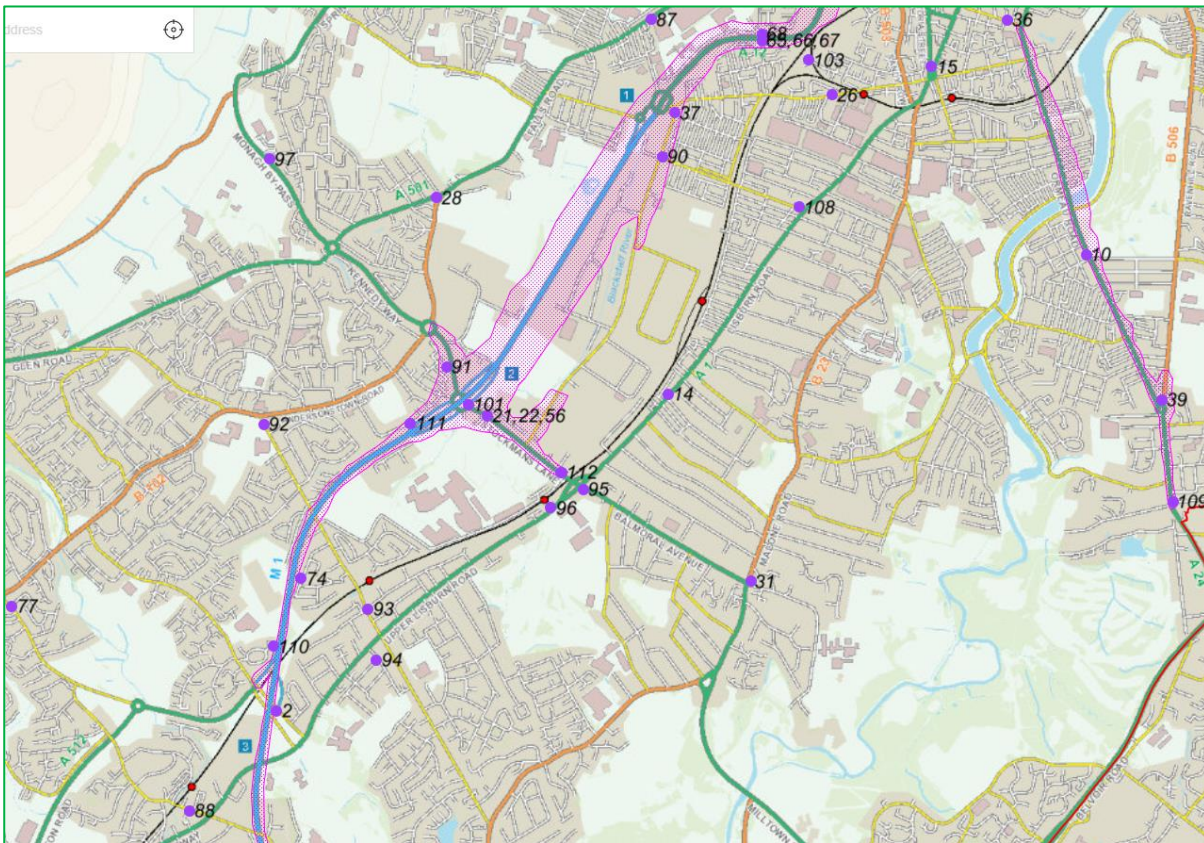


North Belfast



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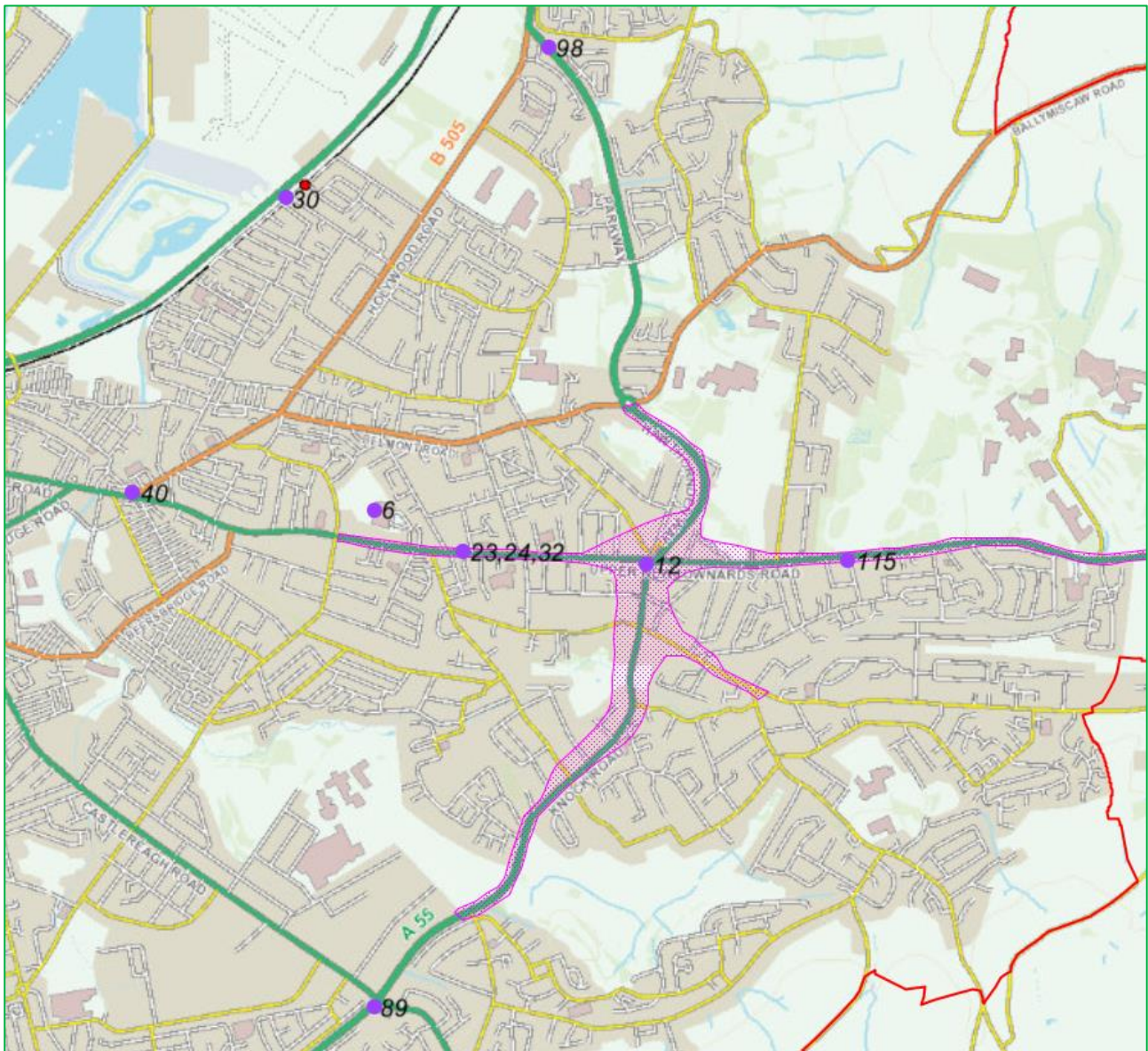
## South and West



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## East Belfast



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Table 2.2 Details of Non-Automatic Monitoring Sites

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
1	Royal Victoria Hospital	Urban Background	332522	373708	3.2	NO <sub>2</sub>	N	N	Y On hospital grounds	80	N/A
2	Black's Road	Roadside	329780	369528	2.7	NO <sub>2</sub>	Y	N	Y (27)	2	Y
3	61 Cromac Street	Roadside	334220	373853	3.0	NO <sub>2</sub>	Y	N	Y (10)	3	Y
4	Ravenhill Road	Roadside	335013	373932	3.0	NO <sub>2</sub>	Y	N	Y (50)	3	Y
5	Queen's Bridge	Roadside	334630	374385	3.0	NO <sub>2</sub>	N	N	Y (15)	2	Y
6	North Road	Urban Background	337549	374151	3.0	NO <sub>2</sub>	N	N	Y On School Wall	135	N/A
7	Donegall Square South	Roadside	333840	373956	3.0	NO <sub>2</sub>	N	N	N	5	Y
9	Short Strand	Kerbside	334983	374260	3.2	NO <sub>2</sub>	N	N	Y (11)	1	Y
10	301 Ormeau Road	Roadside	334499	372186	3.0	NO <sub>2</sub>	Y	N	Y (0.1)	6	Y
12	Knock Road	Roadside	338718	373918	2.5	NO <sub>2</sub>	Y	N	Y (17)	1.5	Y
13	Great George's Street	Kerbside	333981	375102	3.0	NO <sub>2</sub>	Y	N	Y (9)	0.5	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
14	Lisburn Road	Roadside	332063	371376	2.7	NO <sub>2</sub>	N	N	Y (4)	3	Y
15	Shaftesbury Square	Kerbside	333600	373283	2.7	NO <sub>2</sub>	N	N	Y (10)	1	Y
16,19,20	Lombard Street AQMS	Urban Background	333898	374358	4.0	NO <sub>2</sub>	N	Y	N	30	Y
17	Albert Clock	Roadside	334213	374485	3.1	NO <sub>2</sub>	N	N	Y (3.5)	2.5	Y
21,22,56	Stockman's Lane AQMS	Roadside	331009	371251	3.0	NO <sub>2</sub>	Y	Y	Y (10)	2.5	Y
23,24,32	Upper Newtownards Road AQMS	Roadside	337930	373972	3.0	NO <sub>2</sub>	Y	Y	Y (32)	2.5	Y
25	Whitewell Road	Roadside	333230	380877	2.7	NO <sub>2</sub>	N	N	Y (5)	2	Y
26	Donegall Road	Kerbside	333018	373120	2.7	NO <sub>2</sub>	N	N	Y (2.5)	1	Y
28	Falls Road and Andersonstown Road	Roadside	330711	372520	3.0	NO <sub>2</sub>	N	N	Y (30)	3.5	Y
30	Station Road	Roadside	337168	375485	2.7	NO <sub>2</sub>	N	N	Y (20)	2	Y
31	Malone Road	Roadside	332544	370283	3.0	NO <sub>2</sub>	N	N	Y (12)	2	Y
33	Great Victoria Street	Roadside	333548	373772	3.2	NO <sub>2</sub>	N	N	N	1.5	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
34	College Square East	Roadside	333501	374236	3.0	NO <sub>2</sub>	N	N	Y (3)	3.0	Y
35	Chichester Street	Roadside	334140	374126	3.5	NO <sub>2</sub>	N	N	Y (3)	3	Y
36	Cromac Steet & Ormeau Avenue	Kerbside	334044	373556	2.5	NO <sub>2</sub>	N	N	Y (3)	0.5	Y
37	Broadway roundabout at Glenmachan Street	Roadside	332100	373015	3.0	NO <sub>2</sub>	Y	N	Y (3)	1	Y
38	Albert Street	Roadside	333085	374065	3.0	NO <sub>2</sub>	Y	N	Y (6)	16.0	Y
39	Ormeau Road (junction with Ravenhill Road)	Roadside	334943	371342	3.0	NO <sub>2</sub>	Y	N	Y (5.5)	3.0	Y
40	Upper Newtownards Road & Hollywood Road	Roadside	336516	374226	3.0	NO <sub>2</sub>	N	N	Y (35)	2	Y
41	Crumlin Road	Roadside	333101	375295	3.0	NO <sub>2</sub>	N	N	Y (20)	3	Y
42	228 Antrim Road	Roadside	333288	376150	2.7	NO <sub>2</sub>	N	N	Y (6)	2	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
44	Shore Road (Ivan Street end)	Roadside	334177	376375	3.0	NO <sub>2</sub>	N	N	Y (2.5)	5	Y
59	York Street	Roadside	334214	375638	2.7	NO <sub>2</sub>	N	N	Y (5)	2	Y
63	Queens Square	Roadside	334193	374457	2.7	NO <sub>2</sub>	N	N	Building Façade	7	Y
65,66,67	Westlink AQMS	Roadside	332610	373434	2.6	NO <sub>2</sub>	Y	Y	Y (17)	5	Y
68	Opposite Westlink AQMS	Roadside	332610	373474	2.5	NO <sub>2</sub>	Y	N	Y (47.5)	2	Y
69	Peter's Hill	Kerbside	333281	374755	3.5 (above the canyon)	NO <sub>2</sub>	Y	N	Y (48)	1	Y
70	Henry Place	Kerbside	333588	375224	3.5 (above the canyon)	NO <sub>2</sub>	Y	N	Y (17)	1	Y
74	Ardmore Park	Roadside	329923	370300	2.7	NO <sub>2</sub>	N	N	Y (7)	2	Y
76	Titanic Quarter	Roadside	335073	375049	2.7	NO <sub>2</sub>	N	N	Y (5)	2.5	Y
77	Poleglass	Roadside	328237	370138	2.7	NO <sub>2</sub>	N	N	Y (5)	3	Y
82	Molyneaux Street	Roadside	334023	375238	2.7	NO <sub>2</sub>	Y	N	Y (2.5)	11	Y
83	North Queen Street	Roadside	333857	375412	2.7	NO <sub>2</sub>	N	N	Y (9.5)	3	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
84	Portland Place	Roadside	333866	375160	2.7	NO <sub>2</sub>	Y	N	Y (5.5)	4	Y
85	Sailortown	Roadside	334469	375341	2.7	NO <sub>2</sub>	N	N	Y (17)	4	Y
86	Little Georges Street	Roadside	333876	375267	2.5	NO <sub>2</sub>	Y	N	Y (6)	2	N
87	RVH Falls Road	Roadside	331964	373558	2.7	NO <sub>2</sub>	N	N	Y (1)	3	Y
88	Dunmurry Lane	Roadside	329273	368947	2.7	NO <sub>2</sub>	N	N	Y (5)	2	Y
89	Upper Knockbreda Rd	Kerbside	337547	372019	2.5	NO <sub>2</sub>	N	N	Y (25)	1	Y
90	Tates Avenue	Roadside	332028	372759	2.5	NO <sub>2</sub>	N	N	Y (8)	2.5	Y
91	Stockman's Crescent	Roadside	330772	371534	3.0	NO <sub>2</sub>	Y	N	Y (5)	2	N
92	Andersonstown Road	Roadside	329707	371200	2.5	NO <sub>2</sub>	N	N	Y (10)	2	Y
93	Diamond Gardens	Roadside	330313	370121	2.5	NO <sub>2</sub>	N	N	Y (3)	2	Y
94	Orpen Road	Roadside	330364	369824	2.5	NO <sub>2</sub>	N	N	Y (8)	2	Y
95	Balmoral Avenue	Roadside	331568	370818	2.7	NO <sub>2</sub>	N	N	Y (10)	3	Y



Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
96	Upper Lisburn Road	Roadside	331379	370712	2.7	NO <sub>2</sub>	N	N	Y (4.5)	5.5	Y
97	Monagh Bypass	Roadside	329737	372743	2.7	NO <sub>2</sub>	N	N	Y (6.5)	3	Y
98	Knocknagoney	Roadside	338297	376131	2.7	NO <sub>2</sub>	N	N	Y (7)	2	Y
100	Henry Place 2	Roadside	333589	375251	2.5	NO <sub>2</sub>	Y	N	Y (2)	27	N
101	Stockman's Lane Roundabout	Roadside	330900	371316	2.5	NO <sub>2</sub>	Y	N	Y (4.5)	3.0	Y
102	North Queen Park	Roadside	333650	375180	2.5	NO <sub>2</sub>	Y	N	Y (7)	24	N
103	Blythefield Park	Urban Background	332885	373323	2.5	NO <sub>2</sub>	N	N	Y (40)	15	N
104	Ligoniel Crossroads	Roadside	330799	376918	3.0	NO <sub>2</sub>	N	N	Y (13)	1.5	Y
105	Ulster University	Kerbside	333918	374952	2.5	NO <sub>2</sub>	Y	N	Y (6.5)	1.0	Y
106	M3 Motorway off slip / Nelson Street/ A12 Westlink junction	Kerbside	334120	375033	2.5	NO <sub>2</sub>	N	N	Y (15)	0.5	Y
107	Springfield Road	Roadside	330220	373746	2.5	NO <sub>2</sub>	N	N	Y (5)	3.5	Y

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Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
108	Lisburn Road and Tates Avenue Junction	Roadside	332825	372465	2.5	NO <sub>2</sub>	N	N	Y (2.7)	2.5	Y
109	444 Ormeau Road	Roadside	335005	370749	2.5	NO <sub>2</sub>	Y	N	Y (7)	3.0	Y
110	St. Anne's Close	Roadside	329762	369903	2.5	NO <sub>2</sub>	Y	N	Y (4.5)	17.0	Y
111	73a Owenvarragh Park	Roadside	330562	371205	2.5	NO <sub>2</sub>	Y	N	Y (2.5)	2.0	Y
112	1 Stockmans Lane	Roadside	331440	370918	2.5	NO <sub>2</sub>	Y	N	Y (8)	2.0	Y
113	Friendly Street	Urban Background	334623	373752	2.5	NO <sub>2</sub>	N	N	Y (1)	1.5	Y
114	Strand Walk	Kerbside	335061	374433	2.5	NO <sub>2</sub>	N	N	Y (11)	1.0	Y
115	Stormont	Roadside	339588	373946	2.5	NO <sub>2</sub>	Y	N	Y (8)	2.5	Y
116	Ligoniel Road / Mill Valley Road	Roadside	330386	377066	3.0	NO <sub>2</sub>	N	N	Y (7)	1.5	Y
* Please note that the various site IDs relate to current monitoring locations across the city. Over the preceding years, some sites may have relocated or monitoring discontinued. For these reasons, site IDs may be non-sequential.											

## 2.2 Comparison of Monitoring Results with Air Quality Objectives

### 2.2.1 Nitrogen Dioxide

#### Automatic Monitoring Data

Tables 2.3 and 2.4 summarise recent monitoring data from the council's nitrogen dioxide automatic analysers for 2023 and preceding years from 2019. In all cases, exceedances of the Air Quality Strategy Objectives are highlighted in bold. In addition, trends in annual mean monitoring data for nitrogen dioxide are summarised in Figure 2.3.

All automatic monitoring sites in Belfast measured NO<sub>2</sub> annual mean concentration below 40 µg/m<sup>3</sup> during 2023. Moreover, there were no NO<sub>2</sub> 1-hour means above 200 µg/m<sup>3</sup> recorded in Belfast during 2023.

It is unclear at this stage what impact behavioural changes associated with the Covid pandemic have had on 2022 and 2023 monitoring data, but it is assumed that changing working habits and working locations may have contributed to the continued reduction of annual mean nitrogen dioxide concentrations when compared with 2019 data.

#### Belfast Centre (Lombard Street) AQMS

The Belfast Centre AURN site is an urban centre / urban background site situated in a substantially pedestrianised area of Belfast City Centre. Urban background sites are located such that the pollution levels monitored are not influenced significantly by any single source or street, but rather by the integrated contribution from all sources upwind of the station e.g. by all traffic, combustion sources etc. Accordingly, there were no exceedances of any nitrogen dioxide air quality objectives recorded at the Belfast Centre AURN during 2023, with the annual mean being 18.8 µg/m<sup>3</sup>; less than half of the 40 µg/m<sup>3</sup> objective value. As 2023 data capture levels at the Belfast Centre site were below the Department's 75% data capture threshold for nitrogen dioxide (70%), annualisation of data from this site was required and undertaken in accordance with LAQM.TG22 guidance. The highest nitrogen dioxide hourly mean in 2023 was 109 µg/m<sup>3</sup>; substantially less than the 200 µg/m<sup>3</sup> AQO value (18 exceedances permitted per annum).

### **Ormeau Road AQMS**

The Belfast Ormeau Road site experienced extensive problems with air conditioning during 2012 and 2013, which prevented the monitoring equipment from working to full capacity. As this was a recurring problem, a decision was made towards the end of 2013 to upgrade the site infrastructure. Taking account of procurement requirements and liaison with NIE, this upgrade took a considerable length of time, to the point that data capture from this site was such that it was considered unreliable to report for 2013. In addition, we would express some reservations about the reliability of the 2012 monitoring data, as it does not appear to follow established trends. Following the site upgrade however, the annual mean concentration has remained reasonably constant at 27  $\mu\text{g}/\text{m}^3$  in 2014, 27  $\mu\text{g}/\text{m}^3$  in 2015, 28  $\mu\text{g}/\text{m}^3$  in 2016, 25  $\mu\text{g}/\text{m}^3$  in 2017, 26  $\mu\text{g}/\text{m}^3$  in 2018 and 24  $\mu\text{g}/\text{m}^3$  in 2019. Since Covid-19 pandemic (2020) the annual mean results (including 2023 – 18  $\mu\text{g}/\text{m}^3$ ) at this location are markedly lower when compared to previous years. However, they still appear to be representative, given that all nitrogen dioxide monitoring sites have followed a similar downward trend, due to behavioural changes caused by the pandemic.

The above monitoring data demonstrates that nitrogen dioxide concentrations have been significantly below the annual mean air quality objective since 2014. Moreover, dispersion modelling undertaken as part of Detailed Assessment for the city (Appendix C) predicted that 2019 (base year) and 2028 (future year) annual mean  $\text{NO}_2$  concentrations within AQMA 4, which covers Ormeau Road from the junction with Donegall Pass to the Belfast City boundary at Galwally, were below the UK AQO level at locations of relevant exposure. Consequently, and in view of continuing compliance with the nitrogen dioxide annual mean objective, the council will move to revoke the Ormeau Road AQMA.

### **Upper Newtownards Road AQMS**

From the data in Table 2.3, it can be seen that annual mean concentrations of nitrogen dioxide along the Upper Newtownards Road have remained in the range 20 – 27  $\mu\text{g}/\text{m}^3$  since 2019, meaning that the nitrogen dioxide annual mean objective is being consistently achieved along the Upper Newtownards Road. As noted above, since 2020 there have been a marked decrease in nitrogen dioxide concentrations, again due to significant reductions in traffic numbers, as a result of the Covid-19 pandemic restrictions. 2023 annual mean results (21.0  $\mu\text{g}/\text{m}^3$ ) are lower than pre-pandemic annual mean data and significantly below the objective level.

The Knock Road non-automatic roadside diffusion tube, located at the junction of the Upper Newtownards Road, Hawthornden Way and the Knock Road (Upper Newtownards Road AQMA worst case location) has recorded exceedances of the annual mean objective in previous years up until 2016. The 2017 calendar year was the first year when the annual mean concentration at the Knock Road junction fell below the air quality objective ( $36 \mu\text{g}/\text{m}^3$ ), which was still the case in 2023 ( $25.8 \mu\text{g}/\text{m}^3$ ). Consequently, there have not been any monitored exceedances of the air quality objectives for  $\text{NO}_2$  identified within this AQMA over the last seven years.

Considering the above monitoring data for this location, and the outcome of the recently concluded detailed assessment, which also confirmed that the modelled 2019 (base year) and 2028 (future year) annual mean  $\text{NO}_2$  concentrations within AQMA 3 are below the annual mean objective, the council will move to revoke this Upper Newtownards Road AQMA.

Moreover, it should be noted that the Belfast Rapid Transit Glider commenced operation along this route from September 2018. In order to facilitate operation of the Glider, a bus lane was established on the Upper Newtownards Road, Albertbridge Road and East Bridge Street, which operates from 07.00 to 19.00, Monday to Saturday inclusive. Glider operations together with introduction of the bus lane are likely to have had a beneficial impact on traffic movements and pollution levels along the Upper Newtownards Road, Albertbridge Road and East Bridge Street.

### **Stockman's Lane AQMS**

Unfortunately, despite the completion of significant structural improvements to the M1 Motorway and A12 Westlink corridor, nitrogen dioxide concentrations at Stockman's Lane have remained high. 2020 was the first year however, when the annual mean concentration ( $33 \mu\text{g}/\text{m}^3$ ) fell below the objective level of  $40 \mu\text{g}/\text{m}^3$ , likely due to Covid-19 travel restrictions. Whilst reductions in nitrogen dioxide annual mean concentrations at the Stockman's Lane site had been following a relatively consistent declining trend over recent years (the 2019 nitrogen dioxide annual mean was  $45 \mu\text{g}/\text{m}^3$ , which is a ~8% reduction from the 2018 annual mean of  $49 \mu\text{g}/\text{m}^3$ ), the Covid-19 pandemic has had an obvious impact on the 2021 and 2022 annual means. The 2021 annual mean ( $36 \mu\text{g}/\text{m}^3$ ) was about 20% lower than the 2019 (pre-pandemic) levels. The 2022 annual mean ( $36.4 \mu\text{g}/\text{m}^3$ ) and 2023 annual mean ( $35.6 \mu\text{g}/\text{m}^3$ ) haven't changed significantly since 2020 but

although concentrations are now lower than the 40  $\mu\text{g}/\text{m}^3$  annual mean objective, they are still considered elevated (within 10% of the annual mean  $\text{NO}_2$  objective). Moreover, one roadside diffusion tube, located near to the Stockman's Lane AQMS, recorded a similar 2023  $\text{NO}_2$  annual mean concentration (Stockman's Lane Roundabout - 36.3  $\mu\text{g}/\text{m}^3$ ).

Furthermore, results from the council's Detailed Assessment also suggest elevated nitrogen dioxide levels at this location. Therefore, the council will continue its monitoring at this location (within the Westlink Corridor / M1 Air Quality Management Area) to identify any potential further exceedances and nitrogen dioxide concentrations and trends.

There were, no  $\text{NO}_2$  1-hour means above 200  $\mu\text{g}/\text{m}^3$  recorded at this AQMS location during 2023.

### **Westlink/Roden Street AQMS**

The 2023 nitrogen dioxide annual mean (28.5  $\mu\text{g}/\text{m}^3$ ) monitored at the Westlink Roden Street has not changed significantly since 2021. Although slightly higher than in 2020 (24  $\mu\text{g}/\text{m}^3$ ) it is still noticeably lower than the 2019 pre-pandemic level (34  $\mu\text{g}/\text{m}^3$ ) and comfortably below the annual mean objective of 40  $\mu\text{g}/\text{m}^3$ . Also, there were no  $\text{NO}_2$  1-hour means above 200  $\mu\text{g}/\text{m}^3$  recorded at this AQMS location during 2023.

The nitrogen dioxide annual mean air quality objective has not been exceeded at the Westlink Roden Street since 2011. However, one roadside diffusion tube, located at Henry Place, further along the Westlink corridor, recorded exceedances of the annual mean objective over the last five years including in 2023 (43.0  $\mu\text{g}/\text{m}^3$ ). Moreover, results from the council's Detailed Assessment also suggest localised monitored (by small sensor air quality monitor) and modelled exceedances of the annual mean objective along Westlink corridor. Therefore, the council will continue its monitoring within the Westlink Corridor / M1 Air Quality Management Area (AQMA 1) to identify any continuing, or further exceedances and nitrogen dioxide concentrations and trends.

Historically, modelled and monitored exceedances of the 1-hour mean objective for nitrogen dioxide were encountered only in the vicinity of the M1 Motorway / A12 Westlink corridor. As a result, this is the only Air Quality Management Area within Belfast that has been declared on the basis of exceedances of the 1-hour objective.

From ambient monitoring data for the Stockman's Lane and Westlink/Roden Street monitoring sites, as summarised in Table 2.4, it can be seen that the number of exceedances of the hourly objective has substantially decreased over recent years, both now demonstrating compliance with the  $200 \mu\text{g}/\text{m}^3$  objective, not to be exceeded more than 18 times per year - since 2013. In fact, there have been no recorded 1-hour mean concentrations greater than  $200 \mu\text{g}/\text{m}^3$  at either monitoring site since 2019. As there are residential properties located directly adjacent to the carriageway at Stockman's Lane and most of these properties have gardens facing onto the roadway, thereby providing for short-term relevant public exposure, we will continue to monitor at this location in order to identify any further exceedances of the 1-hour mean objective and to establish trends.

**Table 2.3 Results of Automatic Monitoring for Nitrogen Dioxide: Annual Mean NO<sub>2</sub> Monitoring Results (µg/m<sup>3</sup>) for Comparison with the Annual Mean Objective**

Site ID	Site Type	Within AQMA? Which AQMA?	Valid Data Capture for Monitoring Period % <sup>a</sup>	Valid Data Capture 2023 % <sup>b</sup>	Annual Mean Concentration (µg/m <sup>3</sup> )				
					2019*	2020*	2021*	2022*	2023 <sup>c</sup>
Belfast Centre (Lombard Street)	Urban Background	N	70%	70%	26 <sup>c</sup>	19 <sup>c</sup>	21	21.1	18.8 <sup>c</sup>
Belfast Ormeau Road	Roadside	Y (CM2)	99%	99%	24	17	18	18.8	18.0
Belfast Upper Newtownards Road	Roadside	Y (CM3)	99%	99%	27	20	21	22.2	21.0
Belfast Stockman's Lane	Roadside	Y (CM4)	99%	99%	<b>45</b>	33	36	36.4	35.6
Belfast Westlink / Roden Street	Roadside	Y (CM5)	99%	99%	34	24	28	27.9	28.5

In **bold**, exceedance of the NO<sub>2</sub> annual mean AQS objective of 40 µg/m<sup>3</sup>.

<sup>a</sup> i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

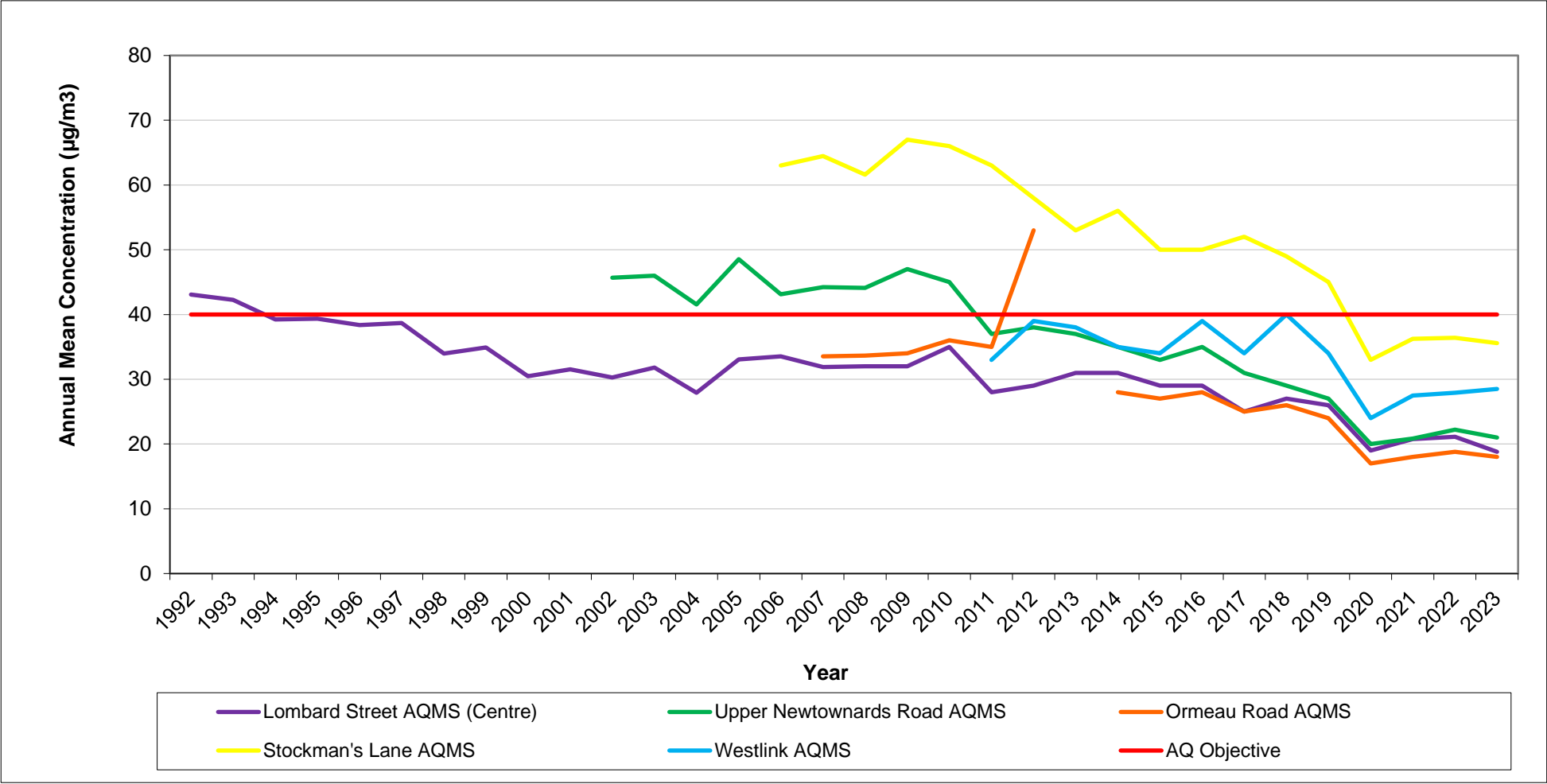
<sup>b</sup> i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

<sup>c</sup> Means "annualised" as per LAQM.TG22, if monitoring was not carried out for the full year.

\*Annual mean concentrations for previous years.



Figure 2.3 Trends in Annual Mean Nitrogen Dioxide Concentrations measured at Automatic Monitoring Sites



**Table 2.4 Results of Automatic Monitoring for Nitrogen Dioxide: Number of Exceedances of 1-hour mean Objective (200µg/m³)**

Site ID	Site Type	Within AQMA? Which AQMA?	Valid Data Capture for period of monitoring % <sup>a</sup>	Valid Data Capture 2023 % <sup>b</sup>	2019*	2020*	2021*	2022*	2023
Belfast Centre (Lombard Street)	Urban Background	N	70%	70.0%	0 (93) <sup>c</sup>	0 (86) <sup>c</sup>	0	0(93) <sup>c</sup>	0(84) <sup>c</sup>
Belfast Ormeau Road	Roadside	Y (CM2)	99%	99%	0 (86) <sup>c</sup>	0	0	0	0
Belfast Upper Newtownards Road	Roadside	Y (CM3)	99%	99%	0	0	0	0	0
Belfast Stockman's Lane	Roadside	Y (CM4)	99 %	99%	0	0	0	0	0
Belfast Westlink / Roden Street	Roadside	Y (CM5)	99%	99%	0	0	0	0	0

In **bold**, exceedance of the NO<sub>2</sub> hourly mean AQS objective (200µg/m³ – not to be exceeded more than 18 times per year

<sup>a</sup> i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

<sup>b</sup> i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

<sup>c</sup> If the period of valid data is less than 85%, include the 99.8<sup>th</sup> percentile of hourly means in brackets

\* Number of exceedances for previous years.

## Diffusion Tube Monitoring Data

In order to obtain a better understanding of how levels of nitrogen dioxide are varying across the city over time and to investigate those locations where previous rounds of the review and assessment process have highlighted areas of concern, Belfast City Council has placed 84 diffusion tubes at 76 relevant locations across the city. Data from these tubes for 2023 has been summarised in Table 2.5 alongside historical data, where it is available, in Table 2.6.

In terms of the outcome of the 2023 nitrogen dioxide diffusion tube monitoring, it is noted that concentrations at most locations are comparable to 2021 and 2022 results; however, they are still significantly lower than 2019 pre-pandemic levels.

Since the 2023 Progress Report, the council officers have added an additional 8 tubes to the network; 5 located within the AQMAs (109,110,111,112,115) and 3 outside the AQMA (113, 114,116). We have also relocated two tubes (37 and 90) to 'worst case scenario' locations, along the same streets but closer to busy junctions. These locations are detailed in Figure 2.2 and Table 2.2.

Only two annual mean air quality objective exceedances occurred during 2023, Henry Place ( $43.0 \mu\text{g}/\text{m}^3$ ) and at a location next to the junctions of the M3 Motorway / M2 Motorway and the A12 Westlink ( $42.3 \mu\text{g}/\text{m}^3$ ). Both tubes are located at kerbside locations adjacent to busy Motorways. The Henry Place tube is located within the existing M1 Motorway / A12 Westlink Air Quality Management Area and has been the subject of mitigation measures for some time.

The M3 Motorway tube was added to the councils' monitoring network due to the introduction of new relevant human health exposure; a new residential development located adjacent to the junction of the M3 Motorway / M2 Motorway and the A12 Westlink. The new monitoring site is located immediately next to the dominant road transport  $\text{NO}_2$  pollution source and at a worst-case location (junction). This residential development has recently been completed and it is anticipated that when all public realm works at the residential development are completed later this year, the monitoring site can be relocated from its current kerbside location to a building facade location more representative of public exposure at the residential development.

Nevertheless, Defra NO<sub>2</sub> distance calculations have been provided for the above locations to estimate concentrations at relevant human health receptor locations.

The Diffusion Tube Processing Tool has predicted an annual mean concentration of 29.2 µg/m<sup>3</sup> at Henry Place and 29.1 µg/m<sup>3</sup> at the M3 Motorway junction, which indicates that no exceedances are likely at both relevant receptor locations; the distance adjustment has been calculated using the Diffusion Tube Data Processing Tool (Appendix A).

Overall, in 2023 there were only five diffusion tube sites (Great Georges Street, Henry Place, M3, Stockman's Lane AQMS and Stockman's Lane Roundabout) located at roadside/kerbside locations where annual mean nitrogen dioxide concentrations were above 36 µg/m<sup>3</sup> (within 10% of the annual mean objective of 40 µg/m<sup>3</sup>). The Strand Walk monitoring site, located adjacent to the Newtownards Road, Bridge End and Middlepath Street junction, recorded a nitrogen dioxide annual mean of 35.6 µg/m<sup>3</sup> in 2023.

A summary of fall-off with distance calculations from the Diffusion Tube Data Processing Tool are presented in Table A.4 (Appendix A)

**Table 2.5 Results of Nitrogen Dioxide Diffusion Tubes in 2023**

Site ID	Location	Site Type	Within AQMA? Which AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2023 (Number of Months or %) <sup>a</sup>	2023 Annual Mean Concentration (µg/m <sup>3</sup> ) - Bias Adjustment factor = 0.80 <sup>b</sup>
1	Royal Victoria Hospital	Urban Background	N	N	100.0	15.9
2	Black's Road	Roadside	Y (Westlink)	N	100.0	30.5
3	61 Cromac Street	Roadside	Y (Cromac Street & Albertbridge Rd)	N	100.0	25.1
4	Ravenhill Road	Roadside	Y (Cromac Street & Albertbridge Rd)	N	82.7	20.5
5	Queen's Bridge	Roadside	N	N	90.4	23.0
6	North Road	Urban Background	N	N	40.4	10.8
7	Donegall Square South	Roadside	N	N	100.0	26.8
9	Short Strand	Roadside	N	N	100.0	30.7
10	301 Ormeau Road	Roadside	Y (Ormeau Rd)	N	100.0	23.3
12	Knock Road	Roadside	Y (Upper Newtownards Rd)	N	100.0	25.8
13	Great George's Street	Kerbside	Y (Westlink)	N	100.0	36.5
14	Lisburn Road	Roadside	N	N	75.0	22.6
15	Shaftesbury Square	Kerbside	N	N	84.6	27.1
16,19,20	Lombard Street AQMS	Urban Centre	N	Triplicate and Co-located	100.0	20.9
17	Albert Clock	Roadside	N	N	100.0	28.6
21,22,56	Stockman's Lane AQMS	Roadside	Y (Westlink)	Triplicate and Co-located	100.0	36.4
23,24,32	Upper Newtownards Road AQMS	Roadside	Y (Upper Newtownards Rd)	Triplicate and Co-located	100.0	19.7
25	Whitewell Road	Roadside	N	N	100.0	19.0
26	Donegall Road	Kerbside	N	N	100.0	24.7
28	Falls Road and Andersonstown	Roadside	N	N	100.0	20.6
30	Station Road	Roadside	N	N	90.4	16.6
31	Malone Road	Roadside	N	N	100.0	25.5
33	Great Victoria Street	Roadside	N	N	92.3	30.8

Site ID	Location	Site Type	Within AQMA? Which AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2023 (Number of Months or %) <sup>a</sup>	2023 Annual Mean Concentration (µg/m <sup>3</sup> ) - Bias Adjustment factor = 0.80 <sup>b</sup>
34	College Square East	Roadside	N	N	100.0	28.0
35	Chichester Street	Roadside	N	N	92.3	30.2
36	Cromac & Ormeau Avenue	Kerbside	N	N	100.0	23.9
37	Broadway roundabout at Glenmachan Street	Roadside	Y (Westlink)	N	100.0	32.6
38	Albert Street	Roadside	Y (Westlink)	N	100.0	26.3
39	Ormeau Road (junction with Ravenhill Road)	Roadside	Y (Ormeau Rd)	N	100.0	22.1
40	Upper Newtownards Road & Holywood Road	Roadside	N	N	100.0	18.5
41	Crumlin Road	Roadside	N	N	100.0	22.4
42	228 Antrim Road	Roadside	N	N	100.0	26.1
44	Shore Road (Ivan Street end)	Roadside	N	N	90.4	23.2
59	York Street	Roadside	N	N	100.0	30.1
63	Queens Square	Kerbside	N	N	100.0	26.3
65,66,67	Westlink AQMS	Roadside	Y (Westlink)	Triplicate and Co-located	100.0	29.4
68	Opposite Westlink AQMS	Roadside	Y (Westlink)	N	100.0	35.2
69	Peter's Hill	Kerbside	Y (Westlink)	N	100.0	30.7
70	Henry Place	Kerbside	Y (Westlink)	N	100.0	<b>43.0</b>
74	Ardmore Park	Roadside	N	N	100.0	23.4
76	Titanic Quarter	Roadside	N	N	92.3	17.5
77	Poleglass	Roadside	N	N	100.0	18.2
82	Molyneaux Street	Roadside	Y (Westlink)	N	100.0	29.4
83	North Queen Street	Roadside	N	N	92.3	28.4
84	Portland Place	Roadside	Y (Westlink)	N	92.3	26.9
85	Sailortown	Roadside	N	N	100.0	24.2
86	Little Georges Street	Roadside	Y (Westlink)	N	100.0	27.5
87	RVH Falls Road	Roadside	N	N	100.0	26.3
88	Dunmurry Lane	Roadside	N	N	92.3	18.4

Site ID	Location	Site Type	Within AQMA? Which AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2023 (Number of Months or %) <sup>a</sup>	2023 Annual Mean Concentration ( $\mu\text{g}/\text{m}^3$ ) - Bias Adjustment factor = 0.80 <sup>b</sup>
89	Upper Knockbreda Rd	Kerbside	N	N	90.4	23.3
90	Tates Avenue	Roadside	Y (Westlink)	N	100.0	33.0
91	Stockman's Crescent	Roadside	Y (Westlink)	N	100.0	18.2
92	Andersonstown Road	Roadside	N	N	90.4	22.0
93	Diamond Gardens	Roadside	N	N	90.4	17.9
94	Orpen Road	Roadside	N	N	100.0	12.6
95	Balmoral Avenue	Roadside	N	N	100.0	28.6
96	Upper Lisburn Road	Roadside	N	N	90.4	18.4
97	Monagh Bypass	Roadside	N	N	100.0	19.1
98	Knocknagoney	Roadside	N	N	100.0	31.1
100	Henry Place 2	Roadside	Y Westlink)	N	84.6	26.0
101	Stockman's Lane Roundabout	Roadside	Y (Westlink)	N	100.0	36.3
102	North Queen Park	Roadside	Y (Westlink)	N	100.0	24.9
103	Blythefield Park	Urban Background	N	N	100.0	19.2
104	Ligoniel Crossroads	Roadside	N	N	92.3	13.0
105	Ulster University	Kerbside	Y (Westlink)	N	82.7	30.3
106	M3 Motorway off slip / Nelson Street / A12 Westlink junction	Kerbside	N	N	92.3	<b>42.3</b>
107	Springfield Road	Roadside	N	N	100.0	19.6
108	Lisburn Rd and Tates Av Junction	Roadside	N	N	100.0	29.2
109	444 Ormeau Road	Roadside	Y (Ormeau Rd)	N	84.6	24.2
110	St. Anne's Close	Roadside	Y (Westlink)	N	84.6	21.0
111	73a Owenvarragh Park	Roadside	Y (Westlink)	N	84.6	19.5
112	1 Stockmans Lane	Roadside	Y (Westlink)	N	84.6	32.8
113	Friendly Street	Urban Background	N	N	76.9	19.6
114	Strand Walk	Kerbside	N	N	84.6	35.6

Site ID	Location	Site Type	Within AQMA? Which AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2023 (Number of Months or %) <sup>a</sup>	2023 Annual Mean Concentration (µg/m³) - Bias Adjustment factor = 0.80 <sup>b</sup>
115	Stormont	Roadside	Y ((Upper Newtownards Rd)	N	67.3	17.6
116	Ligoniel Road / Mill Valley Road	Roadside	N	N	76.9	16.9

In **bold**, exceedance of the NO<sub>2</sub> annual mean AQS objective of 40 µg/m<sup>3</sup>.

Underlined, annual mean > 60 µg/m<sup>3</sup>, indicating a potential exceedance of the NO<sub>2</sub> hourly mean AQS objective.

<sup>a</sup> Means should be “annualised” as per LAQM.TG22, if full calendar year data capture is less than 75%.

<sup>b</sup> If an exceedance is measured at a monitoring site not representative of public exposure, NO<sub>2</sub> concentration at the nearest relevant exposure should be estimated based on the NO<sub>2</sub> fall-off with distance calculator, and results should be discussed in a specific section.



**Table 2.6 Results of Nitrogen Dioxide Diffusion Tubes, adjusted for bias ( $\mu\text{g}/\text{m}^3$ ): 2019 to 2023.**

Site ID	Site Name	Within AQMA? Which AQMA?	Annual Mean Concentration ( $\mu\text{g}/\text{m}^3$ ) - Adjusted for Bias				
			2019 <sup>a</sup> (Bias Adjustment Factor = <b>0.91</b> )	2020 <sup>a</sup> (Bias Adjustment Factor = <b>0.79</b> )	2021 <sup>a</sup> (Bias Adjustment Factor = <b>0.79</b> )	2022 <sup>a</sup> (Bias Adjustment Factor = <b>0.81</b> )	2023 <sup>a</sup> (Bias Adjustment Factor = <b>0.80</b> )
1	Royal Victoria Hospital	N	21	17.6	18.1	16.6	15.9
2	Black's Road	Y (Westlink)	42	33.3	30.7	31.5	30.5
3	61 Cromac Street	Y (Cromac Street & Albertbridge Rd)	36	22.4	24.5	26.2	25.1
4	Ravenhill Road	Y (Cromac Street & Albertbridge Rd)	28	20.5	20.8	21.0	20.5
5	Queen's Bridge	N	27	20.7	23.1	24.4	23.0
6	North Road	N	14	10.8	12.3	10.7	10.8
7	Donegall Square South	N	32	22.8	23.4	25.5	26.8
9	Short Strand	N	40	30.5	32.8	31.7	30.7
10	301 Ormeau Road	Y (Ormeau Rd)	30	21.6	23.5	23.2	23.3
12	Knock Road	Y (Upper Newtownards Rd)	35	24.8	26.0	25.2	25.8
13	Great Georges Street	Y (Westlink)	45	32.8	36.3	35.1	36.5
14	Lisburn Road	N	27	23.5	22.4	23.1	22.6
15	Shaftesbury Square	N	31	25.1	26.4	26.7	27.1
16,19,20	Lombard Street AQMS	N	26	19.5	21.1	21.0	20.9
17	Albert Clock	N	40	26.5	28.1	28.7	28.6
21,22,56	Stockman's Lane AQMS	Y (Westlink)	45	29.9	33.4	37.8	36.4
23,24,32	Upper Newtownards Road AQMS	Y (Upper Newtownards Rd)	27	18.9	19.8	19.8	19.7
25	Whitewell Road	N	25	16.1	19.0	18.6	19.0
26	Donegall Road	N	31	21.9	24.8	24.0	24.7
28	Falls Road and Andersonstown	N	27	19.3	22.3	21.2	20.6
30	Station Road	N	22	16.6	17.2	17.1	16.6
31	Malone Road	N	31	22.8	26.3	23.9	25.5
33	Great Victoria Street	N	36	24.9	28.3	29.5	30.8
34	College Square East	N	33	22.1	27.5	27.9	28.0

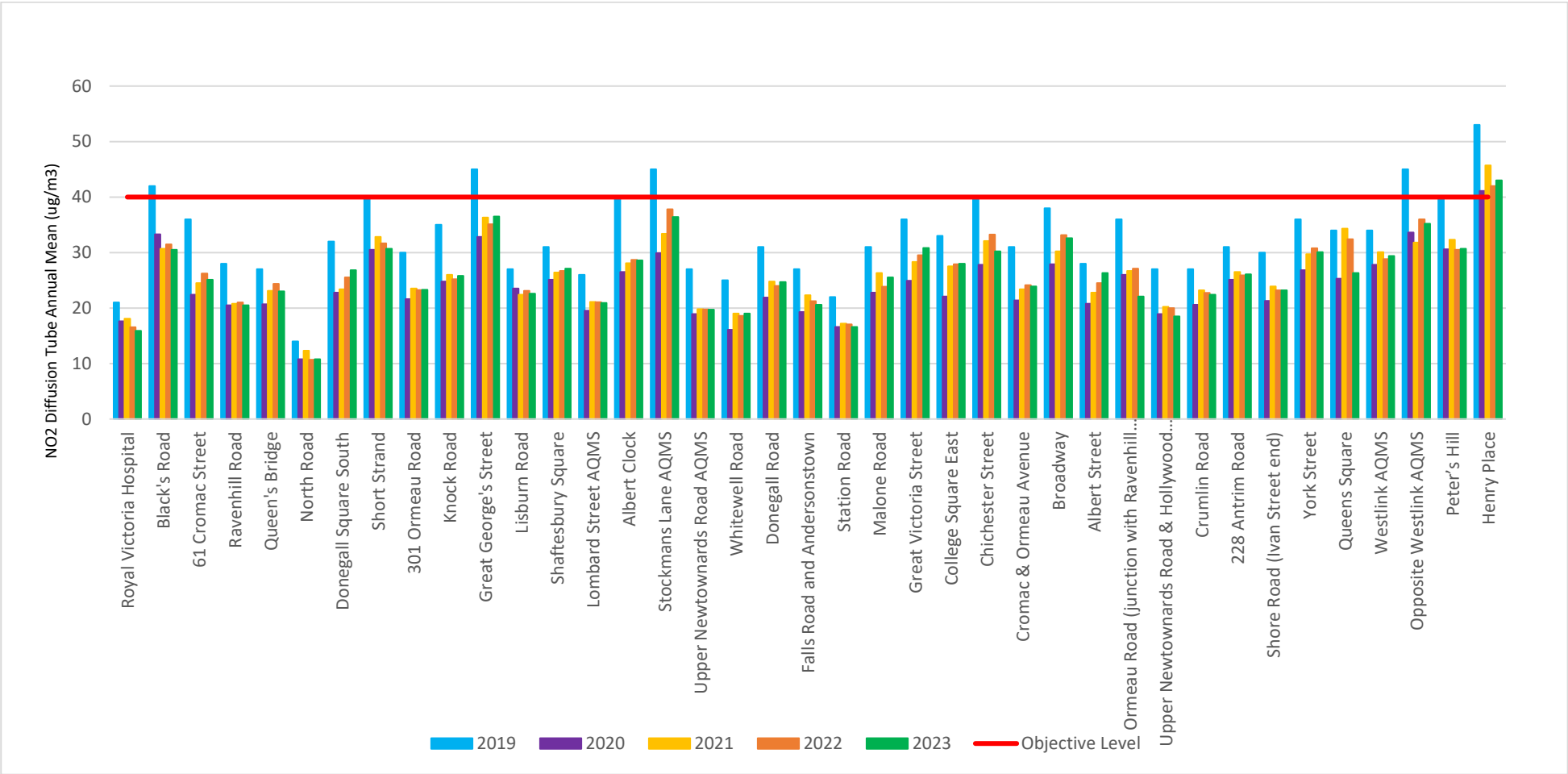
Site ID	Site Name	Within AQMA? Which AQMA?	Annual Mean Concentration ( $\mu\text{g}/\text{m}^3$ ) - Adjusted for Bias				
			2019 <sup>a</sup> (Bias Adjustment Factor = <b>0.91</b> )	2020 <sup>a</sup> (Bias Adjustment Factor = <b>0.79</b> )	2021 <sup>a</sup> (Bias Adjustment Factor = <b>0.79</b> )	2022 <sup>a</sup> (Bias Adjustment Factor = <b>0.81</b> )	2023 <sup>a</sup> (Bias Adjustment Factor = <b>0.80</b> )
35	Chichester Street	N	40	27.8	32.1	33.2	30.2
36	Cromac & Ormeau Avenue	N	31	21.4	23.4	24.1	23.9
37	Broadway roundabout at Glenmachan Street	Y (Westlink)	38	27.9	30.2	33.1	32.6
38	Albert Street	Y (Westlink)	28	20.8	22.8	24.5	26.3
39	Ormeau Road (junction with Ravenhill Road)	Y (Ormeau Rd)	36	26.0	26.7	27.1	22.1
40	Upper Newtownards Road & Holywood Road	N	27	18.9	20.2	20.0	18.5
41	Crumlin Road	N	27	20.6	23.2	22.7	22.4
42	228 Antrim Road	N	31	25.1	26.5	25.9	26.1
44	Shore Road (Ivan Street end)	N	30	21.3	23.9	23.2	23.2
59	York Street	N	36	26.8	29.7	30.8	30.1
63	Queens Square	N	34	25.3	34.3	32.4	26.3
65,66,67	Westlink AQMS	Y (Westlink)	34	27.8	30.1	28.8	29.4
68	Opposite Westlink AQMS	Y (Westlink)	45	33.6	31.8	36.0	35.2
69	Peter's Hill	Y (Westlink)	40	30.6	32.3	30.5	30.7
70	Henry Place	Y (Westlink)	53	41.1	45.7	42.0	43.0
74	Ardmore Park	N	30	24.3	23.3	25.7	23.4
76	Titanic Quarter	N	22	18.1	17.2	18.3	17.5
77	Poleglass	N	24	18.3	18.1	19.3	18.2
82	Molyneaux Street	Y (Westlink)	36	26.7	28.3	29.6	29.4
83	North Queen Street	N	33	26.5	28.8	26.7	28.4
84	Portland Place	Y (Westlink)	30	25.5	26.9	26.7	26.9
85	Sailortown	N	28	22.9	23.9	23.2	24.2
86	Little George's Street	Y (Westlink)	33	26.4	27.3	27.5	27.5
87	RVH Falls Road	N	33	24.1	28.1	27.2	26.3
88	Dunmurry Lane	N	26	17.7	19.2	18.8	18.4
89	Upper Knockbreda Rd	N	34	23.0	24.2	24.3	23.3
90	Tates Avenue/Boucher Rd	N	27	20.5	21.0	27.8	33.0

Site ID	Site Name	Within AQMA? Which AQMA?	Annual Mean Concentration (µg/m³) - Adjusted for Bias				
			2019 <sup>a</sup> (Bias Adjustment Factor = <b>0.91</b> )	2020 <sup>a</sup> (Bias Adjustment Factor = <b>0.79</b> )	2021 <sup>a</sup> (Bias Adjustment Factor = <b>0.79</b> )	2022 <sup>a</sup> (Bias Adjustment Factor = <b>0.81</b> )	2023 <sup>a</sup> (Bias Adjustment Factor = <b>0.80</b> )
91	Stockman's Crescent	Y (Westlink)	24	17.7	19.5	18.5	18.2
92	Andersonstown Road	N	N/A	22.5	25.0	22.8	22.0
93	Diamond Gardens	N	24	17.8	18.8	18.3	17.9
94	Orpen Road	N	18	13.3	13.3	13.2	12.6
95	Balmoral Avenue	N	39	25.5	28.1	28.9	28.6
96	Upper Lisburn Road	N	N/A	20.1	20.3	19.5	18.4
97	Monagh Bypass	N	N/A	16.4	18.0	18.4	19.1
98	Knocknagoney	N	N/A	31.4	33.5	32.0	31.1
100	Henry Place 2	Y	N/A	N/A	26.9	28.8	26.0
101	Stockman's Lane Roundabout	Y	N/A	N/A	32.6	39.2	36.3
102	North Queen Park	Y	N/A	N/A	28.3	25.4	24.9
103	Blythefield Park	N	N/A	N/A	20.2	19.8	19.2
104	Ligoniel Crossroads	N	N/A	N/A	N/A	13.5	13.0
105	Ulster University	N	N/A	N/A	N/A	29.8	30.3
106	M3 Motorway off slip / Nelson Street / A12 Westlink junction	N	N/A	N/A	N/A	<b>45.8</b>	<b>42.3</b>
107	Springfield Road	N	N/A	N/A	N/A	20.8	19.6
108	Lisburn Rd and Bates Av Junction	N	N/A	N/A	N/A	31.7	29.2
109	444 Ormeau Road	Y (Ormeau Rd)	N/A	N/A	N/A	N/A	24.2
110	St. Anne's Close	Y (Westlink)	N/A	N/A	N/A	N/A	21.0
111	73a Owenvarragh Park	Y (Westlink)	N/A	N/A	N/A	N/A	19.5
112	1 Stockman's Lane	Y (Westlink)	N/A	N/A	N/A	N/A	32.8
113	Friendly Street	N	N/A	N/A	N/A	N/A	19.6
114	Strand Walk	N	N/A	N/A	N/A	N/A	35.6
115	Stormont	Y ((Upper Newtownards Rd)	N/A	N/A	N/A	N/A	17.6

Site ID	Site Name	Within AQMA? Which AQMA?	Annual Mean Concentration (µg/m³) - Adjusted for Bias				
			2019 <sup>a</sup> (Bias Adjustment Factor = <b>0.91</b> )	2020 <sup>a</sup> (Bias Adjustment Factor = <b>0.79</b> )	2021 <sup>a</sup> (Bias Adjustment Factor = <b>0.79</b> )	2022 <sup>a</sup> (Bias Adjustment Factor = <b>0.81</b> )	2023 <sup>a</sup> (Bias Adjustment Factor = <b>0.80</b> )
116	Ligoniel Road / Mill Valley Road	N	N/A	N/A	N/A	N/A	16.9

In **bold**, exceedance of the NO<sub>2</sub> annual mean AQS objective of 40 µg/m<sup>3</sup>.  
Underlined, annual mean > 60 µg/m<sup>3</sup>, indicating a potential exceedance of the NO<sub>2</sub> hourly mean AQS objective.  
<sup>a</sup> Means should be “annualised” as per LAQM.TG22, if full calendar year data capture is less than 75%.

Figure 2.4 Trends in Annual Mean Nitrogen Dioxide Concentrations measured at Diffusion Tube Monitoring Sites



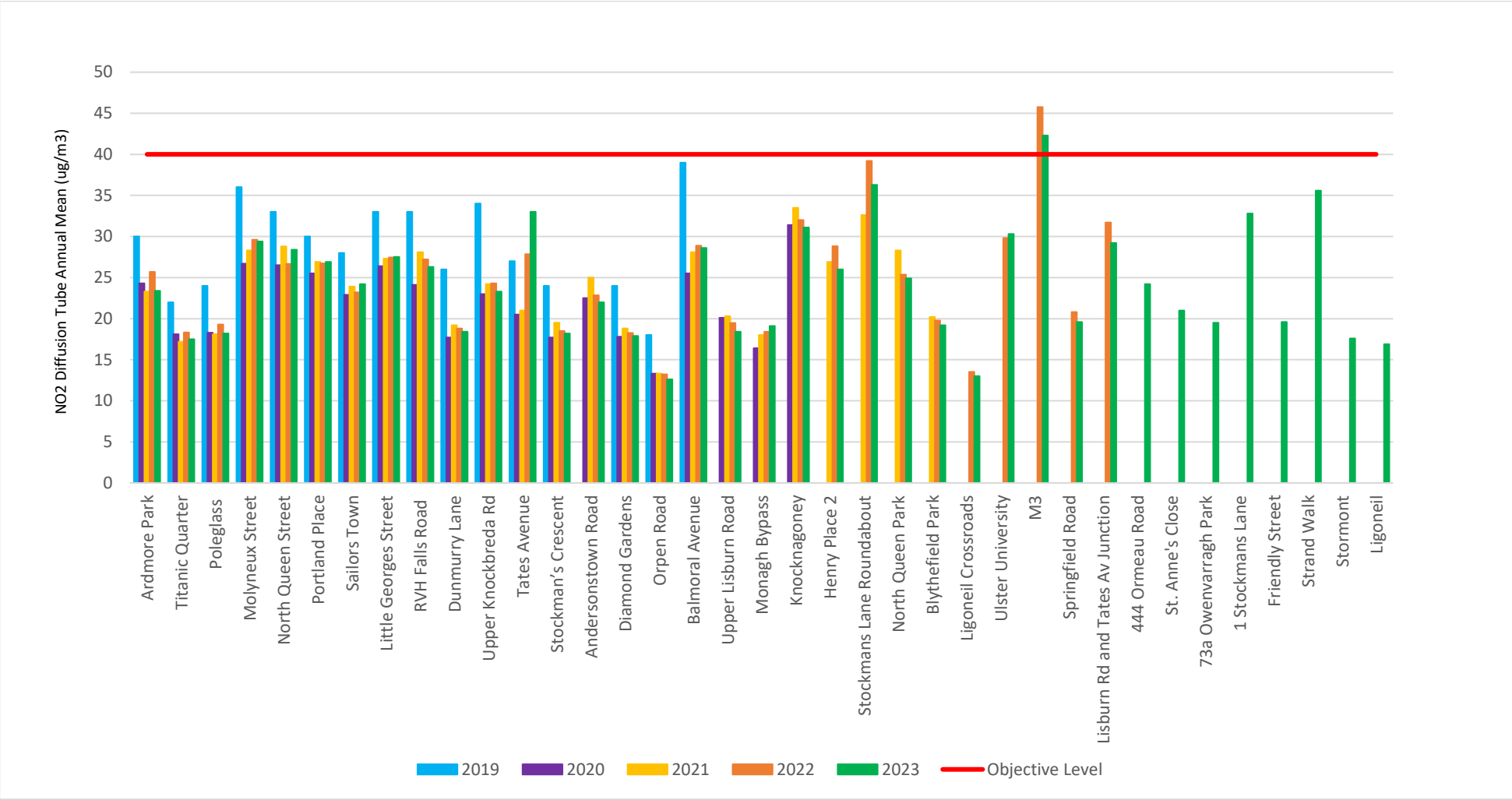
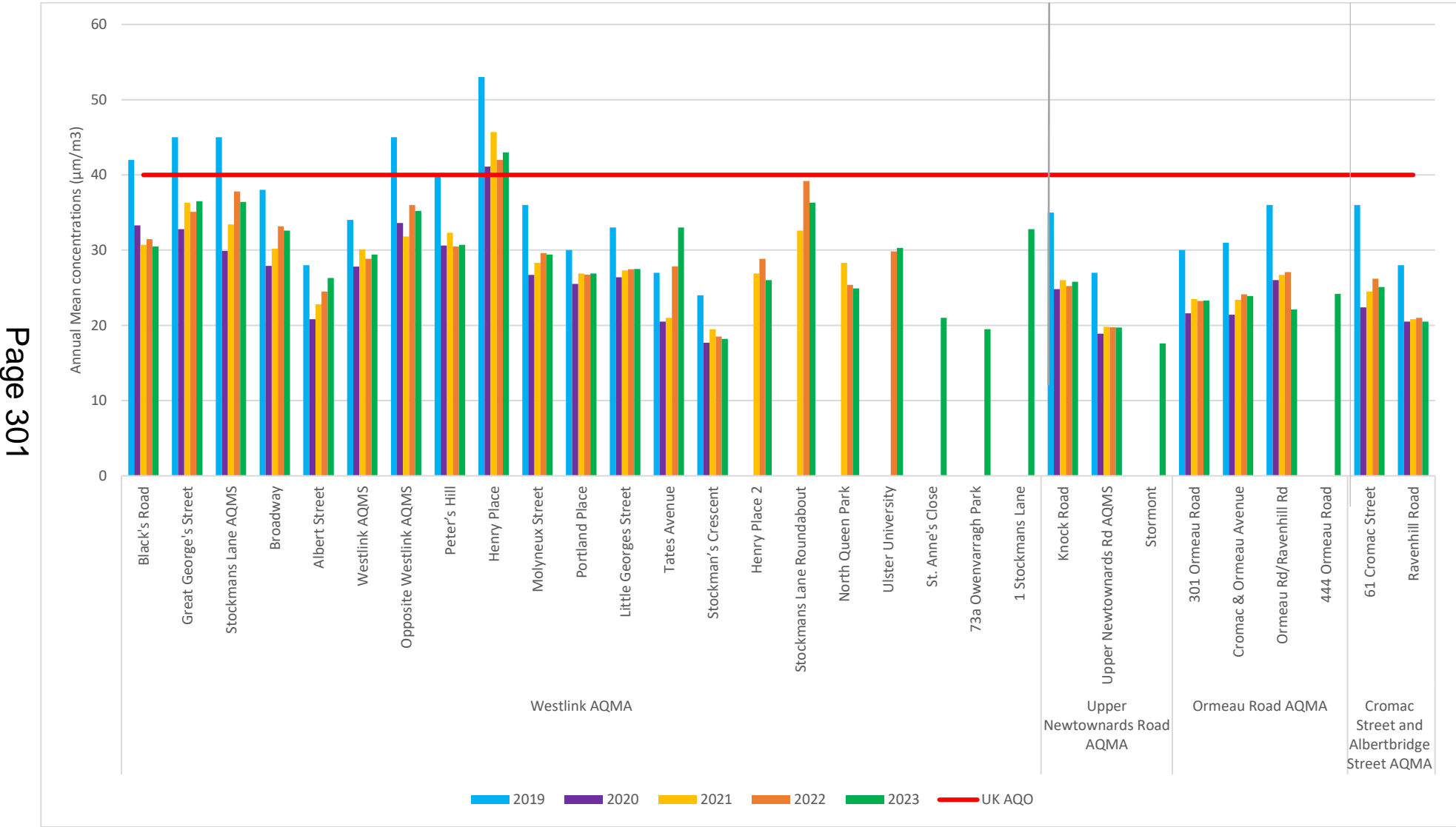


Figure 2.5 Trends in Annual Mean Nitrogen Dioxide Concentrations measured at Diffusion Tube Monitoring Sites



### 2.2.2 Particulate Matter (PM<sub>10</sub>)

As a result of a historic reliance upon solid fuel for domestic heating, Belfast used to experience frequent exceedances of the 24-hour and annual mean objectives for particulate matter (PM<sub>10</sub>) across the city. However, with completion of the city's smoke control programme and the widespread availability of natural gas to all sectors, emissions of particulate matter have decreased significantly since around 2000. As a result, the council was able to decommission its Belfast Clara Street particulate matter monitoring site in east Belfast in 2007.

However, as domestic and industrial emissions were addressed, so emissions of particulate matter from road transport along the M1 Motorway and A12 Westlink corridor gained in prominence. Upon completion of the council's first review and assessment of air quality in 2004, it was concluded that the M1 Motorway and A12 Westlink corridor should be declared as an Air Quality Management Area on the basis of modelled and monitored exceedances of the 24-hour and annual mean objectives for particulate matter.

As highlighted in the subsequent 2006 Air Quality Action Plan for Belfast, a range of structural improvements, designed to relieve traffic congestion, were completed for the M1 Motorway and A12 Westlink corridor. As a result, monitored levels of particulate matter began to decline within this Air Quality Management Area. Monitoring data for this site is summarised and reviewed in the following Tables 2.7, 2.8 and in Figure 2.6.

In terms of exceedances of the 40 µg/m<sup>3</sup> particulate matter annual mean objective, there have been no exceedances of the annual mean objective within this AQMA since 2008. Monitoring data from the Belfast Westlink site at Roden Street, which was established in 2010 and is located within the M1 Motorway / A12 Westlink Air Quality Management Area, indicated no exceedances of particulate matter objectives up until 2014 whereupon PM<sub>10</sub> monitoring was discontinued at this site. Particulate matter monitoring continues however at the Stockman's Lane site.

Reflecting upon the particulate matter 24-hour mean objective data, as summarised in Table 2.8, the data has remained comfortably below the objective at all sites during recent years.



On the basis of historical monitoring data, which demonstrated sustained improvements in particulate matter, the council revoked the M1 Motorway / A12 Westlink Air Quality Management Area for exceedances of the particulate matter annual and 24-hour mean objectives in September 2015.

2023 results, with an annual mean of  $16.6 \mu\text{g}/\text{m}^3$  recorded at the Stockman's Lane site are only slightly lower in comparison to previous years' results - with and without Covid-19 restrictions. It is considered that more information is required to accurately investigate the impact of the Covid-19 lockdowns on particulate matter concentrations; the consistency in annual means recorded at the Stockman's Lane could be due to increased levels of 'working from home' during the pandemic, which may have resulted in increased domestic combustion processes, replacing commercial combustion particulate matter emissions, which are likely to have been reduced due to Covid-19 restrictions.

Nevertheless Figure 2.6 shows that the 2023 levels of  $\text{PM}_{10}$  recorded at Stockman's Lane ( $16.6 \mu\text{g}/\text{m}^3$ ) and Belfast Centre ( $12.6 \mu\text{g}/\text{m}^3$ ) sites are similar to several previous years. Overall, there were no exceedances of the 24-hour and annual mean objectives for particulate matter ( $\text{PM}_{10}$ ) in Belfast.

Moreover, during 2023 Belfast City Council completed a Detailed Assessment for the city, for  $\text{PM}_{10}$ ,  $\text{PM}_{2.5}$  and  $\text{NO}_2$  pollutants (Summary Report – Appendix D). Detailed atmospheric dispersion modelling was undertaken for a 2019 base year and for a 2028 forward projection year for  $\text{PM}_{10}$ . The dispersion modelling was validated, verified and adjusted using data from Belfast City Council's two automatic particulate monitors as well as additional  $\text{PM}_{10}$  monitoring undertaken by Zephyr small sensor air quality monitors.

For the 2019 base year, detailed atmospheric dispersion modelling indicated that there were no sensitive receptor locations within the city, where predicted annual mean  $\text{PM}_{10}$  concentrations were greater than  $40 \mu\text{g}/\text{m}^3$ . In actuality, the highest predicted annual mean  $\text{PM}_{10}$  concentration in 2019 was around  $21 \mu\text{g}/\text{m}^3$ , and at a non-residential location. It is unlikely therefore that there were any areas of exceedance of the UK annual mean  $\text{PM}_{10}$  AQO during 2019. Similarly, city-wide gridded predicted annual mean  $\text{PM}_{10}$  concentrations for 2019 were all well below the UK AQO throughout the city. For the forward projection year of 2028, there are no predicted annual mean  $\text{PM}_{10}$  concentrations greater than  $40 \mu\text{g}/\text{m}^3$  and therefore unlikely to be any locations of exceedance of the UK

annual mean PM<sub>10</sub> AQO. City-wide gridded predicted annual mean PM<sub>10</sub> concentrations for 2028 are predicted to be well below the UK AQO throughout the city. Moreover, there are no anticipated exceedances of the PM<sub>10</sub> 50 µg/m<sup>3</sup> 24-hour mean objective (35 exceedances allowed per annum) in either 2019 or 2028.

The outcome of the detailed assessment for PM<sub>10</sub> therefore indicates that there are no predicted exceedances of the relevant PM<sub>10</sub> AQOs in either the 2019 base year or 2028 forward projection year. This outcome is in accordance with the conclusions of previous Updating and Screening Assessments, Progress Reports and Detailed Assessments undertaken by the council in respect of PM<sub>10</sub>.

**Table 2.7 Annual Mean PM<sub>10</sub> Monitoring Results (µg/m<sup>3</sup>) for Comparison with the Annual Mean Objective**

Site ID	Site Type	Within AQMA? Which AQMA?	Valid Data Capture for monitoring Period % <sup>a</sup>	Valid Data Capture 2023 % <sup>b</sup>	Confirm Gravimetric Equivalent (Y or N/A)	2019* <sup>c</sup>	2020* <sup>c</sup>	2021* <sup>c</sup>	2022* <sup>c</sup>	2023 <sup>c</sup>
<b>CM1 Belfast Centre (Lombard Street)</b>	Urban Background	N	100	100	Y	15	12	13	13.9	12.6
<b>CM4 Belfast Stockman's Lane</b>	Roadside	Y (Westlink)	87	87	Y	18	17	19	18.2	16.6

In **bold**, exceedance of the PM<sub>10</sub> annual mean AQS objective of 40 µg/m<sup>3</sup>.

<sup>a</sup> i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

<sup>b</sup> i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

<sup>c</sup> Means should be “annualised” as per LAQM.TG22, if monitoring was not carried out for the full year.

\* Optional.

**Table 2.8 Results of Automatic Monitoring for PM<sub>10</sub>: Number of Exceedances of 24-hour mean Objective (50µg/m<sup>3</sup>)**

Site ID	Site Type	Within AQMA? Which AQMA?	Valid Data Capture for monitoring Period % <sup>a</sup>	Valid Data Capture 2023 % <sup>b</sup>	Confirm Gravimetric Equivalent	2019*	2020*	2021*	2022*	2023
<b>CM1 Belfast Centre (Lombard Street)</b>	Urban Background	N	100	100	Y	2	1	0	4	1
<b>CM4 Belfast Stockman's Lane</b>	Roadside	Y (Westlink)	87	87	Y	4	1	1	7	0

In **bold**, exceedance of the PM<sub>10</sub> daily mean AQS objective (50 µg/m<sup>3</sup> – not to be exceeded more than 35 times per year).

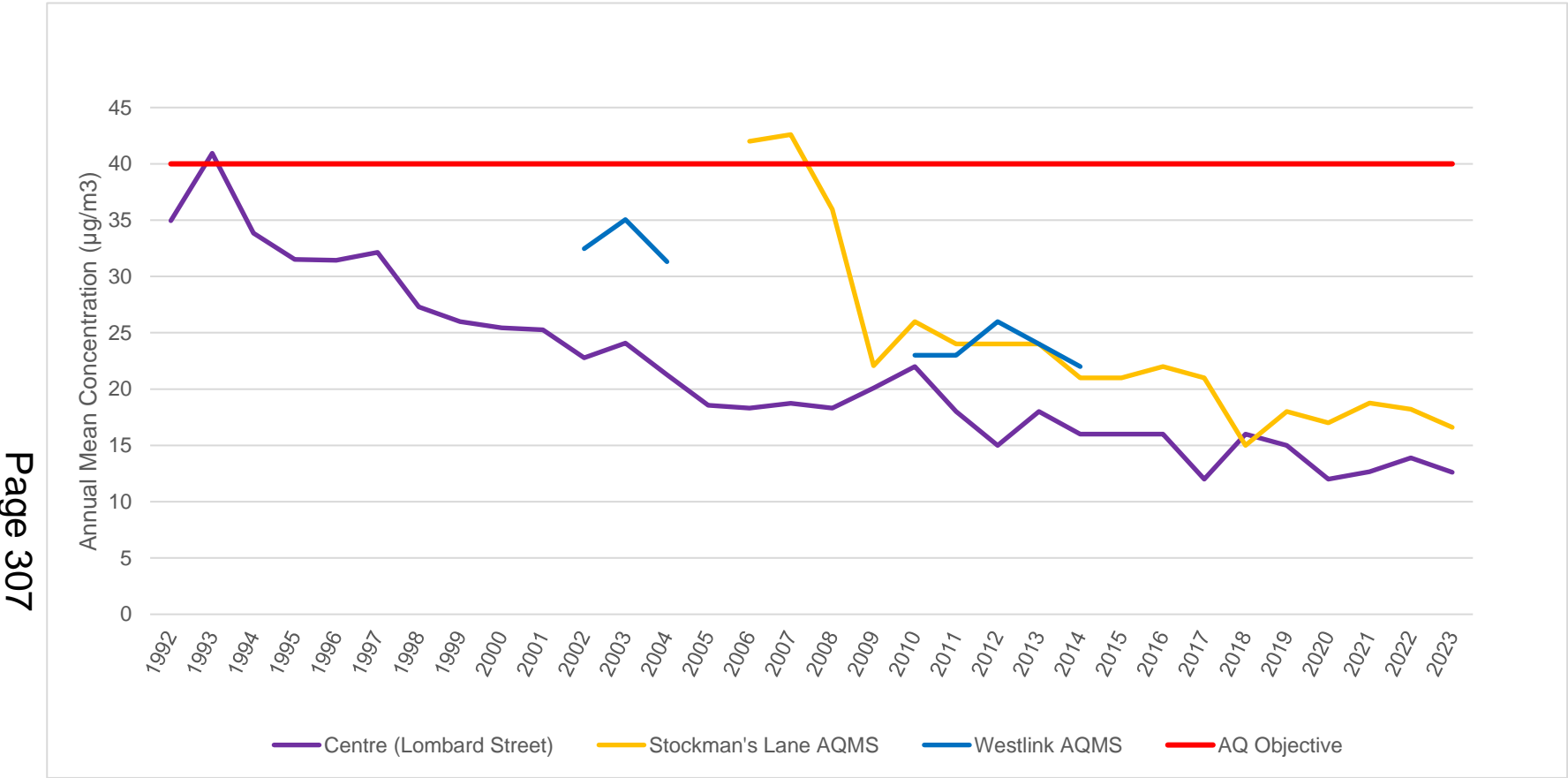
<sup>a</sup> i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

<sup>b</sup> i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

<sup>c</sup> if data capture is less than 85%, include the 90.4<sup>th</sup> percentile of 24-hour means in brackets.

\* Optional.

Figure 2.6 Trends in Annual Mean PM<sub>10</sub> Concentrations



### 2.2.3 Sulphur Dioxide

As a result of a historic reliance upon solid fuel for domestic heating, Belfast City used to experience frequent and widespread exceedances of the 15-minute, 1-hour and 24-hour mean objectives for sulphur dioxide. However, with completion of the city's smoke control programme and the widespread availability of natural gas to all sectors, levels of sulphur dioxide have decreased dramatically since 2000. There have been no exceedances of any sulphur dioxide objective in the city since 2002. Sustained low levels of sulphur dioxide have meant that the council, in consultation with Defra, has been able to terminate ambient monitoring at all locations with the exception of the Belfast Centre AURN site at Lombard Street. No Air Quality Management Areas have been declared for sulphur dioxide across Belfast.

Recent sulphur dioxide monitoring data from the Belfast Centre site is summarised in Table 2.9. As indicated, no exceedances of any objective were observed during 2023.

Table 2.9 Results of Automatic Monitoring of SO<sub>2</sub>: Number of Exceedances of Objectives (percentile in bracket)

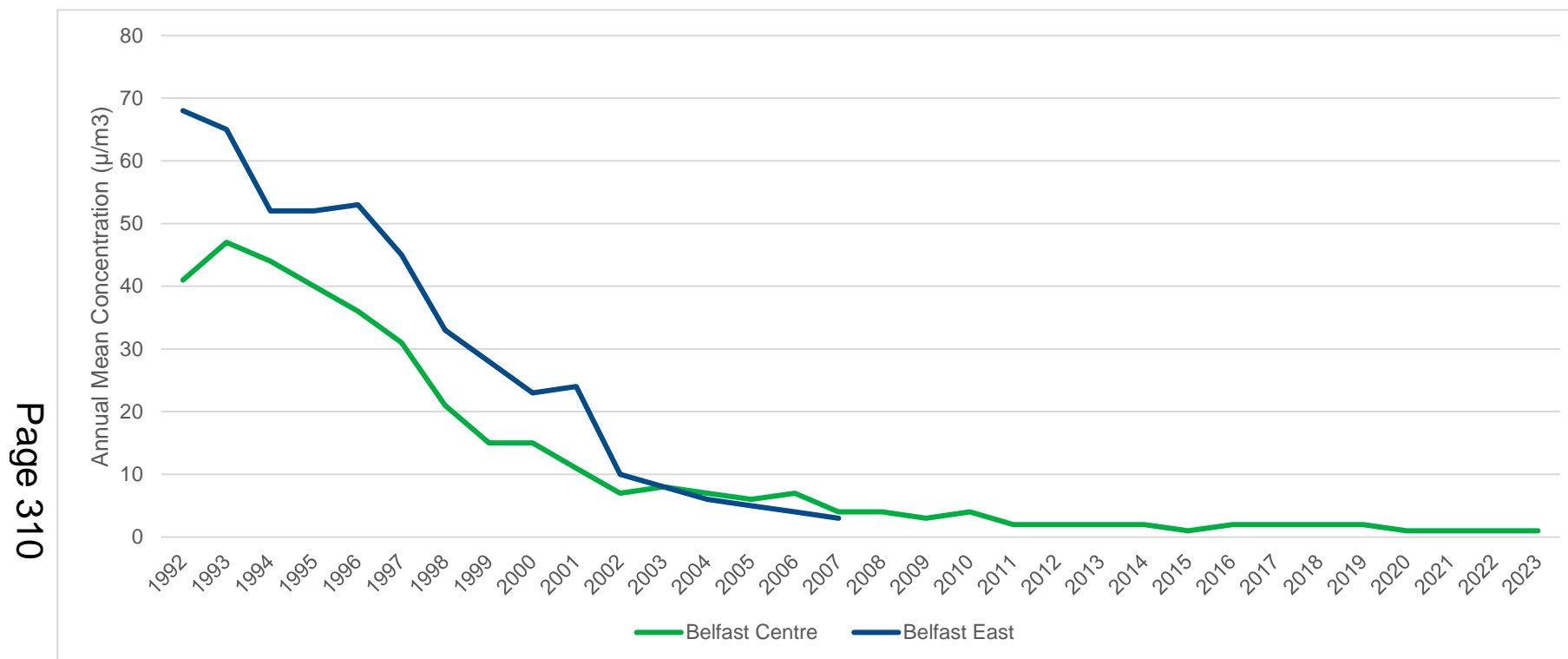
Site ID	Site Type	Within AQMA? Which AQMA?	Valid Data Capture for monitoring Period % <sup>a</sup>	Valid Data Capture 2023 % <sup>b</sup>	15-minute Means > 266 µg/m <sup>3</sup>	1-hour Means > 350 µg/m <sup>3</sup>	24-hour Means > 125 µg/m <sup>3</sup>
Belfast Centre (Lombard Street)	Urban Background	N	98	98	0	0	0

In **bold**, exceedance of the relevant AQS objective (15-min mean = 35 allowed/year; 1-hour mean = 24 allowed/year; 24-hour mean = 3 allowed/year).

<sup>a</sup> i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

<sup>b</sup> i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

<sup>c</sup> if data capture is less than 85%, include the relevant percentile in brackets (in µg/m<sup>3</sup>): 15-min mean = 99.9<sup>th</sup> ; 1-hour mean = 99.7<sup>th</sup> ; 24-hour mean = 99.2<sup>th</sup> percentile.

**Figure 2.7 Trends in Annual Mean SO<sub>2</sub> Concentrations**



## 2.2.4 Benzene

Benzene concentrations have been monitored at the Belfast Centre Lombard Street and Belfast Roadside sites since 2002. The Belfast Centre site monitors benzene exposure for the City Centre whilst the Belfast Roadside site monitored benzene concentrations on the Upper Newtownards Road. Whilst monitoring concluded at the Belfast Upper Newtownards Road site in October 2007, no exceedances of the 2010 Air Quality Strategy objective ( $3.25 \mu\text{g}/\text{m}^3$  running annual mean) or the 2010 EU Limit Value ( $5 \mu\text{g}/\text{m}^3$  annual mean) for benzene have been recorded in Belfast since 2002.

Previous rounds of review and assessment and monitoring results going back to 2018, and provided in Table 2.10 below, confirm that there have been no exceedances of the running annual mean of  $3.25 \mu\text{g}/\text{m}^3$  for benzene within Belfast over recent years.

**Table 2.10 Annual Mean Concentrations for the Belfast Centre Site 2019 – 2023**

Site ID	Site type	Within AQMA? Which AQMA?	Valid Data Capture 2023 %	Running annual mean concentrations ( $\mu\text{g}/\text{m}^3$ )				
				2019	2020	2021	2022	2023
Belfast Centre (Lombard Street)	Urban Background	N	100	0.44	0.37	0.39	0.38	0.42

## 2.2.5 Other pollutants monitored.

### Fine Particulate Matter (PM<sub>2.5</sub>)

Fine particulate matter (PM<sub>2.5</sub>) concentrations have been monitored at the Belfast Centre AURN site since 2008. Although it is not a statutory requirement for NI local authorities to report on PM<sub>2.5</sub> levels, as this pollutant is not in scope of LAQM regulations, Belfast City Council has nevertheless included PM<sub>2.5</sub> results for 2023 in this progress report - Table 2.11 and Figure 2.9 below.

The annual mean for this pollutant in 2023 was  $6.9 \mu\text{g}/\text{m}^3$ , which is substantially below the UK air quality annual mean objective of  $20 \mu\text{g}/\text{m}^3$ , to be achieved by 2020.

Although Belfast does not experience monitored exceedances of any air quality strategy objectives, we are aware of growing concerns around the effects of the PM<sub>2.5</sub> fraction on human health. Therefore, although not included in Regulations at present for Northern Ireland councils, Belfast City Council has proactively opted to monitor and assess ambient PM<sub>2.5</sub> concentrations within Belfast.

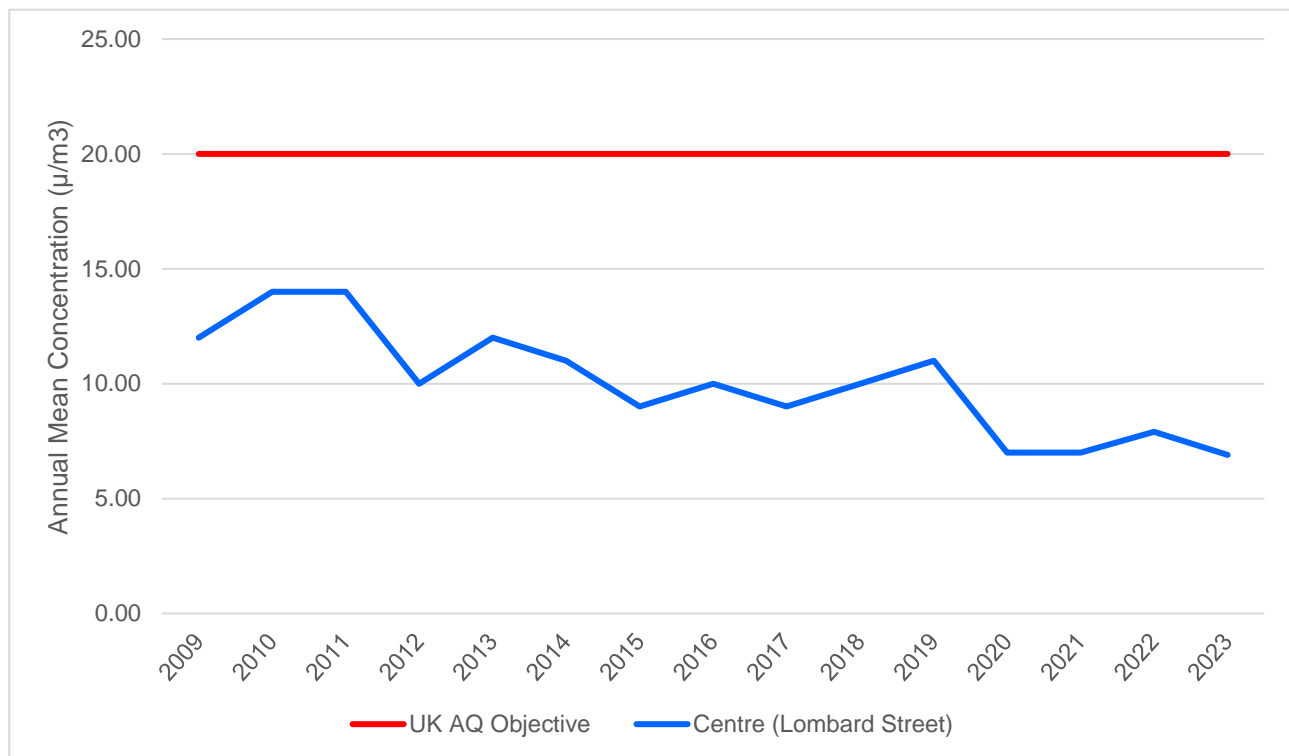
Moreover, Belfast City Council has recently completed a Detailed Assessment for the city, for PM<sub>10</sub>, PM<sub>2.5</sub> and NO<sub>2</sub> pollutants. Detailed atmospheric dispersion modelling was undertaken for a 2019 base year and for a 2028 forward projection year for PM<sub>2.5</sub>. The dispersion modelling was validated, verified and adjusted using data from Belfast City Council various automatic particulate monitors as well as additional PM<sub>2.5</sub> monitoring undertaken by Zephyr small sensor air quality monitor.

During 2019, detailed atmospheric dispersion modelling indicated that there were no sensitive receptor locations where predicted 2019 annual mean PM<sub>2.5</sub> concentrations were greater than 20 µg/m<sup>3</sup>. The highest predicted annual mean PM<sub>2.5</sub> concentration in 2019 was 14.1 µg/m<sup>3</sup>, at a non-residential location. For 2028, there are similarly no predicted annual mean PM<sub>2.5</sub> concentrations greater than 20 µg/m<sup>3</sup> and therefore unlikely to be locations of exceedance of the UK annual mean PM<sub>2.5</sub> AQO.

**Table 2.11 Annual Mean Levels for the Belfast Centre site 2019-2023**

Site ID	Site type	Within AQMA? Which AQMA?	Valid Data Capture 2023%	Annual mean concentrations (µg/m <sup>3</sup> )				
				2019	2020	2021	2022	2023
Belfast Centre (Lombard Street)	Urban Background	N	100%	11.0	7.0	7.0	7.9	6.9

**Figure 2.8 Trends in Annual Mean PM<sub>2.5</sub> Concentrations at Belfast Centre Monitoring Site.**



### 2.2.6 Summary of Compliance with AQS Objectives

Belfast City Council has examined the results from monitoring within its district. Concentrations of ambient pollutants, as prescribed in the Air Quality Strategy for England, Scotland, Wales and Northern Ireland, outside of existing Air Quality Management Areas, are all below the respective objectives at relevant receptor locations. It is therefore the council's considered view that there is no need to proceed to a Detailed Assessment at this time.

Moreover, a Detailed Assessment for the city for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> was recently concluded in March 2023. The Detailed Assessment indicated that there were no predicted exceedances of any AQO in relation to particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) for a pre-Covid 2019 base year and for a 2028 forward assessment year. In relation to NO<sub>2</sub>, there were predicted exceedances of the nitrogen dioxide UK annual mean objective of 40 µg/m<sup>3</sup> at a number of sensitive receptor locations during 2019. However, all of these receptors are located within, or near to the boundaries of the existing Air Quality Management Areas (AQMA) along the M1 Motorway / A12 Westlink corridor (AQMA 1) and East Bridge Street / Cromac Street (AQMA 2). For the future assessment year of

2028, predicted annual mean NO<sub>2</sub> concentrations are below the UK AQO of 40 µg/m<sup>3</sup> at all locations of relevant exposure throughout the city.

During 2023, a new diffusion tube monitoring site was established adjacent to Strand Walk at the junction of the Newtownards Road, Bridge End and Middlepath Street junction in order to investigate the detailed assessment predicted exceedance of the annual mean nitrogen dioxide objective near to the East Bridge Street / Cromac Street AQMA 2. The 2023 monitored annual mean for the Strand Walk monitoring site was 35.6 µgm<sup>-3</sup> at roadside and will be reduced further when distance corrected to the façade of the nearest residential property. On the basis of this monitoring for 2023, and the conclusions of the Detailed Assessment, Belfast City Council is therefore content that there is no requirement to extend the boundary of AQMA 2 at this time. The other diffusion tube monitoring sites situated close to or within AQMA 2, i.e. Ravenhill Road, Short Strand and 61 Cromac Street were all substantially below the 40 µgm<sup>-3</sup> nitrogen dioxide annual mean objective in 2023.

As a consequence, the council will continue to monitor ambient conditions across the city in order to confirm that recent improvements in air quality are sustained and that those locations where poorer air quality persist are addressed.

### 3 Road Traffic Sources

It should be noted that within Northern Ireland, the Department for Infrastructure Roads has responsibility for transport planning and maintenance of the road network.

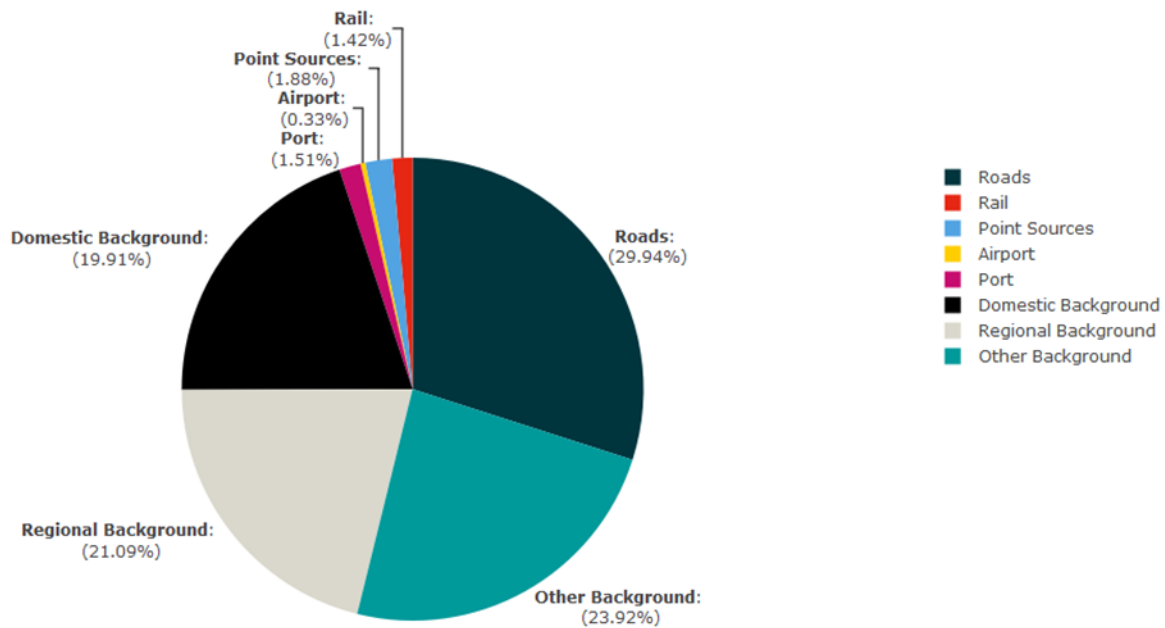
Accordingly, DfI Roads maintains and improves the road network and infrastructure in order to keep it safe, effective and reliable. In the earlier rounds of the review and assessment process, the council obtained a copy of the Belfast road transportation model which comprised traffic data for around 5,600 road nodes across the city. In addition, the council bolstered this data through supplementary traffic counts in congested streets and we have undertaken monitoring at these locations through the use of diffusion tubes and automatic analysers.

Moreover, road sources were assessed again in details as part of the council's Detailed Assessment project, finalised in 2023. Traffic flow data representative of 2019 and 2028 were obtained from the baselines of the Belfast Strategic Transport Model (Department for Infrastructure) for the major road network in Belfast and a large number of minor roads. The 2019 assessment year was chosen to represent the most recent year unaffected by the COVID pandemic, whilst 2028 was chosen as the future assessment year as this is the first available future year within the Belfast Strategic Transport Model.

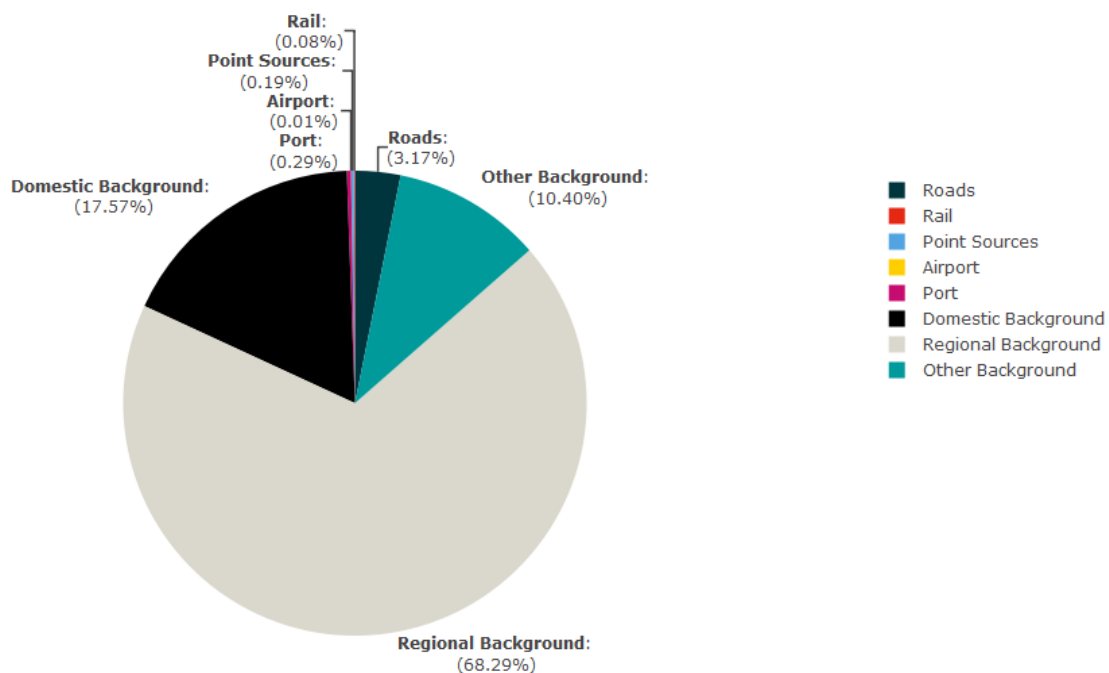
The vehicle fleet composition was also informed by local ANPR surveys that were undertaken, specifically for the detailed assessment. Additional monitoring was undertaken to support the verification process of the assessment of road source emissions.

Source apportionment calculations were carried out for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> to examine the relative contributions of different sources to modelled concentrations across the city. The relative contributions of different sources are strongly influenced by proximity to source. Therefore, source apportionment calculations were carried out at individual receptor level, but also at the city-wide level in order to give a balanced representation of the relative importance of different source contributions. Estimated Average Contribution of each Source Sector including Roads, to the 2019 Annual Mean NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> are presented below.

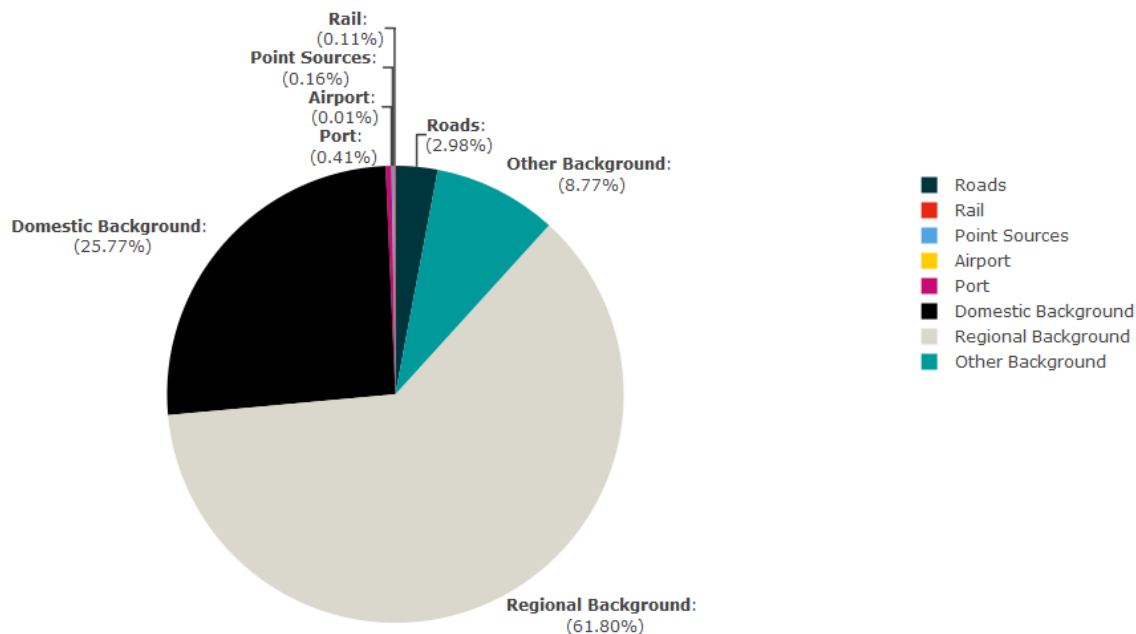
**Figure 3.1 City-Wide Weighted Average Source Apportionment, 2019 Annual Mean NO<sub>2</sub> Concentration**



**Figure 3.2 City-Wide Weighted Average Source Apportionment, 2019 Annual Mean PM<sub>10</sub> Concentration**



**Figure 3.3 City-Wide Weighted Average Source Apportionment, 2019 Annual Mean PM<sub>2.5</sub> Concentration**



Based on city-wide source apportionment calculations for NO<sub>2</sub> in 2019 (Figure 3.1), road transport was identified as the main source of modelled NO<sub>2</sub> concentrations, accounting for almost 30% of total modelled NO<sub>2</sub> concentrations in Belfast. At receptor locations near to the major road network these contributions were typically much higher (greater than 60%).

The detail conclusions of the assessment were reported within Chapter 1 of [Belfast City Council 2023 Air Quality Progress report](#).

### 3.1 Narrow Congested Streets with Residential Properties Close to the Kerb

Based on the previous and recent detailed assessment process, we believe that we have a good understanding of traffic and development control patterns across the city.

Consequently, Belfast City Council confirms that there are no newly identified congested streets with a vehicle flow above 5,000 vehicles per day and with residential properties close to the kerb that have not been adequately considered, either in a previous or recent review and assessment process.

### 3.2 Busy Streets Where People May Spend 1 hour or More Close to Traffic

Belfast City Council confirms that there are no new/newly identified busy streets where people may spend 1 hour or more close to traffic.

A detailed assessment, finalised by the council in 2023, identified that the highest predicted NO<sub>2</sub> concentration in 2019 at a relevant receptor location near to the Stockman's Lane roundabout (Westlink AQMA) was 55.9 µg/m<sup>3</sup>. For the future assessment year of 2028, predicted annual mean NO<sub>2</sub> concentrations were below the UK AQO of 40 µg/m<sup>3</sup> at locations of relevant exposure throughout the city. The highest predicted concentration at the Stockman's Lane roundabout is 31.1 µg/m<sup>3</sup> at a residential receptor location.

Consequently, the recent council's air quality monitoring and modelling results confirm that there are no locations within Belfast City Council area where annual mean NO<sub>2</sub> concentrations are above 60 µg/m<sup>3</sup>. It should be noted that the Defra / DAERA LAQM.TG(22) reaffirms that a study carried out on behalf of Defra and the Devolved Administrations identified that exceedances of the NO<sub>2</sub> 1-hour mean are unlikely to occur where the annual mean is below 60 µg/m<sup>3</sup>. Analysis of data in more recent years has shown local authorities should continue to use this assumption where NO<sub>2</sub> 1-hour mean monitoring data are not available (typically if monitoring NO<sub>2</sub> using passive diffusion tubes). It should be noted that this relationship is based upon observations made predominantly at roadside and kerbside monitoring sites where road traffic is the primary source of emissions.

### 3.3 Roads with a High Flow of Buses and/or HGVs.

In earlier rounds of the review and assessment process, Belfast City Council conducted screening assessments of the Belfast road network in order to identify locations with a high incidence of buses and / or heavy goods vehicles. In accordance with government's technical guidance LAQM.TG(16), an unusually high proportion can be taken to be greater than 20% of heavy-duty vehicles. This screening criterion has been supplanted within LAQM.TG(22) by a 2,500 HDVs / day and relevant human exposure within 10 m from kerb (20 m in conurbations > 2 million inhabitants) threshold, with a corollary that roads with unusually high proportion of buses and/or HGVs can lead to high concentrations, even if total traffic is not particularly high. The only part of the road network within Belfast that historically approached the % HDV and / or HDVs per day criteria was the M1 Motorway / A12 Westlink corridor with approximately 15% of heavy-duty vehicles. On this basis, a



detailed review and assessment was completed, and this corridor was designated as an Air Quality Management Area for both short and longer-term exceedances of the nitrogen dioxide and particulate matter objectives. This Air Quality Management Area has been the subject of mitigation measures as part of the council's various Air Quality Action Plans for Belfast.

On the basis of monitoring data, which demonstrated sustained improvements in particulate matter concentrations, the council revoked the M1 Motorway / A12 Westlink Air Quality Management Area for exceedances of the particulate matter annual and 24-hour mean objectives in September 2015. The declarations for nitrogen dioxide objectives remain.

The outcomes of 2021-2023 Detailed Assessment confirm that highest levels of NO<sub>2</sub> and PM<sub>10</sub> are still at locations within the A12 Westlink corridor (AQMA 1). Although, some localised exceedances of the UK AQO level of 40 µg/m<sup>3</sup> remain within AQMA1 for nitrogen dioxide, predicted annual mean PM<sub>10</sub> concentrations for the 2019 base year and 2028 future year are well below the UK AQO level of 40 µg/m<sup>3</sup>. The highest predicted PM<sub>10</sub> concentration at a discrete sensitive receptor location was 21.2 µg/m<sup>3</sup> (for base year 2019).

It should be noted that the recently installed kerbside diffusion tube monitoring site at the M3 Motorway off slip / Nelson Street / A12 Westlink junction, installed to address a new residential development at that location has returned nitrogen dioxide annual means of 45.8 µgm<sup>-3</sup> in 2022 and 42.3 µgm<sup>-3</sup> in 2023. However, the measured 2023 nitrogen dioxide annual mean, distance corrected to the façade of the development, results in a 2023 annual mean of 29.1 µgm<sup>-3</sup>; comfortably below the 40 µgm<sup>-3</sup> annual mean objective.

Accordingly, Belfast City Council confirms that there are no new/newly identified roads with high flows of buses/HGVs.

### **3.4 Junctions**

Belfast City Council confirms that there are no new/newly identified busy junctions/busy roads.

However, the council identified new relevant exposure (residential) in close proximity to busy junctions. Consequently, new air quality monitoring points (diffusion tubes - DT) were installed in 2022 at Tates Avenue/Lisburn Rd (DT 108), M3 (DT 106) and York street/Ulster University (DT 105). Monitored annual mean NO<sub>2</sub> concentrations at these two

new locations (tubes no 105, 108) were below AQO level of 40 µg/m<sup>3</sup> in 2022 and 2023. An annual mean air quality objective exceedance occurred during 2022 and 2023 at a location next to the junctions of the M3 Motorway / M2 Motorway (DT 106). Defra's NO<sub>2</sub> distance calculations have been undertaken for the above location to estimate concentrations at upcoming relevant human health receptor locations.

The Diffusion Tube Processing Tool (Appendix A) has predicted an annual mean concentration of 31.3 µg/m<sup>3</sup> in 2022 and 29.1 µg/m<sup>3</sup> in 2023 at the receptor location; this indicates that no exceedances are likely at the above relevant receptor location.

Moreover, this new residential development located adjacent to the busy junction of the M3 Motorway / M2 Motorway was not finalised in 2023; the development has become available from mid-2024.

### **3.5 New Roads Constructed or Proposed Since the Last Round of Review and Assessment**

Belfast City Council confirms that there are no new/proposed roads that meet the criteria for review and assessment at this time.

### **3.6 Roads with Significantly Changed Traffic Flows**

In Northern Ireland, the Department for Infrastructure Roads has responsibility for public roads and traffic information. Traffic and travel information (incorporating annual traffic census and variations in traffic flow) is provided by the Department on annual basis and can be access here: <https://www.infrastructure-ni.gov.uk/publications/traffic-and-travel-information-incorporating-annual-traffic-census-and-variations>.

*It should be noted that the Department advised that, 'In 2015, Traffic data was collected from 351 automatic traffic counting sites located throughout the road network in Northern Ireland. Since then resource limitations have necessitated a reduction in the number of permanent traffic counters, retaining only those that are fully automated. There were a total of 73 such sites operational across Northern Ireland in 2022'.*

The 2022 Traffic and Travel report shows that, due to the Covid-19 pandemic, traffic flows recorded in 2021 and 2022 in Belfast were generally higher compared to 2020 but lower when compared to 2019 and before.

Consequently, the council confirms that there are no newly identified roads with a significant traffic flow increase.

### **3.7 Bus and Coach Stations**

Belfast City Council confirms that there have been no new relevant bus stations in the Local Authority area. However, the Department for Infrastructure and Translink are presently finalising the construction of a new Belfast Transport Hub at Great Victoria Street. Known as Weavers Cross, the new transport hub Belfast Grand Central Station will provide a new integrated public transport interchange for Belfast comprising a new station concourse, 26 bus stands, 8 railway platforms, bus maintenance and parking, a bus access bridge, cycle and taxi provision, car parking, a new public square, public realm improvements, highway improvements and infrastructure improvements. The main works and infrastructure enhancement phases were commenced in 2022 and the station is scheduled to be opened in autumn 2024.

Belfast City Council therefore confirms that the abovementioned development was considered through the council's planning consultation process (LA04/2017/1388/F); a submitted Air Quality Impact Assessment for the station development demonstrated that the development will not have a significant adverse impact on ambient air quality and relevant human health receptors.

## 4 Other Transport Sources

### 4.1 Airports

Belfast City Council has previously considered the air quality impact of the George Best Belfast City Airport and, on the basis of ambient monitoring data for nitrogen dioxide, concluded that an Air Quality Management Area did not need to be declared for the airport. In order to provide ongoing surety regarding the air quality impact of the airport, we have maintained a nitrogen dioxide diffusion tube at Station Road in east Belfast adjacent to the nearest residential receptors to the airport. It should be noted that the Station Road diffusion tube is located so as to take account also of the impact of nearby road traffic on the Sydenham Bypass and of the Belfast to Bangor rail line.

Annual mean concentrations of nitrogen dioxide at Station Road have remained comfortably below the annual mean objective of  $40 \mu\text{g}/\text{m}^3$  (in the range  $17\text{--}26 \mu\text{g}/\text{m}^3$  since 2007). We are therefore content that any changes to airport operations over recent years have had little impact upon ambient air quality at the nearest relevant receptors.

Therefore, it is considered that a further Detailed Assessment for this existing airport is not required at this stage.

However, the airport's emissions were considered as part of the council's Detailed Assessment project finalised in 2023.

As part of this project, a new monitoring sensor was installed in 2021 directly adjacent to the George Best Belfast City Airport, along the Sydenham By-Pass. The nitrogen dioxide ( $\text{NO}_2$ ) and particulate matter ( $\text{PM}_{10}$ ,  $\text{PM}_{2.5}$ ) monitoring was carried out using a Zephyr small sensor air quality analyser. The 2021 annual mean data ( $\text{NO}_2$  –  $22.9 \text{ mg}/\text{m}^3$ ;  $\text{PM}_{10}$  –  $15.9 \text{ mg}/\text{m}^3$ ;  $\text{PM}_{2.5}$  –  $9.2 \text{ mg}/\text{m}^3$ ) confirmed that the site remains compliant with all AQS objectives.

Belfast City Council continues to operate and collect data from the abovementioned Zephyr sensor; data are presented in Appendix C.

Emissions from aviation activities at the Belfast City Airport were also modelled as volume sources using ADMS-5 to predict concentrations of  $\text{NO}_2$ ,  $\text{PM}_{10}$  and  $\text{PM}_{2.5}$ .

The airport was found to contribute approximately 0.3% (2019-base year) and 0.5% (2028) to the total modelled  $\text{NO}_2$  at the city-wide scale. The contribution of emissions from the airport to modelled  $\text{PM}_{10}$  concentrations was approximately 0.01% for all years modelled.

The same contribution of emissions was predicted for PM<sub>2.5</sub> concentrations at the city-wide scale. Consequently, the council is confident to report that the airport is not a significant source of NO<sub>x</sub> and particulate matter emissions.

Moreover, earlier this year, Belfast City Airport also commenced its own air quality monitoring programme, which includes an automatic monitoring station (particulate matter, nitrogen dioxide) and several diffusion tubes (nitrogen dioxide). The council will liaise with the airport in relation to the outcomes of this programme.

Belfast City Council also confirms that there are no new airports within the Local Authority area.

## **4.2 Railways (Diesel and Stream Trains)**

Belfast City Council confirms that based on criteria prescribed within Chapter 7, Section 1, of LAQM.TG22 a Detailed Assessment of railway sources is not required at this stage.

However, contributions of railway sources to pollutants concentrations across the city were modelled as part of Belfast Detailed Assessment concluded in 2023. Based on city-wide source apportionment calculations, rail movements account for about 1.4% (2019 base year) and 2% (2028 future year) of total modelled NO<sub>2</sub> concentrations. In relation to PM<sub>10</sub> and PM<sub>2.5</sub>, the railway sector accounted for about 0.1% of the city-wide concentrations for base and future years.

In future years, an increase in rail activity due to the anticipated shift to more sustainable modes of transport and increased demand is predicted. However, under action 4 of BCC's AQAP 2021-2026, Translink is committed to carrying out a feasibility assessment to decarbonise the rail network including the potential roll out of electrification, battery traction and hydrogen technologies. As part of this commitment, Translink has confirmed that the Class 4000 railcars will be replaced with more fuel-efficient trains in the near future. It is therefore expected that any increase in activity will be offset by a simultaneous improvement in fuel efficiency.

### **4.2.1 Stationary Trains**

Belfast City Council confirms that there are no locations where diesel or steam trains are regularly stationary for periods of 15 minutes or more, with potential for relevant exposure within 15m.

However, as described within section 3.7 the Department for Infrastructure and Translink are presently finalising the construction of a new Belfast Transport Hub (Grand Central Station) in the locality of Grosvenor Road and Great Victoria Street. The new transport hub will provide a new integrated public transport interchange for Belfast including 8 railway platforms. The main works and infrastructure enhancement phases commenced in 2022 and the station is scheduled to be operational by autumn 2024.

Belfast City Council confirms that the above development was considered as part of the council's planning process (LA04/2017/1388/F); a submitted Air Quality Impact Assessment demonstrated that this development will not have a significant adverse impact on ambient air quality and relevant receptors.

#### **4.2.2 Moving Trains**

Belfast City Council confirms that there are no new locations with a large number of movements of diesel locomotives, and potential long-term relevant exposure within 30m.

### **4.3 Ports**

Referring to the government's technical guidance regarding the treatment of ports and shipping, the screening assessment approach is to collect information regarding the number of ship movements per year, where such movements are confined to large ships, including cross-channel ferries, roll-on and roll-off vessels, container ships and cruise liners and movements' number between 5,000 and 15,000 per annum. This movement data is contrasted subsequently with the potential for relevant exposure within 250 metres of the shipping berths. We have obtained activity data from the Port of Belfast which has confirmed that the number of ship movements in 2023 was 11,516 in total. However, an analysis of the geographic location of the Port confirms that there is little potential for relevant public exposure within 250 metres for 15-minute periods. The majority of ferry terminals are now located within Port confines at Westbank Road off Dargan Road. This area is predominantly used for industrial and commercial activities and there is no relevant public exposure within 250 m of the berths.

Belfast City Council confirms that there are no ports or shipping that meet the specified assessment criteria within the Local Authority area.

Nevertheless, emissions of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> from Belfast Harbour were included in the emissions inventory and dispersion modelling for the 2021-2023 BCC Detailed Assessment.

Based on city-wide source apportionment calculations for NO<sub>2</sub> concentrations, Belfast Harbour was estimated to contribute approximately 1.5% in 2019 (Figure 3.1) and 2.3% in 2028. In relation to PM<sub>10</sub>, the Harbour contribution was about 0.3% in 2019 (Figure 3.2) and 2018, and for PM<sub>2.5</sub>, the contribution was about 0.4% for both modelled years (Figure 3.3).

## 5 Industrial Sources

### 5.1 Industrial Installations

In Northern Ireland, the permitting of prescribed industrial activities under The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 is undertaken by both local authorities and the Industrial Pollution and Radiochemical Inspectorate (IPRI) of the Department of Agriculture, Environment and Rural Affairs. IPRI has responsibility for the permitting of what are defined as Part A and B processes whereas district councils permit Part C processes. Part A processes have the greatest capacity to pollute and as a result can impact detrimentally upon air, land and water. For this reason, they require an integrated approach to permitting whereas Part B and Part C processes are regulated for emissions to air only.

The public register of Northern Ireland Part A and B processes is accessible on the DAERA / NIEA website via the following web link: <https://public-registers.daera-ni.gov.uk/pollution-prevention-control>.

In order to complete this 2024 Update and Screening Assessment, Belfast City Council has liaised with the IPRI regarding Part A and B processes.

Industrial sources were also assessed as part of the council's Detailed Assessment project, finalised in 2023. Emissions from sixteen industrial / point source activities were modelled using ADMS-5 to predict concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>.

Estimated Average Contributions for each Source Sector, including Industrial Installations, to the 2019 Annual Mean NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> are presented within Figures 3.1 – 3.3. It is estimated that industrial installations are not substantial pollution sources across the Belfast City Council area. The conclusions of the detailed assessment were reported within Chapter 1 of [Belfast City Council 2023 Air Quality Progress report](#) and a Summary Report is included in Appendix D.

The Council is presently commencing regulation of Medium Combustion Plant (MCP) and Specified Generators. (DAERA / IPRI will regulate any MCPs / SGs associated with their Part A / B permitted premises). Medium Combustion Plant are generally used to generate heat and / or power but as combustion plant, they may be a significant source of air pollution and many are currently unregulated for ambient air pollution emissions. Accordingly, all medium combustion plant between 1 and 50 MW (net rated thermal input)



are required to obtain a permit or be registered. Since 20<sup>th</sup> December 2018, all new medium combustion plants need to be registered or to have obtained a permit and comply with emission limit values (ELVs) in respect of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>) and dust, established via the Medium Combustion Plant Directive (Annex II, Part 2 of the MPCD). Existing plant, i.e. those which were put into operation before 20<sup>th</sup> December 2018, need to have obtained a permit or be registered and comply in accordance with the following schedule; 1-5 MW plant, obtain a permit or be registered by 1<sup>st</sup> January 2029 and comply with ELVs by 1<sup>st</sup> January 2030; 5-50 MW plant, obtain a permit or be registered by 1<sup>st</sup> January 2024 and comply with ELVs by 1<sup>st</sup> January 2025.

### **5.1.1 New or Proposed Installations for which an Air Quality Assessment has been Carried Out**

Belfast City Council confirms that since the last Updating and Screening Assessment in 2021, the following new or proposed industrial installations, situated within its area or nearby in a neighbouring authority, have been granted planning approval. These installations have been subject to air quality impact assessments.

- *Energy Centre, Royal Victoria Hospital* – was approved through the planning process in 2021 ((LA04/2021/1492/F). This approved installation was supported by an Air Quality Impact Assessment. The assessment demonstrated that the proposal would not have an impact on local air quality or relevant human health receptors.
- *Development of new, replacement Animal Health Sciences Building with General Stores Building, Post-Mortem Suite and Carcass Incineration Facility, and associated works* – was approved through the planning process in 2023 (LA04/2022/0915/F). A preliminary Air Quality Impact Assessment (AQIA) was submitted and reviewed, and subsequently, an updated AQIA confirming compliance with the respective air quality objectives at relevant human health receptor locations was requested prior to the installation of the combustion plant (condition 12 of the Planning Permission dated 17<sup>th</sup> November 2023). This incineration facility will be subject to permitting under The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 when in operation.

Belfast City Council has therefore assessed new / proposed industrial installations and concluded that it will not be necessary to proceed to a Detailed Assessment.

### **5.1.2 Existing Installations where Emissions have Increased Substantially or New Relevant Exposure has been Introduced.**

Belfast City council confirms that there are no industrial installations with substantially increased emissions or new relevant exposure in their vicinity within its area or nearby in a neighbouring authority.

### **5.1.3 New or Significantly Changed Installations with No Previous Air Quality Assessment**

Belfast City Council confirms that there are no new or significantly changed industrial installations with no previous air quality impact assessment.

## **5.2 Major Fuel Depots**

There is a major fuel storage depot within the Port area of Belfast, but its impact has been considered in previous updating and screening and review and assessment reports.

## **5.3 Petrol Stations**

Belfast City council confirms that there are no petrol stations meeting the specified criteria.

## **5.4 Poultry Farms**

Belfast City Council confirms that there are no poultry farms meeting the specified criteria.

## 6 Commercial and Domestic Sources

Belfast City Council confirms that all below commercial and domestic sources were considered as part of a previous and current review and assessment process and although there are no new relevant sources to report this year, the council would advise that due to recent evidence from national studies showing that domestic solid fuel burning contributes more than previously thought to particulate emissions the council decided to undertake a detailed assessment for the city, for particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>) pollutants. This project commenced in February 2021, was concluded earlier this year (March 2023), and included additional ambient air quality monitoring (using Zephyr small sensor air quality monitors), development of an emissions inventory database for the city and detailed atmospheric dispersion modelling. The outcomes of this detailed assessment were presented within 2023 Progress Report.

Domestic background sources (which include domestic, commercial, and institutional space heating) were estimated to account for more than 25% of the total modelled particulate matter concentrations across the city. Consequently, one of the recommendations of the BCC Detailed Assessment was to target actions to reduce domestic background sources across the city. Source apportionment calculations also indicated that targeting of the domestic background sector will also help to reduce NO<sub>2</sub> concentrations.

### 6.1 Biomass Combustion – Individual Installations

Belfast City Council confirms that since the 2021 Updating and Screening Assessment, there haven't been new individual biomass plants installed within the council's area.

### 6.2 Biomass Combustion – Combined Impacts

Belfast City Council confirms that there is no relevant biomass combustion plant within the Local Authority area.

### 6.3 Domestic Solid Fuel Burning

Belfast City Council confirms that there are no areas of significant domestic fuel use in the Local Authority area, however the Detailed Assessment, including domestic sources, was

undertaken and reported in the previous 2023 annual Air Quality Progress Report. Also, a Summary Report is included within Appendix D to this USA.

## **7 Fugitive or Uncontrolled Sources**

Belfast City Council confirms that there are no new potential sources of fugitive particulate matter emissions within the Local Authority area.

## 8 Conclusions and Proposed Actions

### 8.1 Conclusions from New Monitoring Data

Belfast City Council has presented a range of monitoring data within this Updating and Screening Assessment Report that addresses a range of pollutants prescribed within the UK Air Quality Strategy. Although these pollutants are routinely measured across the city, the council's focus remains principally upon addressing the existing Air Quality Management Areas and those areas of the city centre where traffic volumes and congestion might lead to further exceedances of the nitrogen dioxide annual mean and hourly objectives. There were no monitored exceedances for any of the Air Quality Strategy objectives for sulphur dioxide, benzene and particulate matter during 2023.

2023 monitoring data for nitrogen dioxide confirms continuing exceedances of the annual mean objective for nitrogen dioxide within the M1 Motorway / A12 Westlink Air Quality Management Area (AQMA 1) at Henry Place and also at a new monitoring location next M3 motorway (close to AQMA 1). Both locations are monitored using diffusion tubes. Defra NO<sub>2</sub> distance correction calculations have been provided for the above locations to calculate expected concentrations at a relevant receptor location.

The Diffusion Tube Processing Tool has predicted an annual mean concentration of 29.2 µg/m<sup>3</sup> at Henry Place and 29.1 µg/m<sup>3</sup> at the M3 motorway monitoring location, which indicates that no exceedances are likely at the relevant receptor locations (Appendix A). The 2023 nitrogen dioxide annual mean (28.5 µg/m<sup>3</sup>) monitored at the Westlink Roden Street automatic site (AQMA 1) has not changed significantly since 2021 and is comfortably below the annual mean objective of 40 µg/m<sup>3</sup>. Additionally, nitrogen dioxide concentrations recorded at the Stockman's Lane automatic monitoring site, also within AQMA 1, have decreased significantly since 2020 and are now below the annual mean objective level of 40 µg/m<sup>3</sup>. The current 2023 annual mean (35.6 µg/m<sup>3</sup>) has not significantly varied when compared to the 2020 annual mean.

Although concentrations recorded around the Stockman's Lane area are lower than 40 µg/m<sup>3</sup> they are still considered elevated (within 10% of the annual mean NO<sub>2</sub> objective). A

roadside diffusion tube, located near to the Stockman's Lane AQMS, recorded a similar 2023 NO<sub>2</sub> annual mean concentration (Stockman's Lane Roundabout - 36.3 µg/m<sup>3</sup>). Moreover, results from the council's Detailed Assessment finalised in 2023, also suggested localised monitored (by small sensor air quality monitor) and modelled exceedances of the annual mean objective along Westlink corridor. Therefore, the council will continue its monitoring within the Westlink Corridor / M1 Air Quality Management Area (AQMA 1) to identify any continuing or further exceedances of the nitrogen dioxide objectives and nitrogen dioxide concentrations and trends.

However, from ambient monitoring data for the Stockman's Lane and Westlink/Roden Street monitoring sites, as summarised in Table 2.4, it can be seen that the number of exceedances of the hourly objective (NO<sub>2</sub>) has substantially decreased over recent years, both now demonstrating compliance with the 200 µg/m<sup>3</sup> objective, not to be exceeded more than 18 times per year - since 2013. In fact, there have been no recorded 1-hour mean concentrations greater than 200 µg/m<sup>3</sup> at either monitoring site since 2019. Based on the above monitoring data and also DAERA's recommendations, included within the appraisal letter (dated 10<sup>th</sup> January 2024) in relation to the council's previous 2023 Progress Report, the council will give consideration to an AQMA1 amendment to revoke the 1-hour mean NO<sub>2</sub> objective designation.

The monitoring data at the Ormeau Road site demonstrates that nitrogen dioxide concentrations have been significantly below the annual mean air quality objective since 2014. Moreover, dispersion modelling undertaken as part of Detailed Assessment for the city (Appendix C) predicted that annual mean NO<sub>2</sub> concentrations within this AQMA 2, which covers the Ormeau Road from the junction with Donegall Pass to the Belfast City boundary at Galwally, are below the UK AQO level at all locations of relevant exposure. Consequently, and in view of continuing compliance with the nitrogen dioxide annual mean objective, the council will now move to revoke the Ormeau Road AQMA.

The magnitude of the decrease in nitrogen dioxide levels along the Upper Newtownards Road (AQMA 4) has been beyond the year-on-year reductions that might have been reasonably predicted using Defra's forward projection factors; even before Covid-19. Moreover, from the data in Table 2.3, it can be seen that annual mean concentrations of nitrogen dioxide along the Upper Newtownards Road have remained in the range 20 – 27 µg/m<sup>3</sup> since 2019, meaning that the nitrogen dioxide annual mean objective is being

consistently achieved along the Upper Newtownards Road. 2023 annual mean results ( $21.0 \mu\text{g}/\text{m}^3$ ) recorded at the automatic monitoring site are lower than pre-pandemic annual mean data and significantly below the  $40 \text{ mgm}^{-3}$  objective level. Moreover, there have not been any monitored exceedances of air quality objectives for  $\text{NO}_2$  identified within this AQMA for the last seven years.

Considering the above cited monitoring data for this location, and the outcome of the recently concluded detailed assessment, which also confirms that the modelled 2019 (base year) and 2028 (future year) annual mean  $\text{NO}_2$  concentrations within AQMA 4 are below the annual mean objective, the council will move to revoke the Upper Newtownards Road AQMA.

The council also notes DAERA's recommendations, included within their appraisal letter (dated 28<sup>th</sup> October 2022), in relation to the council's previous 2022 Progress Report. The Department recommended that the council should also '*consider the revocation of the Cromac Street and Albertbridge Road AQMA due to continual compliance with the  $\text{NO}_2$  annual mean objective. Additionally, the M1-Westlink AQMA could be amended to revoke the designation of the 1-hour mean  $\text{NO}_2$  objective as compliance has been achieved for the past 5 years.*'

Moreover, although Belfast city has not experienced exceedances of any air quality strategy objectives for particulate matter ( $\text{PM}_{10}$  and  $\text{PM}_{2.5}$ ) for many years, to address growing concerns around the effects of fine particulate matter ( $\text{PM}_{2.5}$ ) on human health we undertook a Detailed Assessment for the city. This project commenced in February 2021 and was finalised in 2023. The Detailed Assessment (using additional monitoring data and dispersion modelling) indicated that the annual mean  $\text{PM}_{10}$  and  $\text{PM}_{2.5}$  AQOs were achieved at all monitoring locations, including at the additional six small sensor air quality monitoring locations. Moreover, modelled annual mean  $\text{PM}_{10}$  and  $\text{PM}_{2.5}$  concentrations for the 2019 (base year) and 2028 (future year) are also predicted to be well below the UK AQOs level at locations of relevant exposure throughout the city.

Finally, Belfast City Council confirms that no new Air Quality Management Areas need to be declared for the city at this time.



## 8.2 Conclusions from Assessment of Sources

The assessment of new or altered sources of air pollution for 2023 has led the council to conclude that there are no new roads or road junctions within the city that require a detailed assessment. In addition, there are no new roads that have a significant proportion of heavy-duty vehicles or significantly changed traffic flows.

In relation to bus/train stations, a new Belfast Transport Hub at Great Victoria Street, known as Weavers Cross / Grand Central Station, is currently approaching completion. Belfast City Council confirms that the above development was considered as part of the council's planning process (LA04/2017/1388/F); a submitted Air Quality Impact Assessment demonstrated that this development will not have a significant adverse impact on ambient air quality and relevant receptors.

There are no new locations in the city where stationary or moving trains are likely to detrimentally impact upon relevant receptors and the location of Port of Belfast means also that shipping is presently unlikely to impact detrimentally upon relevant receptors.

Moreover, the council is content to report that the airport is not a significant source of NO<sub>x</sub> and particulate matter emissions.

There were only two industrial installations (Part A) in Belfast City Council area, for which air quality assessments have been carried out/requested. Belfast City Council has assessed the new / proposed industrial installations and concluded that it will not be necessary to proceed to a Detailed Assessment in consequence.

No new major fuel storage depots have been established within Belfast since the last round of review and assessment and none of the new petrol stations that have since opened, required a detailed assessment due to presence of emissions abatement equipment.

There are no poultry farms within the city. Moreover, since the 2021 Updating and Screening Assessment, there haven't been any new biomass plants installed within the council's area.

The council is not aware of any significant new areas of domestic solid fuel use or any new sources of significant fugitive particulate matter emission within the city confines.

In addition, the council would advise that source apportionment calculations were carried out as part of 2021-2023 Detailed Assessment to examine the relative contributions of different sources to modelled concentrations (NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>) across the city. The relative contributions of different sources are strongly influenced by proximity to source. Therefore, source apportionment calculations were carried out at individual receptor level, but also at the city-wide level in order to give a balanced representation of the relative importance of different source contributions.

Based on city-wide source apportionment calculations, road transport was identified as the main source of modelled NO<sub>2</sub> concentrations in 2019. The regional background was the dominant contributor to 2019 modelled PM<sub>10</sub> and PM<sub>2.5</sub> concentrations; the domestic background sector, which includes the contribution from domestic heating, was a second major source of modelled PM<sub>10</sub> and PM<sub>2.5</sub> concentrations in the city. A summary report for the Detailed Assessment is included in Appendix D.

### **8.3 Proposed Actions**

In conclusion, this 2024 Updating and Screening Assessment has not identified the need to proceed to a Detailed Assessment for any pollutant under consideration.

However, the council would advise that a Detailed Assessment for the city, for particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>) pollutants was undertaken and finalised in spring 2023. The decision to undertake a Detail Assessment was based on recent evidence from national studies confirming that domestic solid fuel burning contributes more than previously thought to particulate emissions. The project also allowed the council to investigate fine particulate matter (PM<sub>2.5</sub>) concentrations across the city as this pollutant is not currently in regulation for the purposes of local air quality management. The project commenced in February 2021 and was finalised in March 2023; its key outcomes were presented within a 2023 Progress Report and also a summary report is attached to this report (Appendix D).

Furthermore, Belfast City Council has already highlighted that it operates an expansive air quality monitoring network across the city, predominantly for nitrogen dioxide. In 2023, we added a further seven diffusion tubes to the network to address the outcomes of 2023 Detailed Assessment, and to confirm modelled NO<sub>2</sub> concentrations within and in the vicinity of our existing AQMAs.

On this basis, the council is content that current monitoring locations provide an appropriately detailed representation of pollution levels for the city and, as a consequence, we consider that the network does not to be expanded further at this time. We will continue, on an annual basis to review our monitoring locations and to relocate monitoring sites to better capture relevant exposure and we will discontinue monitoring from areas of continued low concentrations, significantly below air quality objective levels.

Moreover, as part of the council's Detailed Assessment project for fine particulate matter and nitrogen dioxide, five new monitoring locations, employing small sensor air quality monitoring equipment, were installed in July 2021; providing a more detailed analyses of particulate matter and nitrogen dioxide concentrations across the city. The council took over ownership and operation of the monitors in May 2022. 2023 monitoring data and sensors' locations are presented in Appendix C.

In 2024, we relocated some of these sensors for the purpose of a new School Streets monitoring project. The purpose of this project is to undertake ambient monitoring in the vicinity of schools, with a view to helping to inform the designation of 'school streets'. The designation of 'school streets' has been proposed as Action 22 of the Belfast City Air Quality Action Plan 2021-2026 by DfI and Sustrans.

<https://www.belfastcity.gov.uk/documents/belfast-city-air-quality-action-plan-2021-2026>)

To ensure that we continue to collect high quality data we maintain and update, where necessary, our monitoring equipment. In 2019/2020, Belfast City Council replaced its ageing API NO<sub>x</sub> analysers at three monitoring sites: the Upper Newtownards Road, Stockman's Lane and Ormeau Road. The non-heated Met One Instruments BAM 1020 PM<sub>10</sub> particulate matter analyser, located at the Stockman's Lane site, was also upgraded to a new heated inlet instrument. The only analyser, which has not been yet replaced is

the API Model 200E NO<sub>x</sub> analyser, located at Westlink/Roden Street site, which still continues to perform satisfactorily and remains supported by the manufacturer.

During 2022, we updated the communication system (including modems) to 4G at all four of our monitoring sites. Moreover, the T200 analysers at the Upper Newtownards Road, Stockman's Lane and Ormeau Road were converted over to operate NumaView software.

With regard to our four Air Quality Management Areas, a review of the monitoring data within the AQMAs and for the city indicates that there have been improvements in annual mean nitrogen dioxide levels across the city over recent years.

Moreover, the detailed assessment for the city, for particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>) pollutants was concluded in March 2023. It is considered that the detailed atmospheric dispersion modelling, in addition to monitoring data, provides sufficient evidence to move to revoke our Air Quality Management Areas along the Ormeau Road and the Upper Newtownards Road.

In terms of forward actions, the council will revoke two AQMAs, the Ormeau Road and the Upper Newtownards Road. Moreover, the council will continue to monitor implementation of the Air Quality Action Plan 2021-2026 via at least annual meetings of the Air Quality Action Planning Steering Group, and we will report progress to the Department of Agriculture, Environment and Rural Affairs (DAERA) via our various Action Plan Progress Reports and via submission of the 2025 Progress Report.

The primary aim of the current Air Quality Action Plan is to continue to reduce NO<sub>2</sub> emissions from transport sources and to promote and enable a shift towards more sustainable modes of transport in order to achieve compliance with UK Air Quality Objectives for NO<sub>2</sub>. Where necessary, an additional aim of this Action Plan is to identify, develop and implement mitigation measures to address concentrations of fine particulate matter (PM<sub>2.5</sub>) across the city.

In addition, the recommendations of the recent Detailed Assessment, with regard to nitrogen dioxide, are that local actions aimed at road traffic are likely to remain the most effective action for reducing ambient concentrations at nitrogen dioxide hotspot locations in the city. Fleet projections indicated that the next few years would see accelerated uptake of low-emissions / zero-emissions vehicles and efforts should continue to be made to support the improvement of the vehicle fleet alongside the continued incentivisation of other transport modes and active travel options.

For PM<sub>10</sub> and PM<sub>2.5</sub>, the Detailed Assessment recommended that targeted actions to reduce public exposure to PM<sub>10</sub> and PM<sub>2.5</sub> should focus on those sources that contribute to the domestic background sector, as source apportionment has indicated that this sector accounts for more than 25% of the total modelled particulate matter concentrations across the city.

These above recommendations are consistent with the objectives of the Belfast City Air Quality Action Plan 2021-2026.

## 9 References

Belfast City Council, Air Quality Progress Report, August 2023.

<https://www.airqualityni.co.uk/assets/documents/dc-reports/659e842d71c90-BELFAST%20CC%20AQ%20Progress%20Report%202023.PDF>

Belfast City Council, 2021, Air Quality Action Plan 2021 – 2026, November 2021.

<https://www.belfastcity.gov.uk/documents/belfast-city-air-quality-action-plan-2021-2026>

Belfast City Council, Update and Screening Assessment, June 2021.

<https://www.airqualityni.co.uk/assets/documents/dc-reports/Belfast%20City%20Council%20AQ%20USA%202021.pdf>

National Atmospheric Emission Inventory (NAEI), Air Quality Pollutant Inventories for England, Scotland, Wales and Northern Ireland: 2005-2019

[https://naei.beis.gov.uk/reports/reports?report\\_id=1030](https://naei.beis.gov.uk/reports/reports?report_id=1030)

Defra, Local Air Quality Management: Technical Guidance 2022

<https://laqm.defra.gov.uk/wp-content/uploads/2022/08/LAQM-TG22-August-22-v1.0.pdf>

Automatic Urban and Rural Network (AURN) LSO Manual

[https://uk-air.defra.gov.uk/assets/documents/reports/empire/Isoman/AURN\\_LSO\\_Manual\\_Part\\_A\\_Version\\_1.1\\_October\\_2021.pdf](https://uk-air.defra.gov.uk/assets/documents/reports/empire/Isoman/AURN_LSO_Manual_Part_A_Version_1.1_October_2021.pdf)

Defra 'Workplace Analysis Scheme for Proficiency (WASP) NO<sub>2</sub> diffusion tubes proficiency tests'.

<https://laqm.defra.gov.uk/air-quality/air-quality-assessment/qa-qc-framework/>

Directive 2008/50/EC in respect of ambient air quality and cleaner air for Europe

<https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A32008L0050>

Environment (Northern Ireland) Order 2002.

<https://www.legislation.gov.uk/nisi/2002/3153/contents/made>

DAERA Northern Ireland Air – Air Quality in Northern Ireland website

<https://www.airqualityni.co.uk/>

## Appendices

Appendix A: Quality Assurance / Quality Control (QA/QC) Data

Appendix B: Monthly diffusion tube data

Appendix C: Non-LAQM Monitoring (Zephyrs) Results 2023

Appendix D: LAQM Detailed Assessment Report, Summary Report (AECOM, 30 March 2023)



## **Appendix A: Quality Assurance / Quality Control (QA/QC) Data**

### **QA/QC of Diffusion Tube Monitoring**

In 2023, Belfast City Council appointed Gradko International Ltd. to supply, analyse and report data for its diffusion tubes. Gradko employs a 20% triethanolamine solution for monitoring ambient nitrogen dioxide and adheres to the requirements of the government's 'Diffusion Tubes for Ambient NO<sub>2</sub> Monitoring: Practical Guidance for Laboratories and Users' publication.

Government provides an additional layer of surety for local authorities operating nitrogen dioxide diffusion tubes through the independent analytical proficiency-testing scheme, the AIR PT scheme.

AIR is an independent analytical proficiency-testing (PT) scheme, operated by LGC Standards and supported by the Health and Safety Laboratory (HSL). AIR PT is a scheme, started in April 2014, which combines two long running PT schemes: LGC Standards STACKS PT scheme and HSL WASP PT scheme. As part of this scheme, laboratories are provided with a number of test samples that are designed to test their proficiency in undertaking chemical analyses of diffusion tubes.

For the 2023 sampling period, Gradko's performance was assessed as follows:



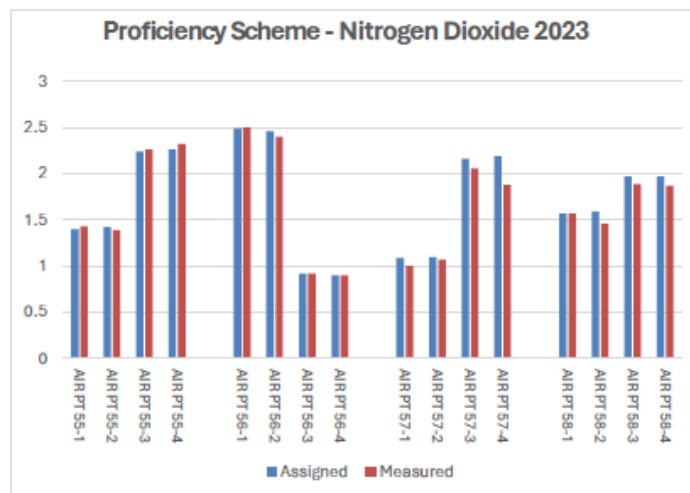
(A division of Gradko International Ltd.)

St. Martins House, 77 Wales Street Winchester, Hampshire SO23 0RH  
tel.: 01962 860331 fax: 01962 841339 email:diffusion@gradko.com

### AIR PT Nitrogen Dioxide Proficiency Scheme Results 2023

Methods: GLM 7 – CARY 60 Spectrophotometer

AIR PT Proficiency Scheme - Nitrogen Dioxide 2023					
Date	Round	Assigned value	Procedure GLM 7		
			Measured concentration	z-Score	% Bias
Feb-23	AIR PT 55-1	1.4	1.43	0.29	2.1%
Feb-23	AIR PT 55-2	1.42	1.39	-0.28	-2.1%
Feb-23	AIR PT 55-3	2.24	2.26	0.11	0.9%
Feb-23	AIR PT 55-4	2.26	2.32	0.34	2.7%
Jun-23	AIR PT 56-1	2.49	2.5	0.05	0.4%
Jun-23	AIR PT 56-2	2.46	2.4	-0.33	-2.4%
Jun-23	AIR PT 56-3	0.92	0.92	0	0.0%
Jun-23	AIR PT 56-4	0.9	0.9	0	0.0%
Aug-23	AIR PT 57-1	1.09	1.00	-1.1	-8.3%
Aug-23	AIR PT 57-2	1.10	1.07	-0.36	-2.7%
Aug-23	AIR PT 57-3	2.16	2.06	-0.62	-4.6%
Aug-23	AIR PT 57-4	2.19	1.88	-1.89	-14.2%
Oct-23	AIR PT 58-1	1.57	1.57	0	0.0%
Oct-23	AIR PT 58-2	1.59	1.46	-1.09	-8.2%
Oct-23	AIR PT 58-3	1.97	1.89	-0.54	-4.1%
Oct-23	AIR PT 58-4	1.97	1.87	-0.68	-5.1%



April 2024

The council's 2023 passive nitrogen dioxide monitoring network comprises 84 diffusion tubes situated throughout the city at 76 locations. The monitoring has been completed in accordance with Defra's *Local Air Quality Management Technical Guidance document LAQM.TG(22)* and 2023 Defra's Diffusion Tube Monitoring Calendar.

## Diffusion Tube Annualisation

Based on 2023 monitoring data, annualisation was required for two non-automatic diffusion tube monitoring sites: North Road (40% data capture) and Stormont (67% data capture). All tubes were annualised using automatic monitoring results from Derry Rosemount and Ballymena Ballykeel automatic monitoring stations, both of which had >85% data capture. The Belfast Centre (Lombard Street) AURN site had 70% data capture for nitrogen dioxide in 2023.

The annualization was undertaken using the Defra Diffusion Tube Processing Tool. Calculations are provided in Table A.2.

## Diffusion Tube Bias Adjustment Factors

Belfast City Council have applied a local bias adjustment factor of 0.80 to the 2023 monitoring data. A summary of bias adjustment factors used by Belfast City Council over the past five years is presented in Table A.1.

The council co-locates a number of diffusion tubes with reference method compliant chemiluminescent nitrogen dioxide analysers at the Lombard Street, Newtownards Road, Westlink/Roden Street and Stockman's Lane monitoring sites. This process allows a bias adjustment factor (with a 95% confidence interval as an estimate of the uncertainty on the bias adjustment factor) to be calculated and used to correct the diffusion tube monitoring data. In the case of the diffusion tube data presented in this report, the monitoring data has been corrected using a local bias adjustment factor derived from the three co-location studies: Newtownards Road, Westlink/Roden Street and Stockman's Lane; as highlighted above, the Belfast Centre site (Lombard Street) AURN site had only 70% data capture (DC) in 2023. As the overall data capture was below 90%, this monitoring data was therefore considered to be poor overall data capture and excluded from the local bias adjustment calculation.

The local bias adjustment factor was calculated using the Defra Diffusion Tube Processing Tool. Calculations are presented within Table A.3.

For those local authorities that do not wish or are unable to undertake a triplicate diffusion tube colocation study, government publishes a database of bias adjustment factors derived from other local authority co-location studies throughout the United Kingdom. These factors are used subsequently to calculate a combined bias adjustment factors for a range of nitrogen dioxide diffusion tube laboratories.

The latest factors were published in June 2024 and the 2023 derived bias adjustment factor for Gradko Laboratories for a 20% solution of triethanolamine was 0.81. This factor is only slightly higher than the council's 2023 locally derived bias adjustment factor of 0.80. The council therefore considers the locally derived factor to be acceptable and of the good precision; consequently, Belfast City Council has applied a local bias adjustment factor of 0.80 to the 2023 monitoring data.

**Table A.1 Belfast City Council Bias Adjustment Factors.**

Year	Local or National	If National, Version of National Spreadsheet	Adjustment Factor
2023	Local	-	0.80
2022	Local	-	0.81
2021	Local	-	0.79
2020	Local	-	0.79
2019	Local	-	0.91

### **NO<sub>2</sub> Fall-off with Distance from the Road**

Only two annual mean exceedances were recorded during 2023; Henry Place adjacent to the A12 Westlink (43.0 µg/m<sup>3</sup>) and at a location next to the M3 Motorway / A12 Westlink at Nelson Street (42.3 µg/m<sup>3</sup>). Both diffusion tubes are located at kerbside locations adjacent to strategic network roadway. The Henry Place tube is located within the existing M1 Motorway / A12 Westlink Air Quality Management Area and has been the subject of mitigation measures for some time.

The M3 Motorway / A12 Westlink at Nelson Street tube was added to the councils' monitoring network due to the introduction of new relevant human health exposure at a residential development. This new monitoring site is located next to a dominant strategic network road transport pollution source and situated at a worst-case exposure location. It is anticipated however that when all of the construction and associated public realm works are finalised, this monitoring site will be moved from its current kerbside site to a roadside / façade location more reflective of actual human health exposure at the residential development.

Nevertheless, Defra NO<sub>2</sub> distance calculations have been provided for the above locations to predict annual mean concentrations at relevant human health receptor locations. The Diffusion Tube Processing Tool has predicted an annual mean concentration of 29.2 µg/m<sup>3</sup> at Henry Place and 29.1 µg/m<sup>3</sup> at the M3 Motorway, which indicates that no exceedances were likely at these relevant human health receptor locations (Table A.3) during 2023.

Also, as distance correction should be considered at any monitoring site where the annual mean concentration is greater than 36 µg/m<sup>3</sup>, and the monitoring site is not located at a point of relevant exposure, the diffusion tubes located at Great Georges Street, Stockman's Lane AQMS, Henry Place 2 and Stockman's Lane Roundabout required distance correction for 2023 monitoring data. A summary of fall-off with distance calculations from the Diffusion Tube Data Processing Tool are presented in Table A.4.

## QA/QC of Automatic Monitoring

Belfast City Council operates four automatic monitoring stations across the city in order to help inform its air quality management processes and to provide real time information to the public in relation to air pollution levels across the city centre and within our Air Quality Management Areas.

Accordingly, to ensure that the data from our sites is both accurate and representative, the monitors at each site are calibrated on a biweekly (Stockman's Lane AURN site) or on a four-weekly basis by the council's technical staff in accordance with the procedures detailed in the Defra Automatic Urban and Rural Network (AURN) local site operators' manual.

For our automatic nitrogen dioxide analysers, we complete a two-point calibration using internal zero and a nitric oxide span gas of certified concentration. We obtain our calibration gases under contract from BOC Ltd. who also provide similar gases to government operated AURN monitoring stations. By considering instrument operating parameters and the results of successive calibrations, we can make a determination regarding the ongoing performance of our analysers.

Where an instrument is found not to be operating within normal operating parameters, we refer the matter promptly to *Enviro Technology*, who provided service and maintenance

support for our equipment throughout 2023. In addition, data management support including data collection, scaling, reporting and ratification was provided by *AQDM*.

The data from our sites is made available to the Department of Agriculture, Environment and Rural Affairs and is reported on the 'Northern Ireland Air' website in near real time.

Finally, in 2023 *NPL* provided quality assurance and quality control support for the council's monitoring equipment to ensure compliance with the requirements of the National Air Quality Strategy as detailed within the Defra Technical Guidance Document LAQM.TG(22). *NPL* staff visited our sites on an approximately six-monthly basis and compared the performance of our analysers against a range of laboratory grade standards. *NPL* subsequently provided a series of calibration and scaling factors that were used to correct our 2023 automatic monitoring data.

Automatic data presented in this report relates to the calendar year (i.e. January – December). 2023 ratified data capture levels exceeded the Department's 75% data capture threshold for the calculation of annual statistics at all council sites.

### **PM<sub>10</sub> and PM<sub>2.5</sub> Monitoring Adjustment**

In relation to the correction of our automatic monitoring data, this process is generally of principal concern with regard to the treatment of particulate matter monitoring data. In 2019, the Belfast Centre site employed Filter Dynamics Measurement System (FDMS) equipped Tapered Element Oscillating Microbalances (TEOMs) for particulate matter (PM<sub>10</sub>) monitoring up until September whereupon the FDMS equipped TEOMs were replaced by Palas Fidas 200, which complies with DEFRA's UK PM Pollution Climate standard. Government equivalence tests have determined that both of types of equipment meet the equivalence criteria and, on that basis, no correction factor needs to be applied to this monitoring data.

The Stockman's Lane site is equipped with a Beta Attenuation Monitor (BAM) with a heated inlet for monitoring particulate matter. Government technical guidance highlights that a BAM, equipped with a heated inlet, meets the equivalence criteria for PM<sub>10</sub> monitoring, provided that the results are corrected for slope. This correction involves dividing measured concentrations by a factor of 1.035. It should be noted that the data

presented on the Defra and Northern Ireland Air websites and included within this USA report has already been corrected to the reference equivalent.

### **Automatic Monitoring Annualisation**

Defra operates an urban background monitoring site (Belfast Centre) at Lombard Street. Unfortunately, in 2023, data capture levels at the Belfast Centre site were below the Department's 75% data capture threshold for nitrogen dioxide (70%). Annualisation of data from this site was therefore required.

In order to complete the annualisation process, councils are required to identify two to four nearby, long-term background continuous monitoring sites for nitrogen dioxide. The data capture for each of these sites should ideally be at least 85%.

Apart from Belfast Centre site, there are only two other long-term, continuous, urban background monitoring sites in Northern Ireland, which measure nitrogen dioxide; namely Ballymena Ballykeel and Derry Rosemount. Both sites achieved the required 85% data capture in 2023 and as the result were identified as acceptable sites to be used in "annualisation process" for the Belfast Centre site nitrogen dioxide data.

Two individual adjustment ratios and average ratios have been calculated and the results are provided in Table A.2.

### **NO<sub>2</sub> Fall-off with Distance from the Road**

No automatic NO<sub>2</sub> monitoring locations within Belfast City Council required distance correction during 2023.

Table A.2 Annualisation Summary (concentrations presented in µg/m³)

Site ID	Annualisation Factor Ballymena Ballykeel	Annualisation Factor Derry Rosemount	Average Annualisation Factor	Raw Data Simple Annual Mean (µg/m³)	Annualised Data Simple Annual Mean (µg/m³) Annual Mean	Comments
DT6	1.0025	1.0650	1.0338	13.1	13.6	
DT115	1.0712	1.0282	1.0497	21.0	22.1	
Belfast Centre	0.97	0.94	0.96	19.6	18.8	



Table A.3 Local Bias Adjustment Calculations

	STEP 3a Local Bias Adjustment Input 1	STEP 3b Local Bias Adjustment Input 2	STEP 3c Local Bias Adjustment Input 3	STEP 3d Local Bias Adjustment Input 4
Periods used to calculate bias	11	12	12	
Bias Adjustment Factor A	0.78 (0.73 - 0.83)	0.77 (0.73 - 0.82)	0.84 (0.81 - 0.88)	
Diffusion Tube Bias B	29% (21% - 37%)	29% (23% - 36%)	18% (13% - 24%)	
Diffusion Tube Mean ( $\mu\text{g}/\text{m}^3$ )	36.9	45.7	24.7	
Mean CV (Precision)	3.3%	2.4%	2.0%	
Automatic Mean ( $\mu\text{g}/\text{m}^3$ )	28.6	35.3	20.8	
Data Capture	99%	99%	99%	
Adjusted Tube Mean ( $\mu\text{g}/\text{m}^3$ )	29 (27 - 31)	35 (33 - 37)	21 (20 - 22)	
Overall Diffusion Tube Precision	Good Overall Precision	Good Overall Precision	Good Overall Precision	Good Overall Precision
Overall Continuous Monitor Data Capture	Good Overall Data Capture	Good Overall Data Capture	Good Overall Data Capture	Good Overall Data Capture
Combined Local Bias Adjustment Factor	0.80			

Notes:

A single local bias adjustment factor has been used to bias adjust the 2023 diffusion tube results.

Table A.4 NO<sub>2</sub> Fall off With Distance Calculations (concentrations presented in µg/m<sup>3</sup>)

Diffusion Tube ID	Distance (m)		NO <sub>2</sub> Annual Mean Concentration (µg/m <sup>3</sup> )			Comment
	Monitoring Site to Kerb	Receptor to Kerb	Bias Adjusted and Annualised	Background	Predicted at Receptor	
13	0.5	9.5	36.5	20.6	28.2	
21,22,56	2.5	12.5	36.4	16.4	28.5	
70	1.0	18.0	43.0	19.4	29.2	
100	27.0	18.0	26.0	16.4	28.3	<i>Warning: your monitor is more than 10m further from the kerb than your receptor - treat result with caution.</i>
101	3.0	7.5	36.3	19.4	32.3	
106	0.5	15.5	42.3	20.6	29.1	

Appendix B: Monthly diffusion tube data

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )												Simple Annual Mean (µg/m3)		
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.8) and Annualised	Distance Corrected to Nearest Exposure
1	332522	373708	25.0	23.5	22.0	18.4	16.4	18.2	12.3	15.1	20.7	22.2	26.1	19.8	20.0	15.9	-
2	329780	369528	49.4	50.0	39.5	35.0	38.1	32.9	32.3	33.2	38.6	31.7	41.3	36.8	38.2	30.5	-
3	334220	373853	34.6	35.2	32.9	34.3	30.9	33.7	22.2	25.9	32.6	34.0	34.6	27.3	31.5	25.1	-
4	335013	373932	29.2	30.4	27.5	25.8		27.2	19.3	21.7	24.1	29.0		22.8	25.7	20.5	-
5	334630	374385	31.5	31.2		29.7	29.1	31.4	22.1	22.9	30.7	28.5	36.0	23.9	28.8	23.0	-
6	337549	374151	17.8	14.4						9.4	11.0	13.1			13.1	10.8	-
7	333840	373956	33.0	36.0	33.2	33.7	31.6	34.9	33.0	28.4	34.9	36.5	39.3	28.1	33.6	26.8	-
9	334983	374260	43.3	40.6	39.8	36.8	40.9	40.3	24.2	33.0	41.5	37.6	50.9	32.6	38.5	30.7	-
10	334499	372186	35.5	33.1	31.1	27.6	27.8	29.1	24.2	24.9	31.1	26.5	32.6	27.8	29.3	23.3	-
12	338718	373918	36.3	32.9	33.6	34.4	30.1	34.1	24.6	27.2	30.9	36.8	40.1	27.4	32.4	25.8	-

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )												Simple Annual Mean (µg/m <sup>3</sup> )		
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.8) and Annualised	Distance Corrected to Nearest Exposure
13	333981	375102	34.5	44.1	58.2	56.2	49.5	60.2	36.7	38.3	44.4	46.5	44.2	36.4	45.8	36.5	28.2
14	332063	371376	36.1	34.5	31.5			24.1	20.9	24.0	30.5	26.5		27.3	28.4	22.6	-
15	333600	373283	37.1	37.5	39.2	32.2	31.7	35.8	25.3	27.4		33.4	40.2		34.0	27.1	-
16	333898	374358	30.2	29.2	25.8	23.6	22.2	26.9	17.5	21.4	27.4	28.4	37.1	26.2	-	-	-
19	333898	374358	29.8	30.7	27.4	24.4	21.5	24.8	18.5	21.5	28.1	25.8	37.0	24.6	-	-	-
20	333898	374358	27.6	30.4	26.4	23.4	21.4	26.7	17.8	21.7	28.2	27.8	32.9	27.0	26.1	20.9	-
17	334213	374485	38.0	40.5	39.1	39.6	31.9	38.6	27.9	29.6	36.7	37.9	42.8	28.0	35.9	28.6	-
21	331009	371251	46.7	43.6	44.4	42.3	47.2	47.3	40.9	42.6	48.9	47.9	46.2	38.8	-	-	-
22	331009	371251	48.7	44.1	49.2	45.3	47.0	47.9	42.4	42.6	49.7	47.4	50.3	39.1	-	-	-
56	331009	371251	50.8	44.8	45.6	45.1	48.9	47.9	41.6	43.3	51.2	47.5	47.2	39.4	45.7	36.4	28.5
23	337930	373972	28.2	27.0	27.3	23.5	22.8	22.6	18.3	20.2	23.6	25.7	31.8	21.9	-	-	-
24	337930	373972	30.1	27.1	27.0	23.5	23.9	22.9	18.4	20.1	23.0	26.6	32.1	23.4	-	-	-

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )												Simple Annual Mean (µg/m <sup>3</sup> )		
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.8) and Annualised	Distance Corrected to Nearest Exposure
32	337930	373972	28.3	27.5	26.2	24.2	23.5	22.7	18.1	20.2	24.2	27.4	31.5	23.7	24.7	19.7	-
25	333230	380877	21.1	22.1	28.8	29.3	23.4	25.3	18.9	20.2	21.8	28.5	25.7	20.0	23.8	19.0	-
26	333018	373120	33.4	30.5	32.1	32.4	31.8	32.4	23.9	26.4	32.8	34.3	37.9	23.7	31.0	24.7	-
28	330711	372520	29.4	29.3	29.3	27.1	23.5	25.4	18.5	20.9	25.8	27.9	28.6	23.3	25.8	20.6	-
30	337168	375485	27.4	24.0	22.6	18.9	20.3	16.9	14.5		19.4	18.3	28.3	18.1	20.8	16.6	-
31	332544	370283	35.7	35.4	35.9	32.1	28.9	34.2	23.2	26.3	31.0	35.6	36.8	27.7	31.9	25.5	-
33	333548	373772		45.1	41.7	36.6	41.0	36.5	31.3	34.6	38.7	34.5	47.0	37.8	38.6	30.8	-
34	333501	374236	33.5	37.7	39.6	40.7	36.0	37.6	25.5	29.6	35.6	38.9	35.9	30.2	35.1	28.0	-
35	334140	374126	39.9	41.8	39.5	41.5	35.2	43.7	29.3	34.1	37.1		41.9	32.3	37.9	30.2	-
36	334044	373556	33.4	31.9	31.6	30.9	30.1	31.8	21.8	24.1	31.2	30.4	35.2	26.9	30.0	23.9	-
37	332104	373005	50.3	48.7	44.8	40.5	39.9	35.4	32.5	35.8	39.3	40.9	46.9	35.5	40.9	32.6	-
38	333085	374065	28.7	31.9	38.6	38.9	31.8	39.8	23.9	27.2	33.1	39.5	33.8	28.6	33.0	26.3	-

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )												Simple Annual Mean (µg/m <sup>3</sup> )		
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.8) and Annualised	Distance Corrected to Nearest Exposure
39	334943	371342	43.3	31.4	29.7	19.6	23.2	20.6	20.8	22.9	29.8	26.5	36.2	28.0	27.7	22.1	-
40	336516	374226	27.9	25.9	23.8	22.9	19.3	22.0	16.6	18.9	23.0	25.2	30.4	21.8	23.1	18.5	-
41	333101	375295	29.1	29.7	32.4	29.4	28.5	27.3	21.4	24.2	28.4	31.5	30.2	24.8	28.1	22.4	-
42	333288	376150	31.4	34.4	37.1	37.1	31.6	33.5	24.7	25.6	35.1	36.2	37.9	28.1	32.7	26.1	-
44	334177	376375	28.9	31.9		32.7	26.9	31.5	22.3	25.2	29.9	31.7	32.5	26.5	29.1	23.2	-
59	334214	375638	36.1	39.1	45.6	41.8	37.0	41.7	29.7	31.9	38.2	39.0	40.2	31.9	37.7	30.1	-
63	334193	374457	37.7	35.7	36.0	36.6	31.3	35.8	24.0	8.2	33.0	43.6	38.5	35.3	33.0	26.3	-
65	332610	373434	31.4	35.7	40.9	43.9	40.9	41.7	26.9	31.7	36.6	42.5	36.8	28.4	-	-	-
66	332610	373434	31.3	35.4	42.0	42.5	38.6	45.6	26.8	31.2	34.3	39.4	43.7	28.6	-	-	-
67	332610	373434	32.8	36.1	39.1	40.7	38.1	43.1		45.8	36.5	41.9	39.3	28.4	36.8	29.4	-
68	332610	373474	49.9	48.5	41.6	43.5	37.9	41.0	36.6	38.7	51.2	49.4	51.2	40.2	44.1	35.2	-
69	333281	374755	35.3	40.1	44.3	43.8	39.5	43.7	28.9	31.6	40.4	42.0	39.8	31.8	38.4	30.7	-

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )												Simple Annual Mean (µg/m <sup>3</sup> )		
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.8) and Annualised	Distance Corrected to Nearest Exposure
70	333588	375224	61.0	68.1	56.6	56.2	46.1	46.6	47.5	43.7	55.2	51.3	57.6	56.5	53.9	<b>43.0</b>	29.2
74	329923	370300	39.4	39.2	31.6	23.8	26.0	22.4	21.6	24.4	28.7	28.0	35.9	31.1	29.3	23.4	-
76	335073	375049	26.1	25.0	21.6	18.2	19.9	20.6	15.0	18.3	23.9	20.4	31.8		21.9	17.5	-
77	328237	370138	30.5	27.5	26.1	20.0	21.5	17.6	17.5	18.2	21.0	21.3	29.0	23.1	22.8	18.2	-
82	334023	375238	39.1	38.9	41.5	40.4	35.9	40.0	29.4	30.6	38.2	35.1	39.3	33.1	36.8	29.4	-
83	333857	375412		38.4	43.9	33.9	31.1	35.6	26.4	29.0	38.6	40.5	40.3	34.2	35.6	28.4	-
84	333866	375160	31.5	31.6	36.0	38.8	35.6	37.3	24.1	29.2	32.6	37.6	37.1		33.8	26.9	-
85	334469	375341	34.1	34.6	33.2	26.3	28.2	31.4	21.0	26.4	31.7	33.2	37.7	26.6	30.4	24.2	-
86	333876	375267	38.4	43.4	37.5	34.1	29.9	32.4	25.1	26.5	36.0	36.7	39.6	33.5	34.4	27.5	-
87	331964	373558	35.2	36.4	36.9	35.5	30.7	32.5	25.6	26.1	34.2	36.1	37.4	29.0	33.0	26.3	-
88	329273	368947	26.6	25.9	26.0	26.3		21.3	17.3	17.3	23.1	23.7	27.5	19.2	23.1	18.4	-
89	337547	372019	32.5	32.7	30.6	29.6	31.0	27.2	23.8	26.7	30.1	28.2		28.7	29.2	23.3	-

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )												Simple Annual Mean (µg/m3)		
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.8) and Annualised	Distance Corrected to Nearest Exposure
90	332028	372759	46.4	45.0	43.4	40.8	40.1	39.8	34.6	36.2	45.1	43.2	45.0	37.4	41.4	33.0	-
91	330772	371534	22.2	24.8	27.5	25.0	21.2	24.8	15.1	18.2	23.8	24.2	27.8	19.0	22.8	18.2	-
92	329707	371200	32.2	31.9		26.8	28.7	22.8	21.9	22.7	29.2	28.9	32.9	25.6	27.6	22.0	-
93	330313	370121	28.7	28.5		21.2	19.2	18.5	15.0	17.5	22.9	23.8	29.7	22.0	22.4	17.9	-
94	330364	369824	19.7	17.7	16.8	15.4	14.1	13.1	10.8	11.9	16.3	16.1	23.6	14.4	15.8	12.6	-
95	331568	370818	37.6	39.2	41.5	39.0	37.5	38.7	28.1	28.6	33.9	35.5	39.2	30.8	35.8	28.6	-
96	331379	370712	26.6	26.8		22.8	22.4	23.1	17.3	20.5	23.7	25.0	28.4	16.5	23.0	18.4	-
97	329737	372743	24.2	25.3	25.5	24.0	24.0	24.6	20.6	20.7	25.6	25.2	27.2	20.0	23.9	19.1	-
98	338297	376131	47.2	41.6	41.7	38.9	43.0	35.6	34.8	36.7	41.2	31.4	44.4	31.0	38.9	31.1	-
100	333589	375251			37.4	34.2	28.8	32.9	25.3	24.5	35.4	36.8	37.4	33.1	32.6	26.0	28.3
101	330900	371316	58.3	51.4	48.6	44.2	46.2	38.9	37.5	40.5	46.1	38.7	53.0	42.5	45.5	36.3	32.3
102	333650	375180	33.2	33.4	34.3	33.5	31.3	32.6	21.5	25.9	30.6	34.2	37.6	25.7	31.2	24.9	-



Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )												Simple Annual Mean (µg/m3)		
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.8) and Annualised	Distance Corrected to Nearest Exposure
103	332885	373323	26.9	25.9	26.8	26.4	23.9	26.0	16.0	18.9	27.2	23.7	29.9	17.6	24.1	19.2	-
104	330799	376918	16.8	15.6	17.5		14.2	14.6	12.6	14.3	16.8	18.6	24.1	13.9	16.3	13.0	-
105	333918	374952	33.7	35.8	40.6	40.0	38.2	47.2			36.6	37.9	41.4	29.1	38.0	30.3	-
106	334120	375033	50.2		57.8	60.6	65.9	66.1	23.7	51.3	55.2	52.1	55.2	45.4	53.0	42.3	29.1
107	330220	373746	23.3	25.7	27.8	25.4	20.8	27.7	17.8	19.3	25.4	29.2	28.6	24.7	24.6	19.6	-
108	332825	372465	33.9	35.7	41.2	42.9	42.5	42.8	27.0	29.7	38.5	39.2	36.8	29.5	36.7	29.2	-
109	335005	370749			35.5	31.4	31.7	31.9	23.4	25.1	32.8	27.3	39.9	24.8	30.4	24.2	-
110	329762	369903			32.8	35.6	23.6	30.8	17.5	18.1	27.8	27.7	27.8	21.1	26.3	21.0	-
111	330562	371205			29.9	26.4	21.3	25.4	17.3	19.3	24.8	29.6	27.3	23.4	24.5	19.5	-
112	331440	370918			45.4	39.6	41.0	41.4	32.7	36.6	46.8	42.4	48.8	36.6	41.1	32.8	-
113	334623	373752			22.9	23.4	23.1	26.9	16.0	20.0	23.6		45.6	20.1	24.6	19.6	-
114	335061	374433			49.2	45.4	49.7	46.7	37.9	38.5	45.0	44.4	52.5	36.9	44.6	35.6	-

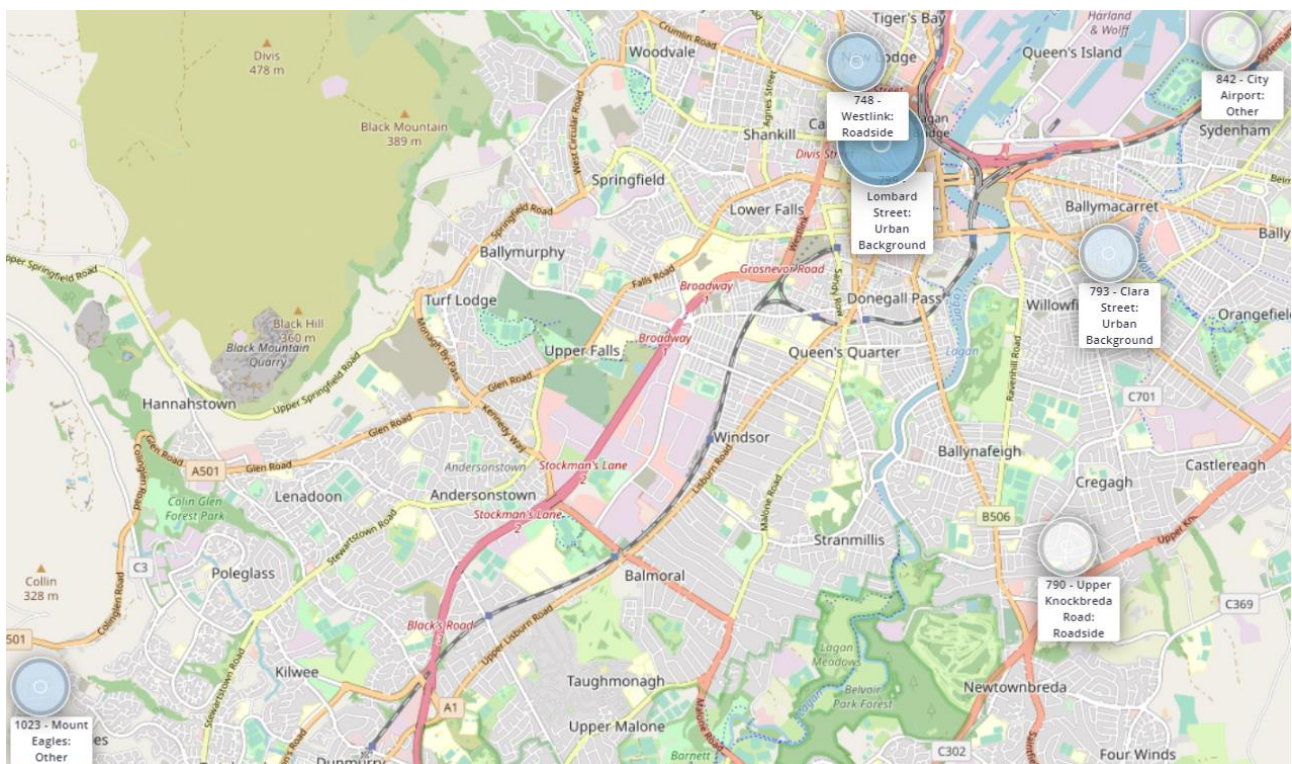
Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO <sub>2</sub> Mean Concentrations (µg/m³)												Simple Annual Mean (µg/m3)		
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.8) and Annualised	Distance Corrected to Nearest Exposure
115	339588	373946				21.6	19.6	20.9	15.5	18.3	18.9	21.9	31.4		21.0	17.6	-
116	330386	377066			22.8	23.7	18.7	22.6	15.5	17.7		24.5	28.6	16.5	21.2	16.9	-

## Appendix C: Non-LAQM Monitoring (Zephyrs) Results

### 2023

During 2023, Belfast City Council has also carried out nitrogen dioxide and particulate matter monitoring using Zephyr samplers at six locations; at the A2 Sydenham By-Pass adjacent to George Best Belfast City Airport; at the A55 Upper Knockbreda Road; at Clara Street in east Belfast; at Lombard Street in the city centre; at the A12 Westlink at Henry Place; and at Mount Eagles Glen in southwest of the city.

**Figure C.1 - Map of Zephyr Locations**



Taken from Earthsense MyAir Portal: [EarthSense](https://www.earthsense.com/myair/).

The Zephyr analyser is an active indicative grade analyser and is used to monitor NO<sub>2</sub> using electrochemical sensors, and PM<sub>10</sub> and PM<sub>2.5</sub> using optical particle counting sensors giving real-time results every minute. Prior to installation, the monitoring unit is tested by the manufacturer against EU reference analyser standards. Moreover, the Zephyr monitors recently obtained MCERTS Performance Standards as an Indicative Ambient Particulate Monitor, which gives additional confidence in the performance of the monitors.

These six Zephyrs were installed in 2021 as part of Detailed Assessment project (Appendix D); 2021 and 2022 results and methodology were also reported within 2023 Progress Report.

The council would note that in 2022, in the absence of the standardised QA/QC methodology, council officers followed the US Environment Protection Agency guidance *The Enhanced Air Sensor Guidebook* available on Defra's website <https://uk-air.defra.gov.uk/research/aqeg/pollution-sensors.php>; similar approach was undertaken as part of Detailed Assessment project.

In 2023, we didn't undertake a two-stage data scaling calculation of an annual mean. We did, however, monitor performance of each sensor by periodically installing a second sensor cartridge at each of the sites. 2023 results downloaded from Zephyr's website (provided by Earthsense) are presented below.

**Table C.1 - 2023 Annual Zephyrs Results**

Site ID	Site Name	NO <sub>2</sub> (µg/m <sup>3</sup> )	PM <sub>10</sub> (µg/m <sup>3</sup> )	PM <sub>2.5</sub> (µg/m <sup>3</sup> )
<b>ZAURN</b>	AURN (Lombard Street)	21.70	10.45	6.30
<b>N1</b>	Upper Knockbreda Road (A55)	16.08	8.36	5.15
<b>N6</b>	Clara Street	12.91	9.14	5.41
<b>N8</b>	Sydenham By-Pass (A2) / City Airport	18.46	8.66	5.22
<b>N10</b>	Westlink (A12)	32.94	8.99	5.33
<b>N12</b>	Mount Eagles Glen	7.73	6.54	3.70

Overall, there were no monitored exceedances of the statutory AQS objectives during 2023 at any Zephyr monitoring site.

## **Appendix D: LAQM Detailed Assessment Report – Summary Report (30 March 2023)**

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<b>Subject:</b>	Resources and Fleet Waste Update
<b>Date:</b>	10 <sup>th</sup> September, 2024
<b>Reporting Officer:</b>	Stephen Leonard, Operational Director Resources and Fleet & OSS
<b>Contact Officer:</b>	John McConnell, City Services Manager. Resources and Fleet

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

☐

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

☐  
☐  
☐  
☐

## Call-in

Is the decision eligible for Call-in?

Yes

☒

No

☐

**1.0 Purpose of Report/Summary of Main Issues**

1.1	The purpose of this report is to update members on the latest waste statistics published by NIEA, to give members an update on the Council's Waste Framework and to update members on some initial results from the restricted access pilots, firstly with the DFI/PSNI pilot and also with the introduction of smaller vehicles in difficult to access streets. It also provides members with an update on Phase 1 of the expansion of the Kerbside Glass Collection arrangements to 22,000 additional households.
2.0	<b>Recommendation</b>
2.1	Committee members are requested to note the contents of this report.
3.0	<b>Main Report</b>

	<p><b>Key Issues</b></p> <p><b><u>Waste Performance &amp; Recycling Rates</u></b></p>
3.1	The most recent waste statistics published by the NIEA are the January to March 2024 quarterly statistics. The report is a snapshot of the final quarter of the 23/24 financial year versus the same period the previous year. As a result, it is less informative than the annual report (due November 2024) but does contain one table (table 18) which provides an overview of performance in relation to the waste Key Performance Indicators (KPIs) over the course of a rolling twelve months.
3.2	The overall picture for NI as a region is one of an increasing quantity of waste collected (999,913 tonnes collected, up 3%), a slight increase in the municipal reuse and recycling rate (up 0.9% points to 51.1%) combined with a significant decrease in the landfill disposal rate (down 4% points to 18%).
3.3	<p>An examination of the figures for Belfast City Council, indicates the following;</p> <ul style="list-style-type: none"> <li>• <b>Municipal Waste Arisings</b> - the total tonnage of all types of waste collected by the Council was 160,282 tonnes. This is an increase of approximately 2,500 tonnes (1.5%) on the previous year.</li> <li>• <b>Municipal Waste Recycling Rate</b> – the percentage of all types of waste collected by the Council which was re-used, recycled or composted, increased by 1.3% to 38.3%.</li> <li>• <b>Household Waste Recycling Rate</b>– the percentage of household waste only collected by the Council which was re-used, recycled or composted, increased slightly by 0.3% to 41.1%.</li> </ul>



3.4	<ul style="list-style-type: none"> <li>• <b>Landfill Diversion Rate</b> – the percentage of all Council waste sent to landfill was 7%, down from 29% in the previous year.</li> </ul>
3.5	<p>Based on these provisional figures, in 2023/24 the combined tonnages of recyclables collected from the various kerbside schemes (blue bin, brown bin and kerbside box) and recycling centres remained largely unchanged. The main contributors to the uplift in these figures were the increased tonnage of street sweeps processed in 2023/24 and the onboarding of the new arc21, interim residual waste treatment contract.</p>
3.6	<p>This residual waste treatment contract involves the haulage and treatment of the non-recyclable waste collected at the Council's Waste Transfer Station from across the city. On arrival at the contractor's Materials Recycling Facility (MRF) the material undergoes a pre-treatment exercise where a proportion of the waste is captured for recycling. The remaining waste is then prepared and baled for onward shipment to European Energy from Waste (EfW) facilities. This contract has delivered a step change in the Council's landfill disposal figures resulting in just 7% of residual waste ending up in landfill.</p>
3.7	<p>As noted within this report, and brought to the attention of Members through various consultation responses, there are a number of legislative, strategic and financial drivers which are going to shape future waste management arrangements. The full nature and implications of these policy drivers remain unclear and in the absence of sufficient clarity, radical, systemic change aimed at delivering significant improvements in the recycling rate and environmental outcomes are unlikely.</p>
3.8	<p><b>Waste Framework Update</b></p> <p>At the People &amp; Communities Committee meeting of June 2017, Members approved the Waste Framework document. It provides an overview of options on how waste could be managed within the city over the next decade. It was developed to align with the objectives of the Belfast Agenda and Resourceful Belfast (Circular Economy), designing out waste, improving the quantity and quality of recycling and supporting local jobs. These objectives are mirrored in DAERA's recent public consultation exercise; Rethinking Our Resources, Measures for Climate Action and a Circular Economy in NI.</p> <p>The Waste Framework focuses on four themes (i) Collection Arrangements, (ii) Infrastructure, (iii) Behaviour Change and (iv) Technology. The following sections provide an insight on the work and initiatives currently being undertaken under the four main workstreams.</p>

	<p><b>(i) Collection Arrangements</b></p> <p><b><i>Inner City Recycling Scheme Update</i></b></p> <p>On 1 August 2024, Bryson Recycling commenced the new contract for the delivery of the kerbside recycling scheme in the inner city. One of the main changes to the contract is that the delivery of the kerbside boxes to householders is outside the scope of the contract and these orders will be serviced by our normal bin delivery contractor.</p> <p>Officers are working with Bryson Recycling to ensure that the contract delivers according to the terms, conditions and service delivery plan. Bryson Recycling has recently appointed a Customer Liaison Officer to assist with the delivery of this contract and to address customer issues raised by the Council. They are also in the process of installing in-cab technology to assist with communication and resolution of customer issues.</p>
3.9	<p><b><i>Pre-loved Toys</i></b></p> <p>Following successful campaigns over the last two years, feedback from the main partner on the project, East Belfast Missions, noted that the level of resources required to deliver this project in its current guise far outstrips the current resourcing arrangements and that many charities are now naturally running their own schemes with a preference for monetary donations or new items. This presents a challenging environment both in terms of resourcing and teaming up with charities already involved in alternative schemes. The Service is exploring alternative delivery models for 2024 which may be more partnership based rather than a lead-partner model.</p>
3.10	<p><b><i>Kerbside Glass</i></b></p> <p>As part of the 2024/25 revenue estimates setting process, Members committed to delivering phase 1 of this scheme which involves an expansion to approximately 22,000 households.</p> <p>The Council has recently received a Letter of Offer from DAERA regarding financial support for the capital assets of the scheme on a 50/50 basis. Subject to approval at the August 2024 SP&amp;R committee meeting, the project moves to stage 3 committed within the Council's Capital Programme. Following this, the Memorandum of Understanding will be completed and returned to DAERA.</p>
3.11	
3.12	<p>Planning for expansion of the scheme is ongoing and orders for the boxes and vehicles will be placed following the SP&amp;R decision. Given the lead time associated with the boxes, it is envisaged that the project will be rolled-out in Q4 24/25.</p>

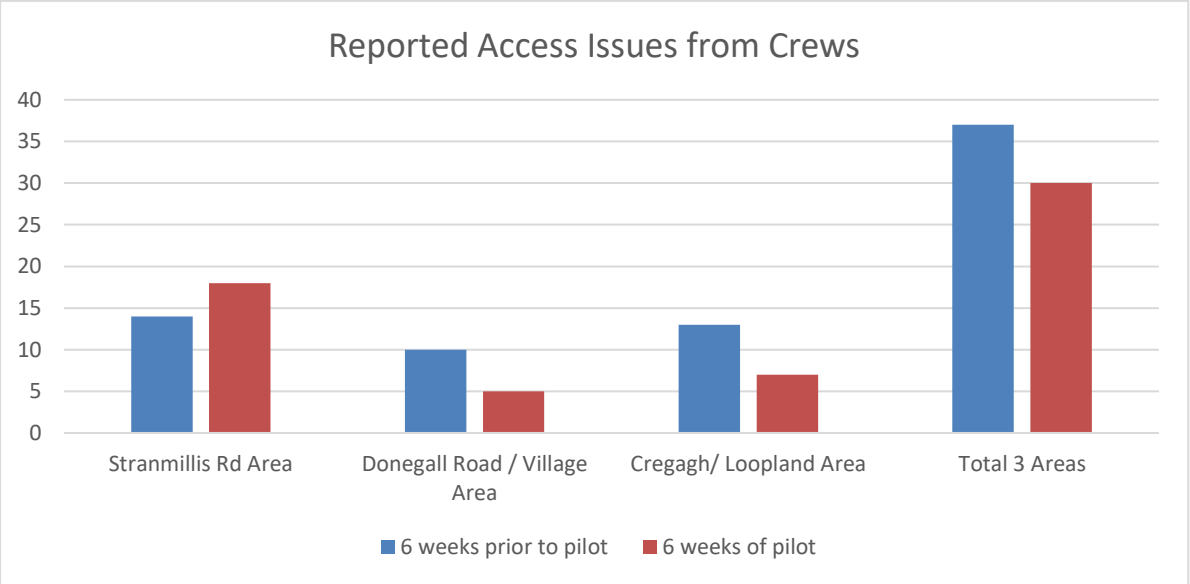
3.13	<p>One of the key aspects of planning the project is the construction of the collection routes. In mapping out phase 1 of the expansion the Service is considering; existing kerbside glass provision (or otherwise), glass bring bank availability and the views of those residents who transferred to Belfast City Council under Local Government Reform and who then received a different kerbside recycling scheme which no longer included glass collections. Taking these factors into consideration the proposed catchment area for phase 1 is set out in Appendix 1.</p>
3.14	<p><b>Community Repaint Scheme</b></p> <p>The Service is exploring the potential for a Community RePaint scheme at HWRCs. Not only would this seek to reduce the amount of paint being treated and disposed of through the sites but it may provide a useful resource to community groups.</p> <p>In January 2023, Members agreed to the establishment of a Service Level Agreement (SLA) in principle with the Community RePaint scheme. The service has completed phase 1 of this initiative which involved an assessment of the preferred approach and level of demand.</p> <p>The Service is now progressing this scheme with a procurement exercise for a service provider combined with new containers for the paint (funding provided by the Council's Climate team) with a planned go live date of Q3 2024/25.</p>
3.15	<p><b>(ii) Infrastructure</b></p> <p><b>Recycling Centres &amp; Dargan Road WTS</b></p> <p>Following SP&amp;R approval for capital funding, the Service initiated and completed a procurement exercise for a multi-year, container provision contract. An inception meeting has been held with the successful contractor and a prioritisation plan for the skips and compactors for the first year expenditure agreed. The orders are due to be placed in Q2 24/25 and it is anticipated that skips will start to appear on site in Q3 24/25.</p>
3.16	<p><b>Recycling Centres and Pedestrian Access</b></p> <p>The pedestrian access gate at Alexandra Park, Household Waste Recycling Centre (HWRC) has been completed and operational as of August 2022.</p> <p>The service has requested that our colleagues in Property &amp; Projects commission a feasibility study regarding pedestrian access for Palmerston Road and Blackstaff Way HWRC.</p> <p><b>Connected Circular Economy - Shared Island Project</b></p>
3.17	

	<p>The Service has worked with colleagues in the Economic Development Unit and Climate Team along with Dublin City Council (DCC) to deliver a feasibility study into a "Connected Circular Economy." This report looks at how the two cities can share knowledge and good practice with the ambition for the development of hubs in Dublin and Belfast to support the growth of the circular economy island-wide.</p> <p>Colleagues in the Economic Development Unit are liaising with DCC to explore opportunities for funding which would enable the progression of the report's recommendations and take these forward to develop more detailed business cases for the preferred option(s)</p>
3.18	<p><b>(iii) Behaviour Change</b></p> <p><b>Waste Tourism</b></p> <p>The Service has been closely monitoring the waste disposed of at recycling centres and civic amenity sites and in particular the levels of non-recyclable waste. It is noted that all neighbouring councils have various policies and procedures in place such as, proof of residency or an online booking system for site users, to restrict waste at their sites to that of their own rate payers.</p>
3.19	
3.20	<p>Staff at a number of recycling centres report an increase in site users which are not recognised as local and this also includes "man with a van" type operations. This issue has escalated since the decision by a neighbouring council to implement a booking system for all site users in September 2023.</p>
3.21	<p>The Service is analysing the data from the recycling centres and provisional findings would support this anecdotal evidence. This could obviously have a detrimental impact on both the Council's recycling rate and finances. It is the intention of the Service to present a report to the committee in the near future regarding this issue.</p> <p><b>(iv) Information Technology</b></p> <p><b>In-Cab Technology</b></p> <p>In previous reports to Committee officers outlined the proposal to introduce a modern software system to drive efficiency and deliver the following;</p> <ul style="list-style-type: none"> <li>• Hold all safety information on vehicles and routes.</li> <li>• incorporate live time information flows to and from the operating centre to crews and vice versa.</li> <li>• capture all the functionality of the Report IT App</li> <li>• optimise routes as the city grows to ensure operational efficiency.</li> </ul>

3.22	<ul style="list-style-type: none"> <li>• link in with Customer Hub software to deliver customer service.</li> <li>• monitor vehicle condition and driver behaviour.</li> </ul>
	<p>By way of update, a tender for the procurement for the solution was issued by Central Procurement Services. This tender closed on 28<sup>th</sup> August, 2024 and an evaluation of the technical and financial aspects of the bid will now be carried out to determine the leading bids. It is then proposed to hold demonstrations of those systems before considering the preferred bidder. Dependant on the preferred bid and the satisfactory contract award, it is still envisaged that the system could begin to be operationalised in Q1 2025/26.</p>
3.23	<p><b>Operational update - Access Issues</b></p> <p><b>i. PSNI/DFI collaboration exercise</b></p> <p>Since the update given to members at the August P&amp;C Committee meeting, officers have been collating data on the specific streets that have been targeted by the pilot since inception in May.</p> <p>In addition, a regular review meeting was held on 23<sup>rd</sup> August with representatives from DFI. The purpose of these meetings are to discuss any issues encountered by any party, to learn from progress to date, and also are used by Council Officers to feed in any concerns for the other parties to consider</p>
3.24	<p><b>Initial findings</b></p> <p>In terms of the data, two internal sources have been used</p> <ul style="list-style-type: none"> <li>• information reported back from crews as part of their daily reports via the Report-It App</li> <li>• information received into the customer hub from residents</li> </ul>
3.25	<p><b>Report-It App data</b></p> <p>The information reported back from crews via the Report-It App was used for each area to compare the six weeks of collections immediately before the pilot with the six weeks of the pilot. This set of data shows a mixed set of results.</p>
3.26	<p>Chart 1 shows that in one area, Stranmillis, the number of access issues increased from 14 to 18 instances of blocked access over a six week period, but there were reductions in both the Donegall Road/Village area, down from 10 instances to 5 and in the Cregagh/Loopland area there was also a reduction, down from 13 to 6. Taking the three areas together there was an overall reduction from 37 instances to 30, a reduction of approximately 19%</p>

It should be emphasised that this data only covers the small period of time since launch of the pilot (3 months out of an 18 month period) , and that results to date should be treated with a degree of caution.

Chart 1



3.27

**Customer Contact Data**

In relation to the number of customer contacts received through the Customer Hub over a similar 6 week period prior to and during the first phase of the pilot, the like for like figures are detailed in Chart 2.

3.28

For the Stranmillis area there was an increase of customer contacts from 8 to 10. There was also an increase in the Donegall Road / Village Area from 3 to 7. There was however a significant reduction in the Loopland / Cregagh Road area from 59 to 21. Overall, there was a reduction in customer contacts from 70 to 38, or approximately 46%. Again, these are early figures and only cover the first cycle in three areas.

Chart 2

3.29	<div><p>Customer Contacts</p><table><thead><tr><th>Area</th><th>6 weeks prior to pilot</th><th>6 weeks of pilot</th></tr></thead><tbody><tr><td>Stranmillis Rd Area</td><td>8</td><td>10</td></tr><tr><td>Donegall Road / Village Area</td><td>3</td><td>7</td></tr><tr><td>Cregagh/ Loopland Area</td><td>60</td><td>21</td></tr><tr><td>Total</td><td>70</td><td>38</td></tr></tbody></table></div>	Area	6 weeks prior to pilot	6 weeks of pilot	Stranmillis Rd Area	8	10	Donegall Road / Village Area	3	7	Cregagh/ Loopland Area	60	21	Total	70	38
Area	6 weeks prior to pilot	6 weeks of pilot														
Stranmillis Rd Area	8	10														
Donegall Road / Village Area	3	7														
Cregagh/ Loopland Area	60	21														
Total	70	38														
3.30	<div><p><b>ii. Introduction of Small Vehicles</b></p><p>As previously reported to Committee Waste Collections started Phase 1 of the introduction on 12th August. At the time of writing of this report the first small vehicle has been deployed on routes for 2 weeks and will have completed just one cycle for those streets chosen.</p><p>Initial results are very encouraging, but again these are only based on two weeks of operation. Of the 128 streets serviced by the vehicles on the routes during this period , crews have been able to access these streets on all except for 1 occasion<sup>1</sup>, indicating an initial success rate of over 99%.</p></div>															
3.31	<div><p>That said, the Customer Hub has had contact from residents of 7 streets in the first week of operation in relation to collection services. The Waste Collection Team has analysed the vehicle tracking information for those 7 streets and have confirmed that the vehicle has indeed been able to access the street and empty bins there, ruling out access as a cause for any non-collection.</p></div>															
3.32	<div><p><b>Financial and Resource Implications</b></p><p>There are no finance and resource implications in this report.</p><p><b>Equality or Good Relations Implications/Rural Needs Assessment</b></p><p>There are none in this report.</p></div>															
4.0	<div><p><b>Appendices - Documents Attached</b></p></div>															

<sup>1</sup> Reason given by crew was due to road works in the street

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Figure 1: Map of households with kerbside glass collection scheme

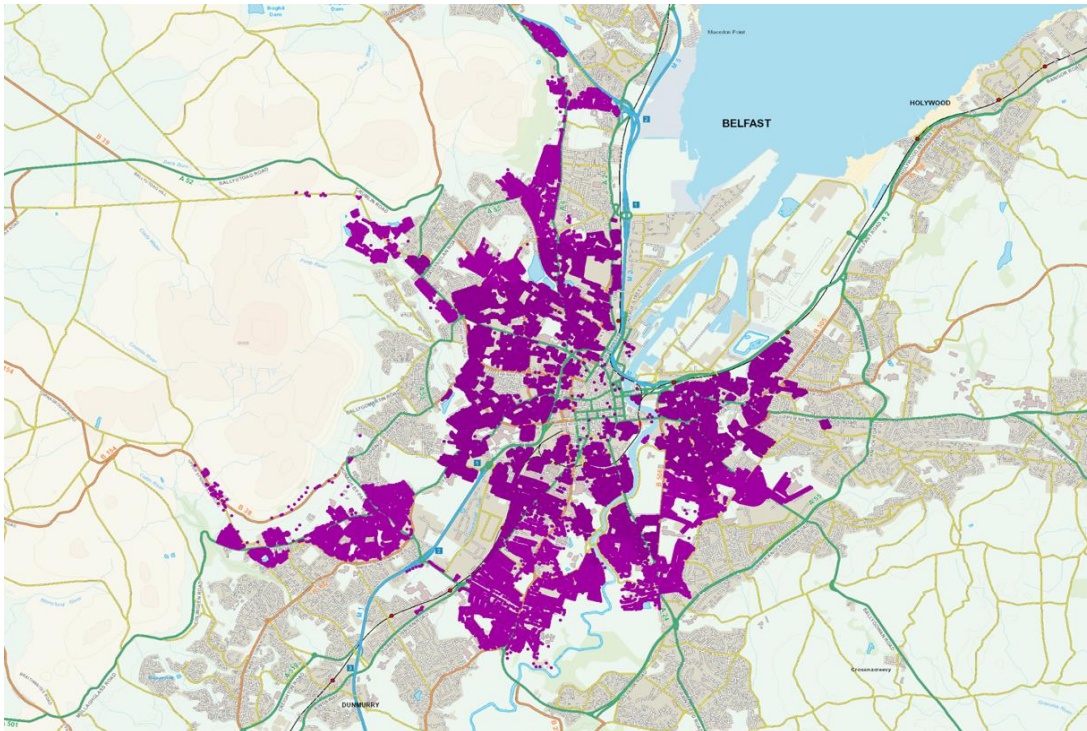


Figure 2: Map of households **without** kerbside glass collection scheme

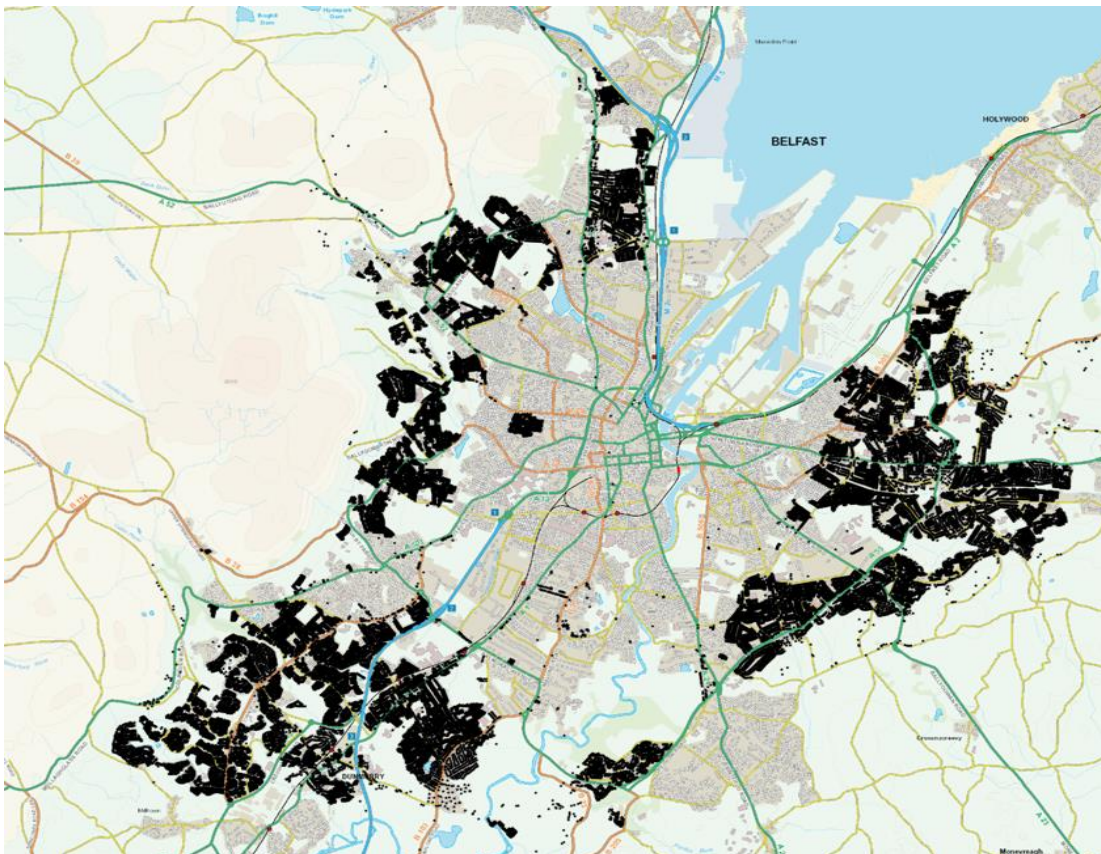




Figure 3 : Map of proposed phase 1 expansion 2024/25

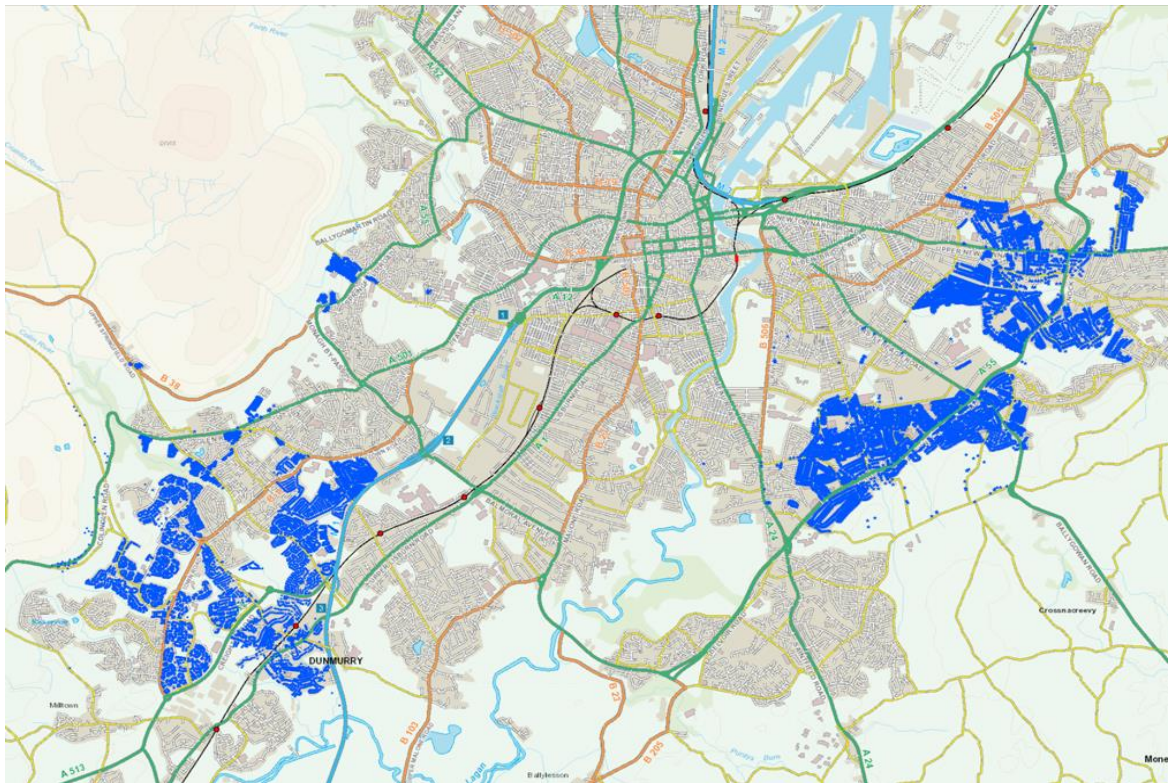


Figure 4: Existing kerbside glass collection provision plus proposed Phase 1

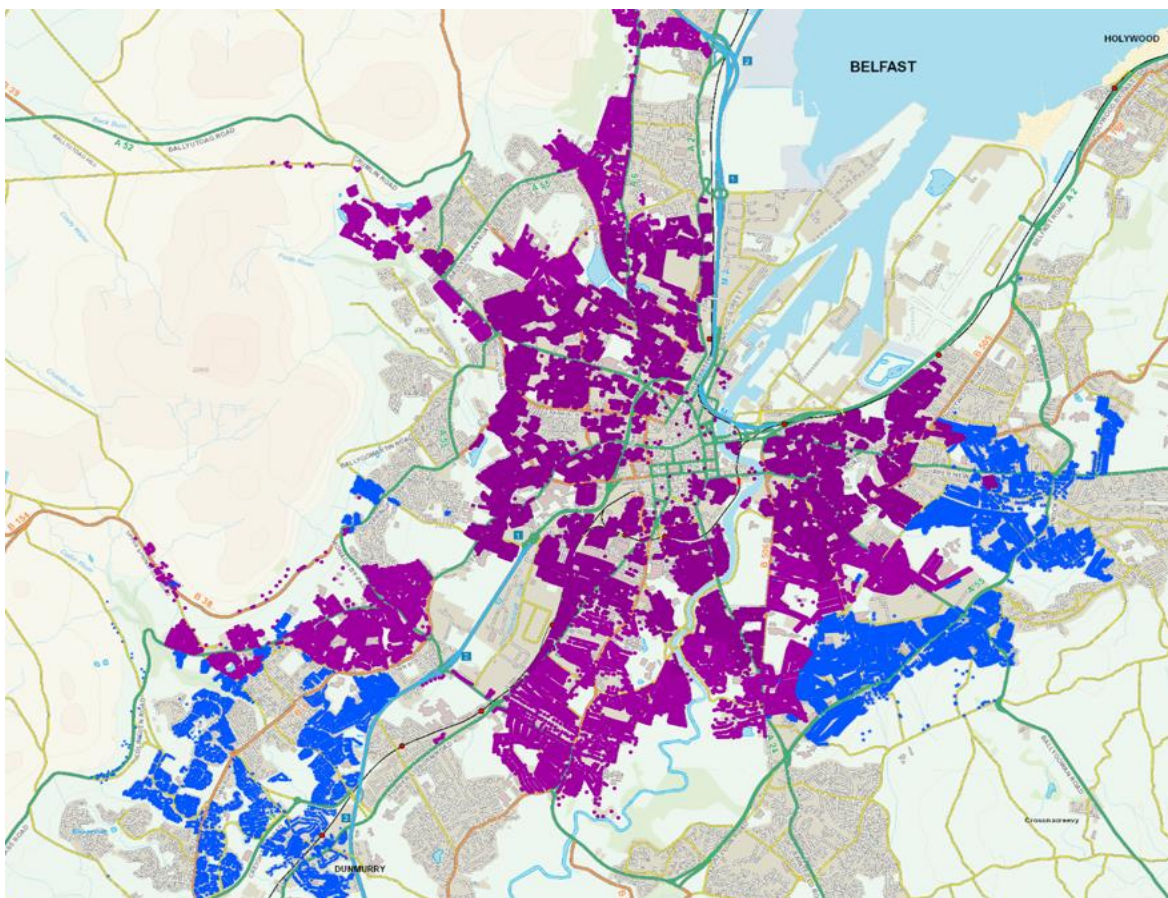


Table1: Proposed phase 1 expansion by District Electoral Area

Row Labels	Count of UPRN
<b>Black Mountain</b>	<b>1868</b>
<b>Collin</b>	<b>9309</b>
<b>Lisnasharragh</b>	<b>6462</b>
<b>Ormiston</b>	<b>5187</b>
<b>(blank)</b>	
<b>Grand Total</b>	<b>22826</b>
East Total	11649
West Total	11177
<b>Grand Total</b>	<b>22826</b>

NB: Please note these figures may vary as more detailed planning is carried out.

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**Belfast**  
City Council

PEOPLE AND COMMUNITIES  
COMMITTEE

<b>Subject:</b>	Social Supermarket Fund 25/26
<b>Date:</b>	10 <sup>th</sup> September 24
<b>Reporting Officer:</b>	Jim Girvan , Director Neighbourhood Services
<b>Contact Officer:</b>	Nicola Lane, Neighbourhood Services Manager, CNS Margaret Higgins, Lead Officer, CNS

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

☐

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

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## Call-in

Is the decision eligible for Call-in?

Yes

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No

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**1.0 Purpose of Report/Summary of Main Issues**

1.1	The purpose of this report is to seek members approval to operate an open call for grant applications to the Social Supermarket Fund in 25/26 as outlined in the report.
<b>2.0</b>	<b>Recommendation</b>
2.1	Members are asked to consider the contents of the report and to grant approval to operate an open call for grant applications to the Social Supermarket Fund in 25/26 as outlined in the report.
<b>3.0</b>	<b>Main Report</b>
3.1	<p><u>Background</u></p> <p>In response to recommendations in the Welfare Reform Mitigations report, the Department for Communities (DfC) has operated a Social Supermarket Pilot programme since October 2017. Funding was made available through the Community Support Programme (CSP) in 20/21 to expand the concept to all council areas.</p> <p>The aim of a social supermarket is to offer a sustainable response to food insecurity by seeking to help address the root causes of poverty rather than simply provide food. This is achieved by providing, in addition to food support, a referral network for wraparound support. Food supply should ideally come from donations, surplus, or purchased at a discount, however, funding can also be used towards the purchase of food vouchers.</p>
3.2	In the years 21-24, Council worked with identified partners to develop models for delivery. Committee granted approval on 9 November 2023 to operate an open call for grant applications to the Social Supermarket Fund in 2024/25.
3.3	Members were advised at this point that because activity is 100% funded by DfC, there was a risk that funding to support successful applications might not be in place from April 24. However, on balance, it was agreed that it was preferable to undertake the application process so that funding could be issued as soon as it became available from the department.
3.4	Members agreed that funding of up to £50,000 would be available for each individual project; this in line with other large grant funding programmes. The Social Supermarket Support Fund was opened on 5 December 2023 and received 28 applications totalling £946,619.70 by the closing date of 12 noon on Friday 26 January 2024.
3.5	In the absence of a Letter of Offer from DfC to fund this area of work, in April 24 SP&R agreed to provide £122,627 to fund 21 Social Supermarket Projects. This allocation was made from the 24/25 Hardship Programme.
3.6	Council received the CSP 2024/25 Letter of Offer from DfC on 3 July 2024. It contained an allocation of £672,650, an increase of £253,906 on the 23/24 allocation. SP&R agreed to make an additional contribution to provide a total budget of £785,744 to support 21 projects.
3.7	<p><u>Key Issues</u></p> <p>It is recommended that the 25/26 Social Supermarket fund would operate on the same parameters as in 24/25 for delivery between 1<sup>st</sup> April 2025 – 31<sup>st</sup> March 2026. These are;</p> <ul style="list-style-type: none"> <li>• Applications would be open to any constituted group delivering eligible projects.</li> </ul>



	<ul style="list-style-type: none"> <li>• Eligible projects will be those that can demonstrate that they provide food/food support to individuals impacted by poverty and provide wraparound support through their own services and/or a referral network</li> <li>• Maximum level of award will be £50,000. (This is the maximum level of award that was available in 24/15 and is a reasonable limit given that the level of Social Supermarket funding from DfC in 24/25 was £672,650.)</li> <li>• Allocation of funding to projects will be based on a quality score.</li> </ul>
3.8	<p>Open calls for grant funding are administered through the Council's Central Grants Unit in Place &amp; Economy. In order to ensure that Funding Agreements can be issued to successful applicants from April 25, approval for successful applicants has to be brought to committee in January/February 25. In order to ensure sufficient time for applications to be made, eligibility checked and assessed, it is recommended that applications open from mid October – end November. Applications would be open to any constituted group delivering eligible projects. CGU support would ensure that applications are administered within a recognised independent process that allows for separation of duties between project delivery and administration staff.</p>
3.9	<p>At the time of writing, there is no confirmation of a budget from DfC for the Social Supermarket Fund in 25/26. Social Supermarket funding is delivered through a ringfenced welfare reform mitigations budget which is agreed in principle until March 25, there is no confirmation at present beyond that date. Officers have sought an updated position from DfC but no further information has been provided at this stage. In 23/24 and 24/25 an element of funds was drawn from Belfast City Council Hardship Funding but again, there is no confirmed budget for this in 25/26.</p>
3.10	<p>Members should note that in the event that no funding is made available from DfC, Council will be under <b>no</b> obligation to make awards to organisations who have applied, although this would have to be balanced against the work required from applicants to make applications.</p>
3.11	<p>Members should also consider that if an open call was not agreed until confirmation of funding levels was received, it would not allow for the practical delivery of activity in 25/26. In 23/24 and 24/25 the funding for social supermarkets was not confirmed by DFC until July. Had an open call process been implemented only on confirmation of funding, support would not have been available to organisations until February.</p> <p>Members are asked to consider the issues listed above and if content, approve that council operates an open call for applications for the Social Supermarket Fund in 25/26.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>All human resources required to support the 25/26 approach are currently in place. No funding for 25/26 is yet in place.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>None identified at present. Equality Screening of the 25/26 grant application process will be completed.</p>
4.0	<p><b>Appendices - Documents Attached</b></p>
4.1	<p>N/A</p>







<b>Subject:</b>	Request from Northern Ireland Local Government Partnership on Traveller Issues (NILGPTI) for Council Representation
<b>Date:</b>	20 <sup>th</sup> September 2024
<b>Reporting Officer:</b>	Jim Girvan – Director of Neighbourhood Services
<b>Contact Officer:</b>	Nicola Lane – Neighbourhood Services Manager Godfrey Mc Cartney – Good Relations Manager

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
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5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

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## Call-in

Is the decision eligible for Call-in?

Yes

☐

No

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<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	Committee is asked to consider a request from Northern Ireland Local Government Partnership on Traveller Issues (NILGPTI) to nominate 1 to 3 elected members and 1 officer to be representatives on the Partnership.
<b>2.0</b>	<b>Recommendation</b>
2.1	Members are asked to; <ul style="list-style-type: none"> <li>• note the contents of the report and</li> <li>• consider the request from Northern Ireland Local Government Partnership on Traveller Issues (NILGPTI).</li> </ul>
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b><u>Background</u></b></p> <p>NILGPTI was established in 2000 by Councils in order to develop and maintain relationships and communication between Local Government, Ministers, Government Departments and Public Bodies to deal collectively with matters pertaining to Travellers.</p>
3.2	The Partnership was re-constituted in 2014 following the reform of local government. Each council can nominate up to a maximum of 3 elected members and 1 officer. A copy of the constitution is attached at <b>Appendix 1</b> .
3.3	The Partnership elects an Executive Committee from the membership consisting of the Chairperson, Vice-Chairperson, Treasurer and Secretary. Provision is made to include 2 additional elected members and 2 officers. The Executive Committee is responsible for conducting the business of the Partnership.
3.4	The Partnership meets every two months, with each Council hosting the meeting on a rotational basis.
3.5	Belfast City Council has had limited and sporadic involvement with the Partnership and no involvement since Covid. Previous Partnership meetings were mainly attended by the Traveller Liaison Officer and an Environmental Health Officer. Further to this it is worth noting that whilst the Good Relations Unit has not been involved in the Partnership, work relating to the Traveller Community is included within the wider work of the Good Relations Action Plan. Staff from the Good Relations Unit are content to attend the partnership meetings on an ongoing basis.
3.6	Members are asked to consider the contents of the report, advise if they are content that council continues to attend from an officer perspective and nominate up to 3 elected members to attend as council representatives.
	<p><b><u>Financial Implications</u></b></p> <p>The Partnership annual membership fee is £500 per Council. Costs related to Members and Staff time and travel would also have to be covered.</p>

	<u>Equality or Good Relations Implications and Rural Needs Assessment</u>  There are no equality, good relations or rural needs assessment associated with this report.
<b>4.0</b>	<b>Appendices</b>
4.1	<b>Appendix 1:</b> Constitution of Northern Ireland Local Government Partnership on Traveller Issues

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## **Northern Ireland Local Government Partnership on Traveller Issues**

### **CONSTITUTION**

#### **1) NAME and AUTHORISATION**

(a) The name of the organisation shall be

“Northern Ireland Local Government Partnership on Traveller Issues”

(b) The legislation enabling councils to join and participate in the Partnership is The Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014.

#### **2) AIMS AND OBJECTIVES**

- a) To represent to the minister and to the Assembly, all relevant Departments and non-government bodies (including the Northern Ireland Housing Executive and Housing Associations), the Equality Commission and the NI Commission on Human Rights, the collegiate view of member councils on issues relating to Travellers.
- b) To provide mutual support and advice to member councils on issues relating to Travellers.
- c) To assist member councils in the promotion of good relations between Travellers and the settled community and, in this regard, to encourage the participation of local communities and all interested parties in this activity.
- d) To encourage the free exchange of all information between member councils on all issues that will assist in the resolution of local problems and improve the circumstances of Travellers.
- e) To encourage and, if possible, facilitate, the training of elected representatives and appropriate staff in those skills required to ensure the delivery of all Council services, the fostering of good community relationships and the equality of opportunity for all Travellers.
- f) To encourage, as far as possible, member councils in the development of self-help employment and training facilities for all Travellers.
- g) To monitor the progress of the implementation of the New Policy on Traveller Accommodation, 1999.

- h) To draw to the attention of the responsible Minister and the relevant Assembly committee any shortcomings therein as may be perceived by the Partnership and to recommend any changes or amendments considered appropriate to remedy such shortcomings.
  - h) To report to all member councils on a regular basis the nature and progress of all work, deliberations and representations made on behalf of the Partnership in the furtherance of its aims and objectives.
- 3) MEMBERSHIP
- a) Each participating council may appoint three elected representatives together with such professional officers as may be considered necessary to advise and support the elected member representatives. Elected representatives may serve for the life of the council i.e., normally for four years, or such other term at the discretion of their nominating council. Member councils shall advise the Secretary of each nomination and submit details of addresses, both postal and e-mail and party affiliations.
  - b) The Partnership may from time to time co-opt to membership such person or persons as may be in a position to bring expertise and /or experience to enhance the work and deliberations of the Partnership.
  - c) The Partnership may appoint a sub-committee with specific powers to handle all issues between meetings of the Partnership and all deliberations and outcomes shall be reported to the Partnership in a timely fashion.
- 4) MEETINGS.
- a) The Partnership shall meet bi-monthly or at such other intervals as the nature of any issues may require.
  - b) An Annual General Meeting shall be held following the first of June in each year to elect/re-elect officers and to consider the annual financial report.
  - c) The quorum for a meeting shall be a minimum of 3 elected members.
  - d) The Partnership shall meet formally at its inception and thereafter immediately, or as soon as reasonably possible, after a general local government election to elect office-bearers.
  - e) Office-bearers shall be Chairman, Deputy Chairman and Secretary/Treasurer.
  - f) Voting at meetings shall be restricted to elected councillors only and the procedure shall be by a show of hands unless a ballot is demanded by a majority



of those councillors present and entitled to vote. Proxy voting shall not be allowed.

- g) All communications relating to meetings including notices, agenda and papers for discussion shall be issued to all those entitled to attend by electronic means and by that means only.

5) FINANCE.

Participating councils shall contribute a sum of money to be determined by the Partnership on an annual basis sufficient to allow the Partnership to fulfil its aims and objectives. A financial report shall be submitted to the Partnership at each meeting and at the Annual Meeting.

6) DISSOLUTION.

The Partnership may by notice of motion circulated to each member seven days prior to a meeting called for that purpose, resolve to wind up its affairs and activities. In such event, all assets shall be distributed by agreement between the participating council representatives.

W.J.Newburn OBE

Secretary

Adopted by the Partnership at its meeting on September 26<sup>th</sup> 2014

Chairman Ald Jim Brown

Vice Chairman Cllr Joe Boyle

Secretary W.J.Newburn OBE

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<b>Subject:</b>	Request from Advice Space for Council Sponsorship of their 60 <sup>th</sup> Anniversary Event and Conference
<b>Date:</b>	10 <sup>th</sup> September 2024
<b>Reporting Officer:</b>	Jim Girvan, Director of Neighbourhood Services
<b>Contact Officer:</b>	Nicola Lane, Neighbourhood Services Manager

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

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6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

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## Call-in

Is the decision eligible for Call-in?

Yes

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No

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<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	To make Members aware of the request received from Advice Space to sponsor their 60 <sup>th</sup> anniversary and conference.
<b>2.0</b>	<b>Recommendation</b>
2.1	To consider the request from Advice Space from Advice Space to sponsor their 60 <sup>th</sup> anniversary and conference and if approved, to agree the level of sponsorship.
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b><u>Background</u></b></p> <p>Advice Space, formerly Citizen Advice is celebrating its 60<sup>th</sup> year of operation and advice service provision in 2024.</p> <p>Citizen Advice opened its doors in Belfast in August 1964, with a £100 grant provided by the Council. In 2018 Citizen Advice in the city was rebranded to Advice Space.</p> <p>Advice space is one of the leading providers of generalist advice provision operating from six offices: Suffolk/Andersonstown, Springfield Road, The Arches, Shankill Road, Duncairn and City Centre. They also provide extensive outreach in venues such as the RVH and City Hospital.</p> <p>Their 2023 Annual Report stated that last year they provided services to around 30,000 citizens, dealing with 90,000 issues and helped people reclaim £9,838,730 back in benefit entitlements.</p> <p>Council provides advice services through five area based consortia in North, South, East and West and central Belfast. Advice Space is a delivery partner on all the Advice Consortia funded by Council and leads on both the Central and East Consortium.</p>
3.2	<p><b><u>Request</u></b></p> <p>To mark the 60<sup>th</sup> Anniversary, Advice Space is hosting a conference on Thursday 28<sup>th</sup> November in Riddel Hall, Stranmillis. The main theme is looking at the development of the welfare state since its inception and examining if it is fit for purpose today and for the future.</p> <p>It is expected that over 80 delegates will participate in the event. The keynote speech will be delivered by Les Allamby, current Discretionary Support Commissioner, former Chief Commissioner at the Human Rights Commission and Director of the Law Centre NI. Linda McAuley former BBC Radio Ulster Presenter will be the compere. Advice Space has invited the Minister and are at this point waiting on a reply.</p> <p>Advice Space are asking Council to be the Conference Sponsor. This is a non-recurrent request. As sponsor, Council will get 3 free tickets, logo displayed on all promotional material, acknowledgement in the opening and closing addresses, offer to avail of a promotional space to promote Council during the day. Council will also be referenced in all publicity material and press releases.</p>

	<p>In order to cover costs, Advice Space will be charging for the event. £50 for VCSE Sector and £80 for Statutory/Public Sector. Any surplus monies will be used for direct service provision.</p>
3.3	<p><u>Financial Implications</u></p> <p>Advice Space have presented Council with 3 levels of Sponsorship.</p> <ul style="list-style-type: none"> <li>• £1,000</li> <li>• £1,500</li> <li>• £2,000</li> </ul> <p>There is currently no budget set aside for sponsorship of events within the relevant portfolio.</p> <p><u>Equality or Good Relations Implications and Rural Needs Assessment</u></p> <p>The Director of Finance has advised that there is no council policy in relation to sponsorship of events and that this would have to be considered by committee. This could lead to further requests for sponsorship for events, but this is difficult to gauge.</p>
<b>4.0</b>	<b>Appendices</b>
4.1	N/A

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<b>Subject:</b>	Public Rights of Way at Old Coach Road
<b>Date:</b>	Tuesday 06 <sup>th</sup> August 2024
<b>Reporting Officer:</b>	David Sales, Strategic Director, City & Neighbourhood Services
<b>Contact Officer:</b>	Stephen Leonard, Operational Director, City & Neighbourhood Services

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<p><b>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</b></p> <p>Insert number <input style="width: 40px;" type="text"/></p> <ol style="list-style-type: none"> <li>1. Information relating to any individual.</li> <li>2. Information likely to reveal the identity of an individual.</li> <li>3. Information relating to the financial or business affairs of any particular person (including the council holding that information)</li> <li>4. Information in connection with any labour relations matter</li> <li>5. Information in relation to which a claim to legal professional privilege could be maintained.</li> <li>6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction.</li> <li>7. Information on any action in relation to the prevention, investigation or prosecution of crime</li> </ol>	
<p><b>If Yes, when will the report become unrestricted?</b></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p><b>After Committee Decision</b></p> <p><b>After Council Decision</b></p> <p><b>Sometime in the future</b></p> <p><b>Never</b></p> </div> <div style="width: 35%; text-align: center;"> <input style="width: 40px; height: 25px;" type="checkbox"/>  <input style="width: 40px; height: 25px;" type="checkbox"/>  <input style="width: 40px; height: 25px;" type="checkbox"/>  <input style="width: 40px; height: 25px;" type="checkbox"/> </div> </div>	

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	Under the Article 3 of the Access to the Countryside Order (NI) 1983 all Local Councils have a duty to  <i>...assert, protect and keep open and free from obstruction or encroachment any Public Right of Way.</i>
1.2	Investigation into the Old Coach Road began in 1998. In 2023 complaints were made to the Council regarding the condition of the path. As the path was not an asserted Public Right of Way (PRoW) the Council had no power to take any further action. To ascertain if a PRoW exists the Council opened a neighbourhood enquiry to gather evidence. 118 responses were received, 113 indicated that they believed a PRoW did exist, 1 stated that a PRoW did not exist but did not provide a reason for this.
<b>2.0</b>	<b>Recommendation</b>
2.1	Members are asked to assert three Public Rights of Way on foot from: <ol style="list-style-type: none"> <li>1. Upper Malone Road to Old Coach Road</li> <li>2. Old Coach Road to Malone Heights</li> <li>3. Old Coach Road to Malone Playing Fields</li> </ol>
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b><u>Key Issues</u></b></p> <p>The Access to the Countryside (Northern Ireland) Order 1983 places a duty on District Councils to ‘assert, protect and keep open and free from obstruction or encroachment any public right of way’.</p> <p>In 1998 an investigation was begun into the nature of paths which run along remnants of the Old Coach Road. This road carried traffic from Belfast to Dublin but was abandoned when the road was diverted in the 1800s. Remnants of the road continued to be used and subsequently a number of recreational facilities were developed on the land including Malone Playing Fields.</p> <p>Legal Services have been consulted and have confirmed that the path appears to meet the common law tests for establishment of a public right of way. The public’s right would terminate at the entrance to Malone Playing Fields which meet the criteria of being a place to which the public can legitimately resort. The public’s right also extends to other sections of the Old Coach Road namely Malone Heights and a further section from Old Coach Road to Upper Malone Road. It is therefore recommended that the Council assert these Public Rights of Way as required by its duty under the Access to the Countryside Order.</p> <p>For a Public Right of Way to exist at Common Law there are two essential elements,</p> <ol style="list-style-type: none"> <li>a) Dedication by the owner of the soil</li> <li>b) Acceptance of the Right of Way by the public</li> </ol> <p>Dedication by the Landowner can be either express or presumed. The vast majority of cases will turn on presumed dedication by the Landowner, as only very rarely will a Landowner expressly dedicate his lands as a Public Right of Way.</p> <p>The following evidence shows presumed dedication by the landowner;</p>

	<ul style="list-style-type: none"> <li>a) Continued use of the path for a number of years.</li> <li>b) The routes in question have been used 'as of right' by the general public.</li> <li>c) The public's use of the path was open has continued during the past 26 years when the case was first opened and for a continued period previous to that. Prior to this the public's use of the path was such that the landowner knew or should have known about it, did nothing to stop it. Malone Playing Fields have a kissing gate leaving access open at all times.</li> <li>d) The use continued for a sufficient period to imply the owner intended to dedicate Public Rights of Way.</li> <li>e) The routes connects a number of public places or places to which the public regularly resort</li> <li>f) That use has followed a more or less consistent line.</li> </ul> <p>Given the above assessment, members are asked to assert the three noted routes in the vicinity of the Old Coach Road as Public Rights of Way on foot.</p>
3.2	<p><b><u>Financial and Resource Implications</u></b></p> <p>There are no known financial implications at this time. However, the Council does have a discretionary power to maintain public rights of way when a landowner cannot be traced.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>There are no <b>Equality or Good Relations Implications</b>.</p>
4.0	<b>Appendices - Documents Attached</b>
	Map of the area showing the three public rights of way to be asserted.

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Old Coach Road and surrounds

Scale 1:2,500 at A4

Based on the Ordnance Survey of Northern Ireland map with the permission of the Director & Chief Executive.

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Legend

— PRow to be asserted

**Belfast**  
City Council

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Subject:	Falls Parks Cyclocross Event
Date:	10 <sup>th</sup> September 2024
Reporting Officer:	Jim Girvan, Director of Neighbourhood Services
Contact Officer:	Cormac McCann, Lead Officer Community Provision

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Some time in the future

Never

☐  
☐  
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## Call-in

Is the decision eligible for Call-in?

Yes

☒

No

☐

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	To bring to Members' attention a request for funding support for an event in Falls Park, subsequent to the People and Communities Committee permission to organise the event at its meeting on 6 <sup>th</sup> August 2024.
1.2	The event organisers requested funding support from City and Neighbourhood Services and there is no funding process available to consider this request.
<b>2.0</b>	<b>Recommendations</b>
2.1	That committee consider the request for a maximum of £8,795 funding support for the Falls Park cyclocross event.
<b>3.0</b>	<b>Main report</b>

	<b><u>Key Issues</u></b>
3.1	<p><b><u>VC Glendale Falling Leaves Cyclocross - Falls Park</u></b></p> <p>VC Glendale are a well-known local voluntary cycling club with a long history of producing some of the country's finest cyclists. Their Falling Leaves Cyclocross event has taken place at Falls Park for the last 9 years and permission to promote this year's event was agreed by committee at its 6<sup>th</sup> August 2024 meeting.</p>
3.2	<p>This year's event is the first in the Cyclocross National League and attracts riders and spectators from across Ireland as riders race for the points that ultimately influence their grid positions at National Championships. The event has become a well-established fixture on the cyclocross calendar, and it is hoped that another successful event at the venue could result in Falls Park being successful in bidding as the venue for the Irish National Championships in the future.</p>
3.3	<p>This year the organisers have requested financial support from Council to assist with the delivery of the event and have submitted an expenditure budget to the department totalling £8,795. No income projection is provided although participants are levied an entry fee.</p>
3.4	<p>City and Neighbourhood Services Department does not have growth funding in its budgets. Parks Events and Outreach team are reporting an overspend on programming budgets due to the increase in activity and delivery costs. The event would have been eligible for the Departmental Parks Small Events grant of up to £3,000 but the organisers did not submit an application. The event would have been eligible for grant funding of up to £1,000 from the Departmental Support for Sport grant but the organisers did not submit an application.</p>
3.5	<p>A similar request for support was received for the club's 2023 event. The request was considered at the 8<sup>th</sup> August 2023 People and Communities committee which agreed to refer the matter to the 18<sup>th</sup> August 2023 Strategic Policy and Resources committee. Strategic Policy and Resources committee agreed to support the ad hoc request to a maximum amount of £8,207.</p>
3.6	<p>The key dates for the event are as follows, with full detail to be finalised;</p> <p>Saturday 5<sup>th</sup> October – 10am, set up  Saturday 5<sup>th</sup> September – 12pm to 3pm, Race Day  Sunday 6<sup>th</sup> September – 8am to 4.30pm, Race Day  Sunday 6<sup>th</sup> September – 8pm – Off Site</p>
3.7	<p><b><u>Financial &amp; Human Resource Implications</u></b></p> <p>The request for funding of up to £8,795 for the Falls Park event is not included in any revenue budgets and there is no allocation to support ad hoc requests.</p>
3.8	<p><b><u>Asset and Other Implications</u></b></p> <p>In line with routine event management, Council officers will liaise with event organisers and promoters in relation to any potential environmental impact from the event.</p>
3.9	<p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>There are no known implications.</p>
<b>4.0</b>	<b>Appendices</b>
4.1	None



**Belfast**  
City Council

PEOPLE AND COMMUNITIES

AGENDA ITEM : PROPOSAL FOR DUAL LANGUAGE  
STREET SIGNS

<b>Subject:</b>	<b>Proposal for dual language street signs</b>
<b>Date:</b>	10 <sup>th</sup> September 2024
<b>Reporting Officer:</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer:</b>	Ian Harper, Building Control Manager, ext. 2430

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

☐  
☐  
☐  
☐

## Call-in

Is the decision eligible for Call-in?

Yes

☒

No

☐

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>																																														
1.1	To consider applications for the erection of dual language street signs for ten existing streets within the city.																																														
<b>2.0</b>	<b>Recommendation</b>																																														
2.1	The Committee is asked to agree to the erection of second street nameplate in Irish at, Lupus Grove, Herbert Street, Ladbroke Drive, Hillman Court, Lagmore Glen, North Parade, Mulberry Park, Brompton Park, Grangeville Drive and Clifondene Crescent.																																														
<b>3.0</b>	<b>Main Report</b>																																														
3.1	<p><u>Key Issues</u></p> <p>The Council may erect a second street nameplate in a language other than English pursuant to Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995.</p>																																														
3.2	Members are asked to consider the following applications to erect dual language street nameplates showing the name of the street expressed in a language other than English. The second language is Irish.																																														
3.3	<table border="1"> <thead> <tr> <th>English Name</th><th>Non- English Name</th><th>Location</th><th>Persons surveyed</th></tr> </thead> <tbody> <tr> <td>Lupus Grove, BT14 8PX</td><td>Garrán an Fhaolchú</td><td>Off Wolfend Drive, BT14</td><td>15</td></tr> <tr> <td>Herbert Street, BT14 7FE</td><td>Sráid Hoireabaird</td><td>Off Flax Street /Havana Way, BT14</td><td>93</td></tr> <tr> <td>Ladbroke Drive, BT14 7NB</td><td>Céide Ladbroke</td><td>Off Berwick Road, BT14</td><td>146</td></tr> <tr> <td>Hillman Court, BT15 2DY</td><td>Cúirt Hillman</td><td>Off Hillman Street, BT15</td><td>22</td></tr> <tr> <td>Lagmore Glen, BT17 0WB</td><td>Gleann an Laig Mhóir</td><td>Off Lagmore Heights roundabout, BT17</td><td>382</td></tr> <tr> <td>North Parade, BT7 2GG</td><td>An Pharáid Thuaidh</td><td>Off Ormeau Road, BT7</td><td>212</td></tr> <tr> <td>Mulberry Park, BT17 0DJ</td><td>Páirc an Chrainn Maoildeirge</td><td>Off Whin Park, BT17</td><td>55</td></tr> <tr> <td>Brompton Park, BT14 7LA</td><td>Páirc Brompton</td><td>Off Crumlin Road, BT14</td><td>255</td></tr> <tr> <td>Grangeville Drive, BT10 0HN</td><td>Céide Bhaile na Gráinsí</td><td>Off Upper Lisburn Road, BT10</td><td>4</td></tr> <tr> <td>Clifondene Crescent, BT14 7DP</td><td>Corrán Clifondene</td><td>Off Oldpark Road, BT14</td><td>160</td></tr> </tbody> </table>			English Name	Non- English Name	Location	Persons surveyed	Lupus Grove, BT14 8PX	Garrán an Fhaolchú	Off Wolfend Drive, BT14	15	Herbert Street, BT14 7FE	Sráid Hoireabaird	Off Flax Street /Havana Way, BT14	93	Ladbroke Drive, BT14 7NB	Céide Ladbroke	Off Berwick Road, BT14	146	Hillman Court, BT15 2DY	Cúirt Hillman	Off Hillman Street, BT15	22	Lagmore Glen, BT17 0WB	Gleann an Laig Mhóir	Off Lagmore Heights roundabout, BT17	382	North Parade, BT7 2GG	An Pharáid Thuaidh	Off Ormeau Road, BT7	212	Mulberry Park, BT17 0DJ	Páirc an Chrainn Maoildeirge	Off Whin Park, BT17	55	Brompton Park, BT14 7LA	Páirc Brompton	Off Crumlin Road, BT14	255	Grangeville Drive, BT10 0HN	Céide Bhaile na Gráinsí	Off Upper Lisburn Road, BT10	4	Clifondene Crescent, BT14 7DP	Corrán Clifondene	Off Oldpark Road, BT14	160
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3.4	The translations were authenticated by Queens University, the approved translator for Belfast City Council.
3.5	In accordance with the Council's policy for the erection of dual language street signs, surveys of all persons appearing on the electoral register plus owners or tenants in actual possession of commercial premises, for the above streets were carried out and the following responses were received.
3.6	<p><b>Lupus Grove, BT14</b></p> <ul style="list-style-type: none"> <li>• 9 occupiers (60%) were in favour of the erection of a second street name plate.</li> <li>• 2 occupiers (13.33%) had no preference either way.</li> </ul>
3.7	<p><b>Herbert Street, BT14</b></p> <ul style="list-style-type: none"> <li>• 25 occupiers (26.88%) were in favour of the erection of a second street name plate.</li> </ul>
3.8	<p><b>Ladbrook Drive, BT14</b></p> <ul style="list-style-type: none"> <li>• 45 occupiers (30.82%) were in favour of the erection of a second street name plate.</li> <li>• 2 occupiers (1.36%) were not in favour of the erection of a second name plate.</li> <li>• 1 Occupier (0.68%) had no preference either way.</li> </ul>
3.9	<p><b>Hillman Court, BT15</b></p> <ul style="list-style-type: none"> <li>• 15 occupiers (68.18%) were in favour of the erection of a second street name plate.</li> <li>• 1 Occupier (4.54%) had no preference either way.</li> </ul>
3.10	<p><b>Lagmore Glen, BT17</b></p> <ul style="list-style-type: none"> <li>• 126 occupiers (32.98%) were in favour of the erection of a second street name plate.</li> <li>• 3 occupiers (0.78%) were not in favour of the erection of a second name plate.</li> <li>• 3 Occupiers (0.78%) had no preference either way.</li> </ul>
3.11	<p><b>North Parade, BT7</b></p> <ul style="list-style-type: none"> <li>• 59 occupiers (27.83%) were in favour of the erection of a second street name plate.</li> <li>• 36 occupiers (16.98%) were not in favour of the erection of a second name plate.</li> <li>• 7 Occupiers (3.30%) had no preference either way.</li> </ul>
3.12	<p><b>Mulberry Park, BT17</b></p> <ul style="list-style-type: none"> <li>• 22 occupiers (40%) were in favour of the erection of a second street name plate.</li> </ul>

3.13	<p><b>Brompton Park, BT14</b></p> <ul style="list-style-type: none"> <li>• 67 occupiers (26.27%) were in favour of the erection of a second street name plate.</li> <li>• 1 Occupier (0.39%) had no preference either way.</li> </ul>
3.14	<p><b>Grangeville Drive, BT10</b></p> <ul style="list-style-type: none"> <li>• 2 occupiers (50%) were in favour of the erection of a second street name plate.</li> <li>• 2 occupiers (50%) were not in favour of the erection of a second name plate.</li> </ul>
3.15	<p><b>Cliftondene Crescent, BT14</b></p> <ul style="list-style-type: none"> <li>• 48 occupiers (30.00%) were in favour of the erection of a second street name plate.</li> <li>• 25 occupiers (15.62%) were not in favour of the erection of a second name plate.</li> <li>• 1 Occupiers (0.62%) had no preference either way.</li> </ul>
3.16	<p><b><u>Assessment against policy</u></b></p> <p>The Council's policy on the erection of a second street nameplate requires that at least fifteen percent (15%) of the occupiers surveyed must be in favour of the proposal to erect a second street sign in a language other than English, to progress to Committee for consideration.</p>
3.17	<p>All of the surveys listed above demonstrate compliance with the threshold contained within the Policy.</p> <p><b><u>Financial and Resource Implications</u></b></p>
3.18	<p>There is a cost of approximately £4,680 to cover the cost of the manufacturing and erection of the dual language street signs. The cost for these street signs has been allowed for in the current budget.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p>
3.19	<p>Each application for a dual language street sign is subject to an initial assessment for any potential adverse impacts on equality, good relations and rural needs.</p>
3.20	<p>The initial assessments and elected member notification carried out for the applications being considered did not identify any potential adverse impacts to prevent the surveys being carried out.</p>
<b>4.0</b>	<b>Appendices</b>
	None





**Belfast**  
City Council

PEOPLE AND COMMUNITIES

PROPOSAL FOR NAMING NEW STREETS

<b>Subject:</b>	<b>Proposal for naming new streets</b>
<b>Date:</b>	10 <sup>th</sup> September 2024
<b>Reporting Officer:</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer:</b>	Ian Harper, Building Control Manager, ext. 2430

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

1. Information relating to any individual,
2. Information likely to reveal the identity of an individual,
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained,
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction,
7. Information on any action in relation to the prevention, investigation or prosecution of crime.

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

☐  
☐  
☐  
☐

## Call-in

Is the decision eligible for Call-in?

Yes

☒

No

☐

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
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1.1	To consider applications for the naming new streets in the city.												
2.0	<b>Recommendation</b>												
2.1	<p>Based on the information presented, the Committee is required to make a recommendation in respect of an application for naming new streets in the city.</p> <p>The Committee may either:</p> <ul style="list-style-type: none"><li>• Grant the applications, or</li><li>• Refuse the applications and request that the applicant submits other names for consideration.</li></ul>												
3.0	<b>Main Report</b>												
3.1	<p><u>Key Issues</u></p> <p>The power for the Council to name streets is contained in Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995.</p>												
3.2	<p>Members are asked to consider the following applications for naming new streets in the city. The application particulars are in order and the Royal Mail has no objections to the proposed names. The proposed new names are not contained in the Council's Streets Register and do not duplicate existing approved street names in the city.</p>												
3.3	<table><tr><th>Proposed Name</th><th>Location</th><th>Applicant</th></tr><tr><td>Black Ridge Avenue</td><td>Off Monagh By Pass, BT11</td><td>Apex Housing Association</td></tr><tr><td>Black Ridge Lane</td><td>Off Monagh By Pass, BT11</td><td>Apex Housing Association</td></tr><tr><td>Black Ridge Terrace</td><td>Off Monagh By Pass, BT11</td><td>Apex Housing Association</td></tr></table>	Proposed Name	Location	Applicant	Black Ridge Avenue	Off Monagh By Pass, BT11	Apex Housing Association	Black Ridge Lane	Off Monagh By Pass, BT11	Apex Housing Association	Black Ridge Terrace	Off Monagh By Pass, BT11	Apex Housing Association
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3.4	<p>Apex Housing Association have advised that Black Ridge Avenue, Black Ridge Lane and Black Ridge Terrace are derived from Divis (from Irish Dubhais 'black ridge'). The Divis mountain is situated north of the development.</p>												
3.5	<p>The second and third choices for Black Ridge Avenue are Black Ridge Row and Black Ridge Road.</p> <p>The second and third choices for Black Ridge Lane are Black Ridge Parade and Black Ridge Street.</p> <p>The second and third choices for Black Ridge Terrace are Black Ridge Mews and Black Ridge Link.</p>												
3.6	<p>These streets contain 46 residential properties and are part of the overall housing development that is known as Glenmona. The entire Glenmona site is a new mixed use urban development which will contain over 650 social and affordable homes.</p>												
3.7	<p>Applications for the erection of dual language street signs in Irish have been received from the developer for these three streets. Members are asked to note that at the March and Communities Committee it was agreed, and ratified by Full Council on 8<sup>th</sup> April 2024, that</p>												

3.8	<p>delegated authority be given to the City Solicitor in relation to the approval of the erection of dual language street nameplates for this development.</p> <table><tr><th>Proposed English Name</th><th>Non- English Name</th><th>Location</th></tr><tr><td>Black Ridge Avenue</td><td>Ascaill Dhuibhise</td><td>Off Monagh By Pass, BT11</td></tr><tr><td>Black Ridge Lane</td><td>Lána Dhuibhise</td><td>Off Monagh By Pass, BT11</td></tr><tr><td>Black Ridge Terrace</td><td>Ardán Dhuibhise</td><td>Off Monagh By Pass, BT11</td></tr></table>	Proposed English Name	Non- English Name	Location	Black Ridge Avenue	Ascaill Dhuibhise	Off Monagh By Pass, BT11	Black Ridge Lane	Lána Dhuibhise	Off Monagh By Pass, BT11	Black Ridge Terrace	Ardán Dhuibhise	Off Monagh By Pass, BT11
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3.9	<p>The translations were authenticated by Queens University, the approved translator for Belfast City Council.</p>												
3.10	<p><b><u>Financial and Resource Implications</u></b></p> <p>There are no Financial, Human Resources, assets and other implications in this report.</p>												
3.11	<p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>There are no direct Equality implications.</p>												
4.0	<p><b>Appendices</b></p>												
	<p>None</p>												

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<b>Subject:</b>	<b>Request for the use of Parks for 2024 Events</b>
<b>Date:</b>	Tuesday 10 September 2024
<b>Reporting Officer:</b>	David Sales, Strategic Director of City and Neighbourhood Services.
<b>Contact Officer:</b>	Stephen Leonard, Director of Resources, Fleet and OSS.

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	<b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/>
<p><b>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</b></p> <p>Insert number <input style="width: 40px;" type="text"/></p> <ol style="list-style-type: none"> <li>1. Information relating to any individual.</li> <li>2. Information likely to reveal the identity of an individual.</li> <li>3. Information relating to the financial or business affairs of any particular person (including the council holding that information)</li> <li>4. Information in connection with any labour relations matter</li> <li>5. Information in relation to which a claim to legal professional privilege could be maintained.</li> <li>6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction.</li> <li>7. Information on any action in relation to the prevention, investigation or prosecution of crime</li> </ol>	
<p><b>If Yes, when will the report become unrestricted?</b></p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 60%;"> <p><b>After Committee Decision</b></p> <p><b>After Council Decision</b></p> <p><b>Sometime in the future</b></p> <p><b>Never</b></p> </div> <div style="width: 35%; text-align: center;"> <input style="width: 40px; height: 30px;" type="text"/>  <input style="width: 40px; height: 30px;" type="text"/>  <input style="width: 40px; height: 30px;" type="text"/>  <input style="width: 40px; height: 30px;" type="text"/> </div> </div>	

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	<b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	<p>The Committee is asked to note that Council has received two requests from event organisers to host events in Botanic Gardens in November 2024 and these include.</p> <ul style="list-style-type: none"> <li>• Red Sky at Night – Household Belfast C.I.C – Tropical Ravine</li> <li>• Sound of Belfast &amp; The Factory Sessions – Factory 61 – Tropical Ravine</li> <li>• Puzzle Lady Filming – Five Down Films Ltd – Friars Bush Cemetery</li> </ul>
<b>2.0</b>	<b>Recommendation</b>
2.1	<p>The Committee is asked to grant authority to the applicants for the proposed events on the dates noted; subject to the completion of the appropriate event management plans and satisfactory terms being agreed by the Director of City &amp; Neighbourhood Services and on the condition that the Event Organisers:</p> <ol style="list-style-type: none"> <li>resolves all operational issues to the Council's satisfaction;</li> <li>meets all statutory requirements including Public Liability Insurance cover, Health and Safety, and licensing responsibilities; and</li> <li>shall consult with adjoining public bodies and local communities as necessary.</li> </ol> <p>Please note that the above recommendations are taken as a pre-policy position in advance of the Council agreeing a more structured framework and policy for 'Events', which is currently being taken forward in conjunction with the Councils Commercial team.</p>
<b>3.0</b>	<b>Main Report</b>
3.1	<b><u>Key Issues</u></b>
3.2	<p>If agreed, the event organiser or promoters will be required in advance of the event to submit an event management plan for approval by the Council and all relevant statutory bodies. This will include an assessment of how the event will impact upon the surrounding area and measures to mitigate these impacts.</p>
3.3	<b><u>Red Sky at Night – Household Belfast C.I.C – Tropical Ravine – Monday 28 October 2024 to Monday 4 November 2024</u></b>
3.4	<p>Belfast City Council has received a request from Household Belfast to host an art exhibition called Red Sky at Night in Botanic Gardens Tropical Ravine. Household work with various communities throughout Belfast to create public artworks that the people in the area can relate to.</p>
3.5	<p>The artist that Household will be working alongside is Kanich Khajonsi who wishes to create an immersive arts installation in the Tropical Ravine. This will involve the set up of speakers and various lights and small objects to create an immersive experience for those who are attending the event. This event is co-funded between Belfast City Councils 2024 programme &amp; the British Council.</p>

3.6	The event will be free to members of the public to book onto and will have time slots beginning at 4pm with last entry to the exhibition being at 10pm. Members are to be aware this takes place outside of the regular opening hours of the Ravine & Botanic Gardens therefore, staff would need to be available to open and close the park to those attending.
3.7	As the event will operate outside of normal opening hours a member of staff will be required to open / close and staff the facility. Any staffing costs incurred by Council will be charged to the event organiser.
3.8	<b>Key Dates for the event are:</b>
3.9	Set Up – Monday 28 October to Thursday 31 October 2024 Event – Friday 1, Saturday 2 & Sunday 3 November 2024 – 4pm to 10pm De-rig – Monday 4 November 2024 – 4pm
3.10	<b><u>Sound of Belfast &amp; The Factory Sessions – Factory 61 – Tropical Ravine – Thursday 14 November 2024</u></b>
3.11	Belfast City Council have received a request from Factory 61 to host their Sound of Belfast & The Factory Sessions in Botanic Gardens Tropical Ravine on Thursday 14 November 2024.
3.12	Factory 61 was originally set up in collaboration with South Regional college to create a pathway for students into the music industry. Their mission is to incubate upcoming talent in the local area by offering professional music and audio services while helping artists create a career in music.
3.13	The event is a music gig for local up and coming artists and is designed to be a unique experience for those in attendance as it is designed to an intimate experience for a maximum of 120 people. There will be a charge of between £10-15 per ticket for those who wish to attend the event. Ticket sales will be managed by Eventbrite
3.14	As the event will operate outside of normal opening hours a member of staff will be required to open / close and staff the facility. Any staffing costs incurred by Council will be charged to the event organiser.
3.15	<b>Key Dates for the event are:</b>  Set Up – Thursday 14 November 2024 – 12pm to 5pm Event – Thursday 14 November 2024 – 6pm to 8.30pm De-Rig – Thursday 14 November – 9.30pm
3.17	<b><u>Puzzle Lady Filming – Five Down Films Ltd – Friars Bush – Three separate Occasions between 23 September &amp; 17 October 2024</u></b>
3.18	Belfast City Council has received a request from Five Down Films to use Friars Bush Cemetery to film scenes for the upcoming T.V show Puzzle Lady. The event organiser wishes to film between the hours of 2pm & 2am and they have provided us with the following information for what the show is about.
3.19	“When a strange murder takes place in the sleepy market town of Bakerbury, the local police are baffled by a crossword puzzle left on the body. With their case going nowhere, they turn reluctantly to Cora Felton, a recent arrival in Bakerbury; whose fame as the eponymous

	Puzzle Lady suggests she can help DCI Hooper and the Bakerbury police solve its first murder case. But the eccentric Cora isn't who she claims to be: she's the fraudulent front-woman for her long-suffering niece - Sherry Carter - a puzzle genius who only came to Bakerbury to escape her rock-star turned abuser ex-husband."
3.20	The scenes taking place in Friars Bush are specifically based around the element of a puzzle. There are three murders that occur, and the bodies are left in the cemetery each containing a puzzle. The amateur Sleuth then connects the dots to solve the case. A further scene will include a chase through the cemetery with an imitation gun being used along with undercover police officers.
3.21	A member of staff will be on site at all times during the period of filming to open and close the cemetery. They will also be responsible for ensuring that the event organiser is following the necessary health & safety guidelines.
	<b>Key Dates for the event are:</b>
3.22	The event organiser has requested permission to be able to film on three separate occasions between the 23 September & 17 October 2024. They are responsible for contacting the cemetery manager <b>three days</b> prior to filming to allow a member of staff to be available to facilitate the request.
3.23	There will be a fee applied for filming in the cemetery. As per the councils agreed scale of charges this will equate to a cost of £70 per hour which will equate to a total cost of £2520 over the three days filming.
3.24	As the event will operate outside of normal opening hours a member of staff will be required to open / close and staff the facility. Any staffing costs incurred by Council will be charged to the event organiser.
3.25	<b><u>Financial and Resource Implications</u></b> None.
3.26	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b> There are no known implications.
<b>4.0</b>	<b>Appendices</b>
	None





<b>Subject:</b>	<b><u>Alleygates Phase V Update</u></b>
<b>Date:</b>	10 <sup>th</sup> September 2024
<b>Reporting Officers:</b>	David Sales, Strategic Director City & Neighbourhood Services Department, Nora Largey, City Solicitor
<b>Contact Officer:</b>	Stephen Leonard, Operational Director City and Neighbourhood Services, Gavin Bell, Car Park Manager, Conor Bayne, Solicitor, Legal Services

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	<b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/>
<p><b>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</b></p> <p><b>Insert number</b></p> <ol style="list-style-type: none"> <li>1. Information relating to any individual</li> <li>2. Information likely to reveal the identity of an individual</li> <li>3. Information relating to the financial or business affairs of any particular person (including the council holding that information)</li> <li>4. Information in connection with any labour relations matter</li> <li>5. Information in relation to which a claim to legal professional privilege could be maintained</li> <li>6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction</li> <li>7. Information on any action in relation to the prevention, investigation or prosecution of crime</li> </ol>	
<p><b>If Yes, when will the report become unrestricted?</b></p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 60%;"> <p><b>After Committee Decision</b></p> <p><b>After Council Decision</b></p> <p><b>Sometime in the future</b></p> <p><b>Never</b></p> </div> <div style="width: 35%; text-align: center;"> <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/> </div> </div>	

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	<b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	This report provides an update on the Alleygate Phase Vb Programme.
<b>2.0</b>	<b>Recommendation</b>
2.1	Members are asked to note the contents of this report that the Notice of Intention for Phase 5b and additional self-funded streets are advertised as per the legislation.
<b>3.0</b>	<b>Main Report</b>
3.1	Members will recall that at it's November 2023 meeting the Council's SP&R committee agreed to proceed with the publication of a Gating Order for the installation of gates in those streets where the threshold for responses to the consultation had been 40% and above. Furthermore it agreed to proceed with a further consultation exercise for all remaining streets that had not met the Threshold.
3.2	All those streets that were not advertised in Tranche 1 of Phase 5 have been revisited. Residents were canvassed through a postal survey, and this was followed up with a door-to-door consultation. Those streets that still had low returns were visited three times by canvassers and a form or information letter delivered.
3.3	All those streets canvassed have now reached the threshold for consultation responses returned as agreed at the November 2023 meeting of the Council's SP&R Committee and can now progress to the Notice of Intention phase.
3.4	Councillors should note that within Tranche 2 there were 857 responses received from the 1065 residences canvassed. There were responses from 361 residences citing that they have been the victim of antisocial behaviour and crime. However there have been 33 objections received to the installation of gates.
3.5	A sizeable amount of these objections related to post gating issues with waste and bin collections. Some have cited ability issues with opening and closing of gates. Officers will contact those respondents to allay any fears and source solutions to any problems. It is anticipated that this should negate possible objections to the Notice of Intention.
3.6	The additional self-funded locations at Coles Alley and Ventry Lane have returned the requisite consultation forms with no objections and citing a high level of crime, drug use and antisocial behaviour.
3.7	Members should note that should objections be received during the Notice of Intention phase this may necessitate the Council holding a local inquiry, which, to date, has not been necessary in previous phases.
	<u>Financial &amp; Resource Implications</u>
3.8	All associated costs are covered within existing budget estimates.
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.9	No Good Relations or Equality issues.
<b>4.0</b>	<b>Appendices - Documents Attached</b>
	Appendix 1 – Locations : Notice of Intention Phase 5b

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## **Notice of Traffic Regulation Order**

### **Clean Neighbourhoods and Environment Act (Northern Ireland) 2011**

Notice is hereby given that the Council in the exercise of the powers conferred on it by Articles 69A to 69E of the Roads (Northern Ireland) Order 1993 as inserted in the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 proposes to make an order entitled the Belfast City Council Traffic Regulation Order 2024 Phase 5a.

The purpose of the Order is to prohibit the use by vehicles and pedestrians of the following streets in Belfast:

#### **Affected Roads**

1. To the rear of Nos. 212 – 220 Ravenhill Road, Nos. 2 – 36 Delaware Street, Nos. 1 – 35 Toronto Street and to the sides of No. 2 Delaware Street and No. 1 Toronto Street.
2. To the rear of Nos. 31 – 67 Ravenhill Avenue and Nos. 2 – 36 Watt Street.
3. To the rear of Nos. 85 – 155 Rosebery Road, Nos. 90 – 158 Roslyn Street and to the side of No. 85 Rosebery Road.
4. To the rear of Nos. 1b – 33 Jocelyn Street, Nos. 121 – 147 My Ladys Road and to the sides of No. 20 Rosebery Road, No. 147 My Ladys Road and to the side of 1b Jocelyn Street.
5. To the rear of Nos. 400 – 414 Ormeau Road, Nos. 1 – 25 Knockbreda Park and to the sides of No. 1 and No. 25a Knockbreda Gardens.
6. To the rear of Nos. 366 – 372 Ormeau Road, Nos. 2 – 26 Knockbreda Road, Nos. 35 - 51 Rosetta Park and to the sides of No. 2 Knockbreda Park and No. 47 and No. 49 Rosetta Park.
7. To the rear of Nos. 26 – 36 Clara Street and to the sides of No. 32 and No. 34 Clara Street.
8. To the rear of Nos. 135 – 67 Hillman Street, Nos. 100 – 128 Duncairn Gardens and to side of No. 167 Hillman Street.
9. To the rear of Nos. 9 – 15 Oldpark Square, Nos. 226 – 232 Oldpark Road.
10. To the rear of Nos. 72 – 78 Rosepenna Street, Nos. 48 – 74 Hardcourt Drive, Nos. 47 – 67 Roseleigh Street and to the side of No. 47 Roseleigh Street.
11. To the rear of Nos. 5 – 21 Allworthy Avenue, to the side of Nos. 3 and 5 Allworthy Avenue and to the side of No. 21 Allworthy Avenue.
12. To the rear of Nos. 17 – 31 Brookhill Avenue.
13. To the rear of Nos. 11 – 29 Atlantic Avenue, to the rear of Nos. 1 – 17 Newington Avenue and to the side of No. 1 Newington Avenue and to the rear of Nos. 2 – 18 Ponsonby Avenue.
14. To the rear of Nos. 3 – 7 Atlantic Avenue, Nos. 1-23 Ponsonby Avenue and to the side of No. 1 Ponsonby Avenue.
15. To the rear of Nos. 37 – 73 Atlantic Avenue and to the side of No. 232 Limestone Road.
16. To the rear of Nos. 32 – 78 Newington Avenue, to the rear of Nos. 1 – 29 Newington Street, to the side of No. 1 and Nos. 29 and 31 Newington Street and to the sides of Nos. 72 and 74 Newington Avenue.
17. To the rear of Nos. 2 – 30 Cliftonville Street and to the rear of Nos. 1 – 25 Cliftonville Parade.
18. To the rear of Nos. 2 – 22 Cliftonville Parade and to the rear of Nos. 1 – 23 Cliftonville Drive.
19. To the rear of Nos. 1 – 11 Bandon Court, to the rear of Nos. 182 – 192 Manor Street and to the side of No. 10 Alloa Street.
20. To the rear of Nos. 2 – 8 Alloa Street, Nos. 2 – 14 Bandon Court and to the side of No.14 Bandon Court

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21. To the rear of Nos. 30 – 32 Avoca Street and to the rear of Nos. 5 – 7 Summerhill Court and to the side of No. 32 Avoca Street.
22. To the rear of Nos. 17 – 41 Northwood Drive and to the rear of Nos. 18 – 40 Northwood Parade.
23. To the rear of Nos. 25 – 45 Northwood Parade and to the rear Nos. 25 – 42 Northwood Road.
24. To the rear of Nos. 2 – 16 Northwood Crescent and to the rear of Nos. 18 – 32 Northwood Crescent
25. To the side of No. 24 Northwood Road, to the side of No. 23 Northwood Parade, to the side of No. 16 Northwood Parade and to the side of 15 Northwood Drive.
26. To the rear of Nos. 9 – 55 Deacon Street and to the side of No. 55 Deacon Street.
27. To the rear of Nos. 4 – 36 Seaview Street, to the rear of Nos. 5 – 41 Parkmount Street and to the side of No. 379 North Queen Street.
28. To the rear of Nos. 224 – 236 Antrim Road and to the side of No. 2 Alworthy Avenue.
29. To the rear of Nos. 47 - 99 Botanic Avenue, Nos. 12 - 38 University Street and to the sides of No. 50 Mount Charles and No. 14 Lower Crescent.
30. To the rear of Nos. 2 – 14 Shaftsbury Avenue.
31. To the rear of Nos. 7 – 69 Rushfield Avenue, Nos. 2 – 68 Deramore Avenue and to the sides of No. 6 and No. 8 Deramore Avenue.
32. To the rear of Nos. 71 – 93 Rushfield Avenue and Nos. 70 – 116 Deramore Avenue.
33. To the rear of Nos. 1 – 83 Walmer Street, Nos. 2a – 72 Fernwood Street, Nos. 74 – 86 Ava Street, Nos. 82a – 92 Haywood Avenue and to the sides of Nos. 82a and 92 Haywood Street, No. 72 Fernwood Street and to the side of No. 8 Blackwood Street.
34. To the rear of Nos. 10 – 24 Blackwood Street, Nos. 1 – 55 Fernwood Street and to the rear of Nos. 18 – 68 Ava Street.
35. To the rear of Nos. 313 – 319 Donegall Road, Nos. 199 – 253 Roden Street, Nos. 1a – 51 Richview Street and to the side of No. 253 Roden Street.
36. To the rear of Nos. 1 – 49 Empire Drive and to the rear of Nos. 2 – 52 Lemberg Street.
37. To the rear of Nos. 97 – 104 Colinmill Road.
38. To the rear of Nos. 105 – 120 Colinmill Road and to the side of Nos. 111 and 112 Colinmill Road.
39. To the rear of Nos. 123 – 132 Colinmill Road and to the side of Nos. 129 and 130 Colinmill Road.
40. To the rear of Nos. 51 – 65 Lenadoon Avenue and to the side of No. 99 Kerrykeel Gardens.
41. To the rear of Nos. 31 – 33 Glenveagh Park.
42. To the rear of Nos. 29 – 33 Rockdale Street.
43. To the rear of Nos. 1 – 17 Downfine Gardens and to the side of No. 9 Downfine Gardens
44. To the rear of Nos. 1 – 29 Islandbawn Street and to the side of No. 1 Islandbawn Street.
45. To the rear of Nos. 2 – 18 Sheils Street and to the rear of Nos. 231 – 235 Falls Road.
46. To the side of No. 98 Locan Street and to the side of No. 97 Amcomri Street.
47. To the rear of Nos. 69 – 103 Cavendish Street and to the side of Nos. 71 and 73 Cavendish Street
48. To the rear of Nos. 2 – 40 Harrogate Street and to the side of No. 40 Harrogate Street.
49. To the rear of Nos. 30 – 46 Iris Street.
50. To the rear of Nos. 2 – 16 McQuillan and to the side of No. 2 McQuillan Street.
51. To the rear of Nos. Nos. 3 – 23 Springfield Road and to the rear of Nos. 101 - 111 Falls Road.
52. To the rear of Nos. 2 – 16 Kilmore Gardens and to the side of Nos. 12 and 14 Kilmore Gardens.
53. To the rear of Nos. 56 – 66 Clonard Street.

## Appendix 1

54. To the rear of Nos. 2 – 14 Dunmore Street and to the side of No. 2 Dunmore Street.
55. To the rear of Nos. 5 – 17 Kilmore Close.
56. To the rear of Nos. 221 – 247 Springfield Road.
57. To the rear of Nos. 8 – 12 Ladymar Walk and to the side of No. 9 Ladymar Walk
58. To the rear of Nos. 17 – 27 Distillery Street and to the side of Nos. 21 and 23 Distillery Street.
59. To the rear of Nos. 2 – 12 Burnaby Walk and to the side of Nos. 1 – 13 Burnaby Park.
60. To the rear of Nos. 1a – 33 Caledon Street and to the side of 1a Caledon Street.
61. To the rear of Nos. 64 Mayo Street and to the rear of Nos. 1 – 9 Caledon Court.
62. To the rear of Nos. 23 - 25 Finn Square.
63. To the rear of Nos. 46 – 62 Ann Street and to the side of No. 44 Ann Street.
64. To the rear of Nos. 73 – 91 Dublin Road and to the rear Nos. 124 – 134 Great Victoria Street.

Vehicles requiring access in specified circumstances are exempted from the provisions of this Order. It is proposed to give effect to this by erecting gates at entrances to the back and side of street specified above.

Objections or other representations may be made in writing to Belfast City Council, c/o Gavin Bell, City and Neighbourhoods Department, 4 – 10 Linenhall Street, Belfast, BT2 8DP within a period of 30 days from the date of the publication of this Notice.

Full details are contained in the draft Order which together with a map showing the roads affected may be inspected free of charge during office hours within the said period at the above address. A draft of the order will also be available in your local area community centre.

David Sales  
Director of City and Neighbourhood Services  
Belfast City Council

Dated this date:  
Friday xx of October 2024

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<b>Subject:</b>	<b>Request for the use of Alexandra Park for the North Belfast Lantern Parade.</b>
<b>Date:</b>	Tuesday 10 September 2024
<b>Reporting Officer:</b>	David Sales, Strategic Director of City and Neighbourhood Services.
<b>Contact Officer:</b>	Stephen Leonard, Director of Neighbourhood Services.

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

☐

1. Information relating to any individual.
2. Information likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained.
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction.
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

☐  
☐  
☐  
☐

## Call-in

Is the decision eligible for Call-in?

Yes

☒

No

☐

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	The Committee is asked to note that Council has received a request from New Lodge Arts to host the North Belfast Lantern Parade in Alexandra Park. This is the 14 year of this event taking place at a Belfast Park. The event is scheduled to take place on Tuesday 29 <sup>th</sup> Oct and Wednesday 30 <sup>th</sup> Oct 2024.
<b>2.0</b>	<b>Recommendation</b>
2.1	<p>The Committee is asked to grant authority to the applicant for the proposed event on the dates noted; subject to the completion of the appropriate event management plans and satisfactory terms being agreed by the Director of City &amp; Neighbourhood Services and on the condition that the Event Organisers:</p> <ol style="list-style-type: none"> <li>I. resolves all operational issues to the Council's satisfaction.</li> <li>II. meets all statutory requirements including Public Liability Insurance cover, Health and Safety, and licensing responsibilities; and</li> <li>III. shall consult with adjoining public bodies and local communities as necessary.</li> </ol> <p>Please note that the above recommendations are taken as a pre-policy position in advance of the Council agreeing a more structured framework and policy for 'Events', which is currently being taken forward in conjunction with the Councils Commercial team.</p>
<b>3.0</b>	<b>Main Report</b>
3.1	<b><u>Key Issues</u></b>
3.2	If agreed, the event organiser or promoters will be required in advance of the event to submit an event management plan for approval by the Council and all relevant statutory bodies. This will include an assessment of how the event will impact upon the surrounding area and measures to mitigate these impacts.
3.3	This event has been held in Alexandra Park for the past seven years and previously for seven years in the Waterworks. The event is being organised to link the Waterworks and Alexandra Park, which is consistent with the Peace Plus proposed schemes for both parks. New Lodge Arts is one of the key stakeholders in both parks.
3.4	<p>This event is aimed at families and will consist of:</p> <ul style="list-style-type: none"> <li>• A Lantern Parade that makes its way from Girdwood Community Hub in Cliftonpark Avenue to Alexandra Park</li> <li>• Art Workshops and street performers</li> <li>• Outdoor cinema</li> <li>• Magical evening event that will include outdoor performances.</li> <li>• Stage entertainment</li> <li>• Fireworks display that closes event.</li> </ul>
3.5	The event is a project of the Ashton Community Trust and is managed by New Lodge Arts, a voluntary arts organisation working across communities in North Belfast for over 20 years.

3.6	The event will be a ticketed event with tickets costing £2 as in previous years and is necessary to maintain the quality of the event and to incorporate all of the park. The ticketed system was used in previous years and has been a great success in managing numbers within the park. This is not for profit and all proceeds go towards the cost of the event.
3.7	An advisory group has been established to provide advice and guidance on the community outreach and event elements of the programme. The advisory group consists of representatives from a number of community organisations in North Belfast including groups from Tigers Bay, Mount Vernon, Skegoneill/Glandore, Lower Shankill, Cliftonville, Lower Oldpark, Oldpark/Bone, Whitecity, Greencastle and New Lodge and BCC Community Outreach department.
3.8	This year the event will take place on Tuesday 29 <sup>th</sup> Oct from 11.30 to 8.00pm and on Tuesday 30 <sup>th</sup> Oct, from 12pm to 9.00pm. The site build for the event will begin on the 29 <sup>th</sup> of October and deconstruction will be completed on the 31 <sup>st</sup> of October 2024.
3.9	<p>The event organisers have confirmed that they will undertake to do the following in order to ensure the event is both a success and safe:</p> <ul style="list-style-type: none"> <li>• Employ a security firm to safeguard participants and equipment.</li> <li>• Employ reputable contractors to ensure a safe and professional event.</li> <li>• Put a ticketing system in place.</li> <li>• Ensure that a one-way system for the park is in place during the event.</li> <li>• Ensure local residents are informed about the event 7 days prior and to ensure that there is no inconvenience or nuisance caused to the residents on the day of the event.</li> <li>• Work with the relevant council departments to ensure effective management of the park and the event.</li> </ul>
3.10	<p>In order to build the site safely and in a timely fashion, organisers have requested that the park is closed to members of the public from 4pm to 6pm on the 30<sup>th</sup> of October and that only members of the public with tickets, can access the park from 6pm until the event is over.</p> <p><b><u>Financial and Resource Implications</u></b></p>
3.11	There is no financial or resource implications with this event
3.12	<p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>The overall aim of the event and the associated project elements are to build and sustain good relations and trust within all the communities in North Belfast</p>
4.0	<b>Appendices</b>
	None

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