

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



**Belfast
City Council**

21st January, 2020

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Friday, 24th January, 2020 at 9.30 am, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. Routine Matters

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

2. Restricted Items

- (a) Revenue Estimates and District Rate 2020/21 (Pages 1 - 18)
- (b) Assets - Proposed Disposal (Pages 19 - 24)
- (c) DFC Consultation on Regulation of Gambling (Pages 25 - 102)
- (d) Report on Council decision to erect bilingual/multilingual external naming and internal directional signage in Andersonstown, Lisnasharragh, Olympia and Templemore Leisure Centres (To Follow)

3. **Matters referred back from Council/Motions**

- (a) Motion - Support for Health and Social Care Workers - Responses from Permanent Secretaries (Pages 103 - 110)
- (b) Public Awareness Campaign on the Responsible use of Fireworks (Pages 111 - 194)
- (c) Update: Notice of Motion regarding Domestic Violence (Pages 195 - 204)
- (d) Update on Motion: Soft Opt Out Organ Donation (Pages 205 - 210)

4. **Belfast Agenda/Strategic Issues**

- (a) Delivering a Smart Belfast (Pages 211 - 216)
- (b) Customer Focus Programme Update (Pages 217 - 228)
- (c) Area Working Groups (Pages 229 - 238)
- (d) Climate Commission (To Follow)
- (e) Inclusive Growth Strategy: Development of a Social Value Procurement Framework
- (f) Belfast Policing and Council Service Delivery Coordinator (Pages 239 - 242)
- (g) Proposal for Civic Visit to Nashville (Pages 243 - 244)

5. **Physical Programme and Asset Management**

- (a) Physical Programme Update (Pages 245 - 250)
- (b) Asset Management (Pages 251 - 260)

6. **Finance, Resources and Procurement**

- (a) Contracts Update (Pages 261 - 266)

7. **Equality and Good Relations**

- (a) Minutes of Shared City Partnership Meeting on 13th January 2020 (Pages 267 - 280)
- (b) Equality and Diversity: Extending the Sign Language Video Interpreting Service provision (Pages 281 - 282)

8. **Operational Issues**

- (a) Requests for use of the City Hall and the provision of Hospitality (Pages 283 - 288)
- (b) Request for use of City Hall for Trans Pride NI Festival (Pages 289 - 292)

- (c) Consultation response to the DAERA Environment Strategy for Northern Ireland
- (d) Council response to the Liquor Licensing Laws in Northern Ireland Consultation Document (Pages 293 - 338)
- (e) Minutes of Party Group Leaders Consultative Forum (Pages 339 - 342)
- (f) Minutes - Active Belfast Ltd. Board
- (g) Minutes of Meeting of Working Group on the Climate Crises
- (h) Minutes of the Meeting of the Customer Focus Working Group

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Regulation of Gambling in Northern Ireland Consultation Document

The outcome of this consultation will inform the Department for Communities on the regulation of gambling in Northern Ireland. It will help provide an incoming Minister with a broad evidence base on which to determine the way forward.

Scope of Consultation

TOPIC OF THIS CONSULTATION:

This consultation seeks views about the regulation of gambling in Northern Ireland.

SCOPE OF THIS CONSULTATION:

We are keen to hear the views of all parties with an interest in this issue, so that relevant views and evidence can be taken into account in deciding the way forward.

GEOGRAPHICAL SCOPE:

This consultation relates to Northern Ireland only.

IMPACT ASSESSMENTS:

When introducing new measures or a new or amended strategy, policy, procedure, or legislation, the Department is required to consider the impact the proposals may have on Section 75 groups and to have due regard to rural needs. Where regulation is being proposed, a Regulatory Impact Assessment is also required. This consultation is seeking views on the regulation of gambling rather than putting forward any policy proposals and so the Department has not carried out any screening exercises.

Basic Information

BODY/BODIES RESPONSIBLE FOR THE CONSULTATION:

This consultation is being undertaken by Social Policy Unit in the Department for Communities.

DURATION:

This consultation will last for 10 weeks from 16 December 2019 to 21 February 2020.

ENQUIRIES:

For any enquiries about the consultation please email the Department at:

**gamblingconsultation
@communities-ni.gov.uk**

or write to:

Regulation of Gambling in Northern
Ireland Consultation

Department for Communities

Social Policy Unit, Level 8

Causeway Exchange

1–7 Bedford Street

Belfast, BT2 7EG

or Telephone: 028 9082 3140

HOW TO RESPOND:

Online: You can respond online by accessing the consultation documents on the 'Citizen Space' web service. The online version can be accessed at the following link:
www.consultations.nidirect.gov.uk/

EMAIL:

You can also add your comments directly onto this document and email your responses to: **gamblingconsultation@communities-ni.gov.uk** or download and post to:

Regulation of Gambling in Northern
Ireland Consultation

Department for Communities

Social Policy Unit, Level 8

Causeway Exchange

1–7 Bedford Street

Belfast, BT2 7EG

When you reply it would be very useful if you could confirm whether you are replying as an individual or submitting an official response on behalf of an organisation.

If you are replying on behalf of an organisation please include:

- Your name
- Your position (if applicable)
- The name of your organisation
- An address (including postcode)
- An email address

CONSULTATION RESPONSE:

We will consider the responses received and publish an outcome report on the Departmental website.

In line with good practice and sustainable development this document has been published electronically.

ACCESSIBILITY:

A range of alternative formats are available upon request from this Department.

Please email the Department at:

**gamblingconsultation
@communities-ni.gov.uk**

or write to:

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Ireland Consultation

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How we consult

CONSULTATION PRINCIPLES:

This consultation is being conducted in line with the **Fresh Start Agreement – (Appendix F6 – Eight Steps to Good Practice in Public Consultation-Engagement)**. These eight steps give clear guidance to Northern Ireland departments on conducting consultations.

FEEDBACK ON THE CONSULTATION PROCESS:

We value your feedback on how well we consult. If you have any comments about the consultation process (as opposed to comments about the issues which are the subject of the consultation), including if you feel that the consultation does not adhere to the values expressed in the Eight Steps

to Good Practice in Public Consultation Engagement or that the process could be improved, please address them to:

Regulation of Gambling in Northern
Ireland Consultation

Department for Communities

Social Policy Unit, Level 8

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Email: **gamblingconsultation
@communities-ni.gov.uk**

Privacy, Confidentiality and Access to Consultation Responses

For this consultation, we may publish all responses 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 may be published. We will remove names, email addresses and telephone numbers from these responses; but apart from this, we will publish them in full. For more information about what we do with personal data please see our consultation privacy notice.

Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR); however all disclosures will be in line

with the requirements of the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR) (EU) 2016/679.

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.

DfC is the data controller in respect of any personal data that you provide, and DfC's privacy notice, which gives details of your rights in respect of the handling of your personal data, can be found at:
www.communities-ni.gov.uk/dfc-privacy-notice

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1. Introduction

- 1.1 A number of evidence sources, including the results of two Northern Ireland gambling prevalence surveys, stakeholder input, an earlier literature review and a previous consultation have informed the development of this consultation paper. Consideration has also been given to the regulatory approaches in Great Britain and the Republic of Ireland.
- 1.2 The Department accepts that the current legislation is outdated and has not kept pace with industry and technological changes; it is also complex and inflexible.
- 1.3 The purpose of this consultation is to seek views on the appropriateness of the current legislation and to identify areas of gambling activity which should be included in any future legislation on gambling in Northern Ireland.
- 1.4 A number of questions have been posed throughout this paper on a range of issues. It will fall to the next administration to make final decisions on gambling reform and promote the necessary legislation.

2. Gambling in Northern Ireland

2.1 The law in Northern Ireland

Northern Ireland law in respect of gambling is contained in 'The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985' (the 1985 Order). The 1985 Order is broadly modelled on much older law from Great Britain (the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976).

The 1985 Order regulates betting in bookmaking offices and on tracks, the use, supply and maintenance of gaming machines, gaming in bingo clubs, small scale amusements with prizes, and local lotteries. It sets out the procedures for the licensing of gambling activities and

the offences and penalties for breaches of associated licensing conditions.

The courts and district councils license gambling activities; the Department is responsible for issuing track-betting licences; and responsibility for enforcement of gambling law lies with the Police Service of Northern Ireland (PSNI).

2.2 Structure of the industry

The gambling industry in Northern Ireland is relatively small when compared to Great Britain. Latest available figures show that 2310 persons are employed in all gambling and betting activities in Northern Ireland.

This figure is broken down as follows:

Male Full Time	Male Part Time	Total Male	Female Full Time	Female Part Time	Total Female	Total (Male and Female)
650	383	1033	644	633	1277	2310

A significant number of people are also employed indirectly in the local gambling industry such as gaming machine suppliers, and in ancillary activities.

In the betting sector there are currently approximately 300 licensed bookmaking offices; the majority of these are operated by large chains including Ladbrokes, William Hill, McLeans and Toals. There are 2 horse racing tracks and 2 dog racing tracks licensed for betting.

There are around 40 commercial bingo clubs in Northern Ireland most of which are locally owned. The number of certificates issued for the supply and maintenance of gaming machines is around 40. Gaming machines are operated mainly in amusement arcades and the total number of amusement permits issued for this purpose is around 140. Gaming machines may also be operated (without a separate permit) in bookmaking offices, bingo halls and the bar areas of pubs, hotels and registered clubs.

Around 160 organisations have registered with district councils as societies' lotteries, in which tickets for prizes are sold to the public for good causes.

2.3 Gambling Prevalence Survey

The results of the first Northern Ireland wide gambling prevalence survey of

the adult population (aged 16+) were published in 2010; a second survey was subsequently carried out in 2016. The results of these surveys provide a good indication of the nature of the gambling industry here and its impact on society.

The 2016 survey showed that three out of four adults had taken part in some form of gambling within the past 12 months, with the most popular form of gambling being the National Lottery draw (46.8%). The other most popular gambling activities are local raffles and ballots (20.6%), scratch cards (23.7%) and betting with a bookmaker (22.8%). For those who had gambled in the last year, the percentage of respondents using an online method (15.8%) had more than doubled since 2010 (6.7%).

The survey also used an internationally recognised screening tool to measure the level of problem gambling here. It identified 2.3% of the population as having a gambling problem; over four times higher than that recorded in Great Britain. Problem gambling is discussed in more detail in the next chapter of this consultation.

The 2016 survey is available on the Departmental website at www.communities-ni.gov.uk/publications/2016-northern-ireland-gambling-prevalence-survey.

2.4 How does our law compare with Great Britain and the Republic of Ireland?

Great Britain

The Gambling Act 2005 (The 2005 Act) modernised the law in Great Britain, it strengthened regulation by introducing enhanced controls and stricter enforcement measures, and placed more emphasis on social responsibility. It does not encourage or obstruct lawful gambling nor make implicit judgements about the morality underpinning it.

The 2005 Act established an independent body, the Gambling Commission, to advise Government, control and regulate gambling, enforce the law and promote socially responsible gambling in Great Britain; it is accountable to the Department for Digital, Culture, Media and Sport.

The Gambling Commission is responsible for the granting of operating licences (for individuals or companies providing facilities for commercial gambling, including remote gambling) and personal licences (for people performing key management or operating functions in which they could influence the outcome of gambling). The Gambling Commission is pro-active in terms of assessing the suitability of prospective gambling operators and has extensive powers for this purpose. It may impose

conditions on licences and issue codes of practice on how these conditions can best be achieved. The licensing system which the Gambling Commission oversees is intended to be flexible enough to keep pace with technological developments so that gambling delivered by new, unforeseen methods can be efficiently regulated in the future.

The Gambling Commission is also the main enforcer of gambling law in Great Britain, however the police and licensing authorities also have the power to prosecute. The Gambling Commission has extensive powers to investigate, enter premises, seize goods, prosecute, levy unlimited fines, revoke the licences of gambling operators and their employees who fail to comply with the law, and suspend and void bets.

Republic of Ireland

Gambling in the Republic of Ireland is currently regulated by a number of pieces of legislation including The Gaming and Lotteries Act 1956, the Betting Act 1931 (amended most recently in 2015) and The Totalisator Act 1929. A number of bodies have a role in respect of how it is regulated – Department of Justice and Equality, Department of Finance, Department of Public Expenditure and Reform, Revenue Commissioners, An Garda Síochána, Local Authorities and District Courts.

Work is currently under way to modernise the law in the Republic of Ireland; in March 2019 the Minister of State with special responsibility for gambling regulation, David Stanton TD, announced that the Government had approved the establishment of an Irish gambling regulatory authority.

Establishing the gambling regulatory authority, as an independent statutory body under the auspices of the Department of Justice and Equality, was the key recommendation of the report of the Inter-Departmental Working Group on the Future Licensing and Regulation of Gambling.

If you are replying **on behalf of an organisation** please include: • Your name • Your position (if applicable) • The name of your organisation • An address (including postcode) • An email address

Maximum 350 words

3. The Future of Gambling in Northern Ireland

This chapter asks whether some forms of gambling, which are not currently permitted in Northern Ireland but have become commonplace elsewhere, should now be offered here, and regulated accordingly.

3.1 Casinos

Most countries in the European Union, and many others around the world, provide for commercial casino gaming within their gambling legislation. In Great Britain there are currently approximately 150 casinos, including 15 in Scotland and 4 in Wales. The current legislation in the Republic of Ireland does not provide for casinos, nevertheless approximately 12 of these establishments are in existence, operating as members clubs. The legislation currently being drafted in the Republic of Ireland is intended to bring such establishments within the law.

Well known casino games include roulette, blackjack, baccarat and craps (dice). These games all involve playing or staking against a bank (the casino) or playing a game where the chances are not equally favourable to all the players. Equal chance games, such as poker, can also be played in a separate card room for which a charge may be

made by the casino; gaming machines with high stakes and pay-outs are also usually available.

Current Northern Ireland gambling legislation prohibits high stakes banker games and games of unequal chance in all commercial settings. No provision for casinos was included in the 1985 Order because there was no evidence of any real demand for them in Northern Ireland.

Changing the law to enable casinos to operate in Northern Ireland, was subsequently raised during a consultation exercise in 1997 however there was substantial opposition to such a change and it was not taken forward.

Evidence shows that casinos can bring benefits to regions in terms of jobs, tourist revenue and regeneration; this is particularly so when the casino is developed as part of a wider leisure complex. In recent years, interest has been expressed in developing such a complex in Belfast on a number of occasions, however the inclusion of a casino is seen as a key component of such a development and these proposals have, therefore, not progressed.

Casino type gaming is generally regarded as the hardest form of gambling in terms of dangers to the individual and susceptibility to abuse by criminal elements. Anecdotal evidence suggests that a growing number of premises, which hold amusement permits or bingo licences, in towns across Northern Ireland are now providing casino type gaming. In addition, a number of PSNI operations have been carried out in recent years, including one which saw illegal gaming machines and casino roulette machines seized and which ultimately led to a successful prosecution.

A decision to allow high stakes casino type gaming therefore would have significant implications for the structure of the regulatory framework as it would be necessary for such gaming to be closely supervised by the authorities, as is the case in other jurisdictions.

Should the law be amended so as to permit casinos to operate in Northern Ireland?

Yes

No

3.2 Poker and other gaming in pubs and clubs

In recent years, poker tournaments,

bingo and other equal chance gaming have become a source of entertainment and income for pubs and registered clubs in Great Britain. Such gaming is permitted at these venues subject to strict limits on stakes and prizes and, for some games, charges for participation. These controls are designed to protect both the players and those providing the facilities to ensure that gaming remains ancillary to the main purpose of the pub or club.

The Northern Ireland law on gaming is much more restrictive to the extent that poker or other games cannot be organised commercially in licensed premises and registered clubs here. The Department is, however, aware that in recent years a number of entertainment events have taken place across Northern Ireland, on premises other than bingo clubs, at which bingo is part of a wider entertainment offering, with music, dancing and alcohol also available. While some of these events appear to be in aid of charitable purposes and therefore may be permitted under current legislation, it is also clear that some are operating for private gain and would therefore appear to be unlawful.

Is the current legislation, which prevents premises licensed to sell alcohol and registered clubs from offering poker, bingo and other equal chance gaming, still appropriate?

Yes

No

If No, how should the legislation be amended?

3.3 Remote (online) gambling

Remote gambling, also known as online gambling, refers to gambling services that rely on a telephone connection e.g. internet, interactive television and mobile phones; it has become increasingly popular in Northern Ireland as with elsewhere in the world. Among those who had gambled in the last year, the percentage of respondents using an online method had more than doubled in the 2016 Northern Ireland Gambling Prevalence Survey (15.8%) when compared with the figure in the 2010 survey (6.7%)

The 1985 Order predates the development of the internet and therefore contains no provisions relating to remote gambling activities, nor does it prevent a Northern Ireland resident from taking part in internet gambling. This consultation will consider two particular issues in respect of remote gambling, namely, the regulation of remote gambling and consumer protection.

3.3.1 Regulation of remote gambling

The 2005 Act regulated remote gambling in Great Britain for the first time and was subsequently amended by the Gambling (Licensing and Advertising) Act 2014. The legislation requires remote gambling operators to obtain the appropriate licence from the Gambling Commission in order to advertise to, or

carry out transactions with, consumers in Great Britain - this applies to all remote gambling operators, whether they are based in Great Britain or outside it. It is a condition of the licence that operators adhere to social responsibility measures including age verification and self-exclusion.

To deal with unlicensed remote gambling operators, the Gambling Commission has an arrangement with major payment processors, such as Visa, MasterCard and PayPal, who have voluntarily agreed to block transactions between United Kingdom consumers and online gambling sites not licensed by the Commission. Northern Ireland consumers are therefore protected under this arrangement.

The 2014 legislation also made it an offence to advertise remote gambling in Northern Ireland unless the operator holds a remote operating licence from the Gambling Commission. Consumers here are therefore protected by the Licence Conditions and Codes of Practice (LCCP) and social responsibility measures in the same way as consumers in Great Britain.

Remote gambling operators have tended to base themselves overseas for tax reasons and it is therefore considered unlikely that an operator would seek to establish their operations in Northern Ireland.

Is it necessary to introduce additional, Northern Ireland specific, licensing and regulatory measures with respect to remote gambling operators?

Yes	No
If Yes, how should the legislation be amended?	

3.3.2 Consumer Protection

The Gambling Commission does not resolve consumer complaints, for example, it does not assist individuals in getting money back from a bet placed or from playing poker or casino games online. The Commission's role is as a licensing and regulatory authority. When brought to its attention, it may investigate issues such as non-compliance with licence conditions and, where necessary, take regulatory action.

However, a significant degree of protection for online consumers is provided by the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), which require operators to

meet certain standards when handling complaints, and to offer dispute resolution by an independent third party or ADR (Alternative Dispute Resolution) provider – one such ADR body is **IBAS** (Independent Betting Adjudication Service). Consumers in Northern Ireland can avail of these complaints procedures in the same way as any other consumer.

Are the current consumer protection measures available to Northern Ireland consumers when gambling online sufficient?

Yes

No

If No, what additional measures could be introduced?

3.4 Opening hours of bookmaking offices and commercial bingo clubs

The 1985 Order prohibits the opening of bookmaking offices and commercial bingo clubs on Sundays, Christmas Day and Good Friday. Sunday opening is already available in bookmaking offices and bingo clubs in the rest of the United Kingdom and in the Republic of Ireland.

Many opportunities to gamble in Northern Ireland on Sunday already exist, for example betting at a race track, at gaming machines in amusement arcades, pubs, hotels and clubs, on the National Lottery and via remote means.

In recognition of the fact that the issue of working on a Sunday evokes strong opinions, the current legislation includes protections for those who do not wish to work on a Sunday in the on-course sector of the bookmaking industry.

In recent years there has been a significant increase in the number of Sunday events that attract a betting audience, particularly sporting activities. Local bookmakers and bingo club owners believe the current law

has not created a level playing field and are pressing for it to be amended. Amending the legislation would provide a legitimate route for those currently said to be betting through illegal bookmakers in pubs and clubs particularly on Sundays, ensuring that gambling activities are undertaken in a controlled and regulated environment.

Is the current legislation in respect of the opening of bookmaking offices still appropriate?

Yes

No

If No, please choose one of the following:

I think the opening hours should be restricted further

How should they be restricted?

Please explain on page 21

I think bookmaking offices should also be permitted to open:

on Sundays?

Yes

No

on Good Friday?

Yes

No

on Christmas day?

Yes

No

**Is the current legislation in respect
of the opening of commercial bingo
clubs still appropriate?**

Yes

No

If No, please choose one
of the below

**I think the opening hours should be
restricted further**

How should they be restricted?

Please explain on page 22

**I think commercial bingo clubs should
also be permitted to open:**

on Sundays?

Yes

No

on Good Friday?

Yes

No

on Christmas day?

Yes

No

3.5 Demand test

Before a court grants a new premises licence to a bookmaking office or bingo club it must be satisfied that provision in a particular area is inadequate to meet current local demand – the “demand test”. This was also a feature of the law in Great Britain prior to the 2005 Act. There is an argument for retaining the test so as to avoid the proliferation of gambling premises in a particular area, taking full account of all relevant local issues in this regard. On the other hand it could be argued that market forces and a robust licensing framework should keep premises to manageable numbers – it is not the purpose of regulation to stifle competition.

Is the current ‘demand test’ for new bookmaking offices still necessary?

Yes No

Is the current ‘demand test’ for new bingo clubs still necessary?

Yes No

3.6 Residency and incorporation requirements

The 1985 Order requires an applicant for a bookmaker’s licence, a bingo club licence, a gaming machine certificate or permit, or a lottery certificate to be ordinarily resident in Northern Ireland for at least 12 months prior to the date of application. Companies must be

incorporated under Northern Ireland companies law and directors of such companies must, in addition, fulfil the same residency conditions. A company intending to apply for an amusement or pleasure permit, must also be incorporated under Northern Ireland companies law but directors are not required to fulfil residency requirements.

Are the current conditions in respect of residency and incorporation for those wishing to enter the Northern Ireland gambling market still appropriate?

Yes

No

If No, how should the current conditions be amended?

3.7 Age requirements for gambling operators

21 is the lower age limit under the 1985 Order for holders of a bookmaker’s licence, bingo club licence, gaming machine certificate or permit, or lottery certificate. In the case of companies, the 21 age limit also applies to directors. There are no age restrictions for amusement or pleasure permits. Under the law in Great Britain, licences are subject to a lower age limit of 18.

Are the current age restrictions in respect of the grant of a bookmaker’s licence, bingo club licence, gaming machine certificate or permit or lottery certificate still appropriate?

Yes	No
	If No, how should the current conditions be amended?

3.8 Advertising

There are various restrictions on the advertising of gambling in the 1985 Order. As the law here is largely premises based the restrictions tend to reflect this, for example, 'hard copy' advertising of bookmaking offices is allowed but the advertising of offices in other forms such as broadcast advertising is prohibited. Also, the advertising of premises in which gaming takes place is prohibited other than for specified exemptions e.g. bingo and gaming machines in arcades.

The 2005 Act has given broadcasters and publishers based in Great Britain considerably greater freedom to advertise gambling. The new rules in Great Britain mean that it is possible to

advertise gaming, betting and lotteries through a variety of media including television and radio; advertising of gambling through online means is also widespread, for example, through social media and email.

All media advertising is regulated by the Advertising Standards Authority (ASA) based on codes written by the Committee of Advertising Practice (CAP); these codes apply across the United Kingdom.

Is the current law in respect of advertising of gambling in Northern Ireland still appropriate?

Yes

No

If No, please choose one of the following

**Further restrictions should
be introduced**

What additional restrictions should
be introduced? **Please explain**

**The current restrictions should
be eased**

How should the current restrictions
be eased? **Please explain**

**There should be full alignment with the
law in Great Britain in respect of the
advertising of gambling**

3.9 Prize competitions

Northern Ireland law does not permit any commercially organised prize competition which involves forecasting the result of an event, or in which success does not depend to a substantial degree on the exercise of skill.

Commonly used as a sales promotion or marketing device, a commercial prize competition or draw which does not meet the “skill” requirement may still be lawful as long as there is a free method of entry.

Promotional prize draws whereby a person must buy a particular product or service e.g. a chocolate bar or a magazine, or have a particular bank account (such as for the Halifax Savers Prize Draw), in order to have a chance to win a prize are not considered free draws under the 1985 Order and are therefore unlawful in Northern Ireland.

In Great Britain, the purchase of a particular product or service as a requirement for entry to a prize draw is not regarded as payment to enter the competition so long as the price of the goods or services does not contain any additional cost which reflects the opportunity to participate in the competition.

In order to comply with Northern Ireland law, companies promoting UK-wide prize competitions associated with the purchase of a product/service must either exclude Northern Ireland from their competitions, offer a free entry route to Northern Ireland participants or offer a free entry route throughout the United Kingdom.

Should the current law in respect of promotional prize competitions and draws in Northern Ireland be amended to reflect that which exists in Great Britain?

Yes

No

3.10 Protection of children

There are a range of measures currently in place in Northern Ireland to protect children and young people from gambling. Under-18s are prohibited from engaging in betting transactions and are not permitted to enter a licensed bookmaking office. Under-18s may not participate in bingo in a licensed bingo club but there are no restrictions on under-18s being in such a club. No ticket or chance to win a prize in a society's lottery may be bought by or sold to anyone under the age of 16. There are, however, no restrictions in the 1985 Order specifically on the use of gaming machines by under-18s.

While there are no restrictions on the use of gaming machines, there are barriers to access to the higher value prize machines by under-18s. For example, under-18s

are not permitted in areas of amusement arcades with £25 prize machines.

In terms of premises licensed to sell alcohol, under-18s are only permitted in the bar where a children's certificate is in place and where they are accompanied by an adult.

In Great Britain, the 2005 Act established a number of offences concerning underage gambling; this included inviting, causing or permitting a child or young person to gamble on any gaming machine other than the lowest Category D machines.

Do you believe that other specific measures should be introduced to help protect children?

Yes No

If Yes, what measures should be introduced?

Do you believe that specific offences should be created in relation to causing or permitting an under-18 to gamble using certain gaming machines?

Yes

No

3.11 Problem gambling – research, education and treatment

As previously highlighted, the 2016 Northern Ireland Gambling Prevalence Survey found that over 2% of people in Northern Ireland aged 16 and over has a gambling problem. ‘Problem gambling’ is gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits.

Health issues arising from problem gambling are not the responsibility of the Department for Communities. There are no gambling specific services commissioned by the Health and Social Care Board. However, someone with a mental health issue, such as, anxiety or depression arising from the consequences of gambling would receive appropriate help for that condition in the same way it is available to anyone else in Northern Ireland, based on clinical assessment, clinical need and in line with the Regional Mental Health Care Pathway. Patients requiring specific gambling support are directed towards community services, such as Gamblers Anonymous, Addiction NI, GamCare and Dunlewey Addiction Service.

The 24/7 Lifeline service is also available for anyone in crisis or despair.

There are no provisions within the 1985 Order which require the gambling industry in Northern Ireland to make any contribution to funding support services for problem gambling, however, the Department is aware that some gambling providers do contribute funding to local support organisations on a voluntary basis.

In Great Britain, under the Gambling Commission’s Licence Conditions and Codes of Practice (LCCP), all licensed gambling businesses make a contribution towards research, education and treatment of problem gamblers. Fundraising targets for the gambling industry are agreed by the Commission with the government and with the **Advisory Board for Safer Gambling**.

While the Commission highlights the work of **GambleAware**, they do not insist that they are the beneficiary of contributions nor do they seek to tell licensees how much their contribution should be.

The 2005 Act also contains provisions which would allow the government to impose a statutory levy upon industry; the levy would be paid to the Gambling

Commission and is specifically intended for alleviating problem gambling. Following criticism in respect of the level of contributions which the industry make, the Advisory Board for Safer Gambling has called for the introduction of such a levy in Great Britain.

Do you believe that the Northern Ireland gambling industry should help fund research, education and treatment of problem gamblers?

Yes

No

Do you believe that a power should be taken to impose a statutory levy on the Northern Ireland gambling industry?

Yes

No

4. Sector Specific Issues

The main activities permitted under the 1985 Order relate to the following sectors; betting, commercial bingo clubs, gaming machines and lotteries (other than the National Lottery). This chapter looks at issues that are particular to each sector and seeks views in respect of possible amendments to the legislation in the future.

In considering the following issues, the reader may find it helpful to refer to the Department's information leaflets on the law on bingo, gaming machines and lotteries, which are available on the Departmental website at www.communities-ni.gov.uk/topics/dsd-law-and-legislation/social-law.

4.1 Betting

4.1.1 Existing law

The existing law on betting and related matters is contained in Part II of the 1985 Order and includes provision for general restrictions on betting, the licensing of bookmakers and their offices, the licensing of horse and greyhound tracks for betting purposes, pool betting and the conduct of licensed tracks.

4.1.2 Pool betting in bookmakers offices

Pool betting is a form of betting where gamblers pay a fixed price into a pool then make a selection on the outcome. There are no odds involved; each winner's payoff depends simply on the number of gamblers and the number of

winners. There is a general prohibition on pool betting in Northern Ireland except by means of a totalisator (tote) on a licensed track, a totalisator is a computer that registers bets and divides the total amount bet among those who won. It is understood to have become common practice for local bookmakers to allow pool betting, such as Tote Direct, within their offices, in line with High Street bookmakers in Great Britain and the Republic of Ireland.

Should the law be amended so as to permit pool betting in bookmaking offices?

Yes

No

4.1.3 Enforcement of gambling contracts

The 1985 Order provides that any contract involving gambling is void and no legal action should be taken to recover any money won or paid on a wager. In Great Britain, contracts made for gambling purposes are treated similarly to other contracts. In particular, any debts that arise from gambling will be capable of enforcement in the same way as any other personal or business debts. However, the Gambling Commission has the power to void betting contracts in certain circumstances, for example if it is satisfied that a bet was substantially unfair.

Do you believe that gambling contracts should be legally enforceable?

Yes

No

4.1.4 Cheating

The 1985 Order contains an offence to cheat with respect to gambling, however this only applies when someone actually wins through cheating; a person who cheats and does not win money from another person is not guilty of an offence.

In Great Britain the 2005 Act makes it a criminal offence to cheat at gambling irrespective of whether or not the person actually wins anything as a result of the cheating, or whether the cheating

has the effect of improving the cheat's chances of winning. This means that an 'incompetent' cheat, or one who cheats for another person's benefit, will still commit an offence.

Do you believe that the law should be amended so that those who cheat at gambling commit an offence, regardless of whether or not they are successful?

Yes

No

Do you have any other comments in respect of betting?

Yes

No

If Yes, please provide details

4.2 Commercial Bingo Clubs

4.2.1 Existing law

The existing law on commercial bingo is contained in Part III of the 1985 Order.

4.2.2 Prize gaming in bingo clubs – stakes and prizes limits

The current monetary limits on prize gaming are:

- the maximum stake for one chance to win a prize is 50p
- the total amount taken for the sale of chances and the total value of prizes in a single game must not exceed £120
- the maximum monetary prize is £25

The prize limits in bingo clubs in Great Britain are:

- the maximum payment for one chance to win a prize is £1
- the maximum monetary prize is £100 (where no persons under 18 are permitted on the premises at any time when the game is being played; and £70 in all other cases)

Should the law be amended so as to increase the prize gaming monetary limits in bingo clubs?

Yes

No

4.2.3 Monetary controls on the playing of bingo in a licensed bingo club

There is a range of conditions and monetary restrictions that apply to playing bingo in a licensed bingo club. It must be equal chance gaming and no levy may be charged on stakes or winnings. There is no limit on the size of stakes but these must be returned to players in full as winnings, less any bingo duty payable. The total amount paid out in prizes in any week must not exceed the amounts staked by the players by more than £10,000 and all prizes must be in cash. Club owners may make a charge, not exceeding £10 per day, for admission and a charge not exceeding £5 for each chance in playing the game. Games of linked bingo - bingo played across multiple premises - in licensed bingo clubs are permitted subject to certain monetary limits.

In recent years there has been very significant deregulation of bingo clubs in Great Britain to the extent that there are no monetary controls on the playing of bingo games. Also, rollovers similar to those in the National Lottery are now permitted in Great Britain. As bingo is widely regarded as a soft form of gambling, and given the social framework within which it is played in Northern Ireland, it is argued that there should be no statutory limits here on participation charges and prize

limits. Instead it is considered that the market should determine these limits. A decision to remove these restrictions would mean the end of the principle that prize money must only come from stake money. It could create the potential for 'rollovers' whereby some of the stake money could be retained to offer jackpot rollover prizes.

Should the law be amended with respect to the monetary controls on bingo club games?

Yes No

Should rollovers be permitted?

Yes No

4.2.4 Membership requirement

At present only eligible members (for whom at least 24 hours have elapsed since applying for membership) and their guests may participate in bingo in a licensed bingo club. This rule is generally considered to be out-of-date and an unnecessary bureaucratic burden on both players and club owners.

Should the law be amended so as to abolish the 24 hour membership requirement?

Yes No

Do you have any other comments in respect of commercial bingo clubs?

Yes No

If Yes, please provide details

4.3 Gaming Machines

4.3.1 Existing law

There are three types of gaming machine permitted under current Northern Ireland legislation:

- jackpot machines (£250 prize/50p stake) mainly used in registered clubs
- two types of smaller prize machines, usually referred to as 'higher' (£25 prize/30p stake) and 'lower' (£8 prize/30p stake) amusement with prizes (AWP) machines

A full list of the gaming machine categories for Northern Ireland can be found at **Annex A**, the categories for Great Britain are also provided.

The existing law on gaming by way of a gaming machine is contained in Part III of the 1985 Order. Anyone who wishes to supply or maintain gaming machines must obtain a gaming machine certificate or permit (for one machine) from a court authorising him to do so. The most common premises for the playing of gaming machines are amusement arcades and operating permits for these are granted by local councils. Gaming machines may also be played (without the need for a separate permit) in commercial bingo clubs, bookmaking offices, the bar areas of pubs and hotels, and in registered clubs. Gaming machines – including jackpot machines – may be used as an incidental

attraction at fundraising social events such as fetes and dinners on a not for private profit basis. For gaming machines used as an incidental attraction at such entertainments, there are no statutory limits on the number of machines, stakes or prizes. In addition, 'lower prize' AWP machines may be used at travelling showmen's pleasure fairs.

Should gaming machines – including jackpot machines – continue to be permitted to operate as an incidental attraction at entertainments such as fetes, sales of work, etc provided the entertainments are not run for private gain?

Yes No

Should "lower prize" gaming machines continue to be permitted to operate at travelling showmen's pleasure fairs?

Yes No

4.3.2 Definition of a gaming machine

The current definition for a gaming machine, set out in Part I of the 1985 Order is as follows:

any machine which:

(a) is constructed or adapted for playing a game of chance by means of it; and

(b) has a slot or other aperture for the insertion of money in the form of cash or tokens

In 2003, machines for use in casinos, amusement arcades and bingo clubs began appearing in Great Britain offering traditional casino games, usually roulette; these machines were subsequently introduced in Northern Ireland. Their introduction took advantage of a loophole in the gambling law in both jurisdictions. It was argued that by locating the random number generator (which determined the outcome of the game) separate from the machine itself, the machine did not fall within the definition of a gaming machine.

In Great Britain, this loophole was closed by the 2005 Act, which set out a new definition for a gaming machine. Automated Roulette Machines and the Fixed Odds Betting Terminals (FOBTs) found in bookmaking offices, which have similar characteristics, are clearly treated as gaming machines and regulated as such.

The revised definition for a gaming machine in Great Britain also meant that a range of machines such as 'crane grabs', 'coin pushers' and 'penny falls' type machines, traditionally considered as skill machines, are now regulated as gaming machines.

In both Great Britain and Northern Ireland, machines where the outcome is determined by the exercise of skill

(skill machines), for example quiz machines, are not considered to be gaming machines.

Should the definition of a gaming machine be amended to reflect the variety of machines which now exist?

Yes

No

4.3.3 Gaming machine technical standards

The regulatory regime in Great Britain incorporates technical standards for the operation of gaming machines with respect to game features such as speed of play, display notices and general machine operation; the 1985 Order contains no provisions on any of these features.

A significant proportion of gaming machines in Northern Ireland are manufactured and meet the legal requirements in Great Britain, however the current lack of technical standards here means there is no way to ensure that machines are operated in a fair and open way.

Should the gaming machine technical standards that exist in Great Britain be adopted here?

Yes

No

4.3.4 Increases in current stakes and prizes limits

Stakes and prizes levels in Northern Ireland are lower than those permitted in Great Britain. In Northern Ireland registered clubs may operate 'jackpot' machines with a maximum £250 prize for a 50 pence stake. The equivalent machine in Great Britain, the Category B4, has a maximum stake of £2 and a maximum prize of £400.

Adult areas of amusement arcades may operate the 'higher prize' £25 prize AWP machines for a 30 pence stake. These machines may also be operated in bookmaking offices, commercial bingo clubs and the bar areas of public houses and licensed hotels. The closest equivalent to these machines in Great Britain are Category C machines, these have a maximum stake of £1 and a maximum prize of £100.

The 'lower prize' AWP machines with an £8 prize (30 pence stake) may be used in amusement arcades, commercial bingo clubs and travelling showmen's pleasure fairs. These would fall within the Category D classification of machines in Great Britain, although Category D comprises a range of other machines including crane grabs, coin pushers and penny falls.

Generally speaking, permitted gaming machine stakes and prizes here are significantly lower than those allowed in Great Britain. The regime in Great Britain provides machine gaming ranging from machines with a £5 prize for a 30 pence stake (Category D) to those with unlimited stakes and pay-outs (Category A machines).

Stakes and prizes levels in Great Britain have generally been reviewed on a three yearly basis and can be readily adjusted through secondary legislation; the monetary limits in Northern Ireland have remained unchanged since 2003.

Operators are strongly of the view that monetary limit parity with Great Britain is essential to the viability of the Northern Ireland gambling industry; the differences in the stakes and prizes limits also present significant issues to the industry in sourcing new machines.

Should the law be amended so as to increase gaming machine stakes and prizes limits in line with the corresponding limits in Great Britain?

Yes

No

4.3.5 Payment methods for machine gaming

The 1985 Order only permits the use of coins for the operation of gaming

machines. Industry here have for some time sought a change to the law to permit the use of ‘note acceptors’ – such a change would be particularly necessary if the increases in stakes and prizes discussed earlier in this section were to be introduced. Modern gaming machines in Great Britain use a variety of payment methods, including ‘note acceptors’, a TITO (ticket-in, ticket-out) method or an operator-provided app-based digital wallet.

In Great Britain, however, there also exists, through Regulations and the Licence Conditions and Codes of Practice (LCCP), measures intended to prevent consumers from spending more than they can afford and ensure consumers make regular decisions as to how much money they wish to commit to play a machine. There are also prescribed limits on the amount an individual can deposit onto a gaming machine in any single action.

In practice this means that the use of debit and credit cards for payments to play machines is prohibited; in addition, contactless mobile payment systems such as Apple Pay or Android Pay are regarded by the Gambling Commission as the same as payments to use a gaming machine by means of a card itself as they are simply a medium by which a contactless card payment is

made. TITO methods and operator provided app-based digital wallets are permitted but must adhere to the prescribed limits with respect to depositing funds.

Should gaming machines be able to accept stakes and pay out prizes in forms other than coins?

Yes No

If Yes, please select from below

Banknotes

Yes No

Ticket-in / Ticket Out

Yes No

Debit/credit cards

Yes No

Operator proved digital wallets

Yes No

Other

4.3.6 High-stake high-prize machine gaming (jackpot machines) in licensed gambling premises

In Great Britain, adult only amusement arcades, bookmaking offices, bingo clubs and registered clubs may operate machines with stakes of up to £2 and jackpots of up to £500. There are limits

on the number of such machines that may be run in conjunction with lower value machines and operators must adhere to the relevant licensing codes of practice. Current legislation here only permits jackpot machines, though with lower stakes than in Great Britain, in registered clubs.

Should higher stakes and prizes jackpot machines be permitted in bookmaking offices, bingo clubs and amusement arcades where entry is restricted to those aged 18 and over?

Yes

No

4.3.7 The number of gaming machines permitted in certain premises

At present, a registered club may have up to three gaming machines regardless of the size of the membership or the club premises; this is also the case in Great Britain. The sector has previously suggested that the number of permitted machines should be linked to the size of the club and its membership, up to a maximum of five machines.

Bookmaking offices are currently permitted two machines, in Great Britain the limit was increased to four machines. In practice however, because the legal status of Fixed Odds Betting Terminals is currently unclear in Northern Ireland, many bookmaking offices have as many as four FOBTs as well as two gaming machines.

Should the law be amended so that the number of gaming machines permitted in a registered club is related to the size of its membership?

Yes

No

Should the law be amended with respect to the number of gaming machines permitted in a bookmaking office?

Yes

No

If Yes, how many gaming machines should be permitted in bookmaking offices?

0

1

3

4

More than 4

Do you have any other comments in respect of gaming machines?

Yes

No

If Yes, please provide details

4.4 Lotteries

4.4.1 Existing law

The existing law on lotteries is contained in Part IV of the 1985 Order; under the 1985 Order all lotteries are unlawful unless they are:

- small lotteries ancillary to an exempt entertainment (e.g. at a charitable bazaar, sale of work, fete, dinner, dance, or at a sporting event)
- private lotteries (e.g. traditional sweepstakes in work places and small-scale, fund-raising ballots by societies)

- societies' lotteries or
- part of the National Lottery

Societies' lotteries involve the sale of tickets or chances (to win a prize) to the general public by clubs, associations, institutions etc., in support of 'good causes' and these will be the main focus of this part of the consultation.

Should you wish to make any comment with respect to Private Lotteries or Small Lotteries, these would also be welcome and can be included within your

response to the final question of this lotteries section. The National Lottery is controlled by Westminster legislation, the National Lottery etc. Act 1993, and will not therefore be considered within this consultation.

A **leaflet** is available on the Department for Communities website which provides further details in respect of the other lotteries mentioned above.

4.4.2 Monetary limits on stakes and prizes for societies' lotteries

At present, the maximum price of a ticket or chance to participate in a society's lottery is £1 and no prize may exceed £25,000 (in amount or value) or 10% of proceeds, whichever is greater. No more than 50% of the proceeds of a lottery may be used to provide prizes. The total value of tickets or chances sold in any one lottery must not exceed £80,000. The total value of tickets or chances sold in all the lotteries promoted by one society in any year must not exceed £1m. These limits have remained unchanged for many years and local charities feel they are too restrictive. In particular, the maximum face value of £1 per ticket means that charities cannot run raffles with attractive prizes. The limit of £80,000 which can be raised from ticket sales in any one raffle is also said to be hampering fund raising efforts.

The current legislation also requires that each chance in a lottery must have the same price, in effect this means that the common practice of selling, for example, a book of 6 tickets for £5 where each ticket costs £1 is not legal.

In Great Britain, the £1 stake limit for societies' lotteries has been removed, but the price of every chance in the same lottery must be equal. The rationale for removing the stake limit in Great Britain was that lottery promoters were better placed to judge what the market may withstand. The maximum prize limit is £25,000 or 10% of proceeds, whichever is greater (up to a maximum of £400,000). Ticket sales of up to £4m for an individual lottery are permitted but annual proceeds by one society must not exceed £10m.

Rollovers are becoming increasingly common in societies' lotteries, a rollover occurs where a prize that has not been allocated in one lottery is added to prizes available for allocation in a subsequent lottery, thereby providing a bigger jackpot. Following the 2005 Act, society lotteries in Great Britain are permitted to have rollovers provided the maximum single prize limit is not breached; the 1985 Order does not make explicit provision for rollovers.

Should the law be amended so as to remove the £1 stake limit on society lottery tickets?

Yes No

If Yes, what limit, if any,
would be appropriate

£2

£5

£10

Other amount

No limit

Should the principle that the price of every chance in the same lottery must be the same be retained?

Yes No

Should the current limits on proceeds (ticket sales) from an individual lottery and the total amount per society in any year be increased to reflect those in Great Britain?

Yes No

Should the legislation in Northern Ireland be amended to reflect the law in Great Britain on lottery rollovers?

Yes No

- where the total proceeds are £10,000 or less, no more than 20% of the total
- where the total proceeds are more than £10,000, no more than 15% of the total
- in each case the expenses actually incurred, if less

Should the law be amended so that the proportion which can be deducted for expenses is the same, regardless of the amount of total proceeds?

Yes No

Should the law be amended so as to permit a greater proportion of the proceeds to be used for expenses?

Yes No

4.4.4 The use of the internet for the sale of lottery tickets

In recent years the Department has become aware of a considerable growth in the numbers of society lotteries, raffles or draws being promoted online, by charitable organisations, sporting clubs and organisations. In the majority of these promotions, tickets for the lottery or draw are sold and paid for online.

The 1985 Order makes no reference to the provision of gambling services on the internet nor do any subsequent regulations or amendments to the Order deal directly with online

4.4.3 Deduction of expenses

At present, the amount of a society lottery's proceeds which may be deducted to meet expenses (exclusive of prizes) is:

gambling. Regulation 6 of the Lottery Regulations (Northern Ireland) 1994, however, prohibits the sale of any ticket or chance in a society lottery by means of a “machine”. Article 2(2) of the 1985 Order says that, ““machine” includes any apparatus”.

In Great Britain the legislation preventing the sale of society lottery tickets by machine was repealed by the 2005 Act; in addition, National Lottery legislation also allows for the sale of

chances by way of the internet.

Should the law be amended so as to permit the use of the internet in the sale of lottery tickets?

Yes

No

Do you have any other comments in respect of lotteries?

Yes

No

If Yes, please provide details

5. Licensing, Enforcement and Regulation

This chapter looks at current licensing and enforcement arrangements and seeks views as to whether and how this might be amended going forward. The potential for a regulator to be introduced, and how it might function will also be considered.

5.1 Current licensing arrangements

Licensing responsibilities under the 1985 Order currently rest with the courts, district councils and the Department. Courts are responsible for granting:

- bookmakers' licences which authorise the holder to carry on a business or act as a bookmaker
- bookmaking office licences which authorise the holder to carry on business as a bookmaker in the relevant premises
- bingo club licences which authorise gaming (including bingo and gaming for prizes) and subject to a direction by the licensing court, the operation of gaming machines in the relevant premises
- gaming machine certificates or permits which authorise the holder to supply and maintain gaming machines
- lottery certificates which authorise the holders to act as lottery consultants or managers
- the registration of clubs (clubs registered under the 1985 Order are

permitted to have up to 3 "Jackpot" type machines with a maximum stake of 50p and maximum prize of £250).

District councils are responsible for granting:

- amusement permits which authorise the operation of gaming machines and amusements with prizes in arcades and similar premises
- pleasure permits which authorise amusements with prizes (but not gaming machines)
- the registration of societies for societies' lotteries purposes

The Department is responsible for granting:

- track betting licences which authorise betting (bookmaking and totalisator betting) on the relevant horse or dog tracks

Currently, licensing procedures include a requirement for licensing authorities to make an assessment of the suitability of prospective gambling operators to be granted a licence. In practice the general system relies heavily on the consideration of objections from organisations such as the PSNI, as opposed to active investigation by the licensing authorities.

5.1.1 Duration of licences

With the exception of track betting licences, which run for seven years, licences, certificates, and permits granted under the 1985 Order are renewable annually.

In Great Britain, gambling licences are generally open-ended although licensees are usually required to make a contribution annually towards the cost of the licensing system. In terms of better regulation principles it could be argued that the requirement for businesses to make a formal application to renew their licence annually is overly bureaucratic and expensive. However, there are those who would argue that the risk of not having a licence renewed serves to maintain standards in the industry.

The Department's examination of the licensing system indicates a fairly 'settled' industry with few objections to the annual renewal of licences and it may therefore be appropriate to consider a longer licensing cycle; this

must be balanced however against the need to ensure that appropriate safeguards are in place to enable licences to be suspended or revoked where it is deemed necessary.

Is the current duration of licences appropriate?

Yes

No

If no, please select one of the below

3 years

5 years

Open ended

Unsure

5.2 Enforcement

The PSNI is responsible for the enforcement of all parts of the legislation. In the past it has expressed the firm view that enforcement of the gambling law is mainly a social and revenue matter and wish to see responsibility transfer to a more appropriate agency.

Do you believe that the PSNI is the most appropriate agency to enforce the law?

Yes

No

If no, please provide details

5.3 Future regulatory framework for Northern Ireland

Earlier chapters of this consultation have focussed on a number of elements of the current gambling law and sought views as to whether change is necessary. A decision to permit harder forms of gambling here, such as casinos, would have implications in terms of how the industry is regulated.

Previous engagement with stakeholders showed no common view about an appropriate regulatory framework

with some favouring an independent regulator or gaming board while others saw merit in retaining the existing mainly court based licensing system with police enforcement.

Determining the appropriate way forward in respect of the regulatory framework will be determined by what changes to the law an incoming Minister wishes to make and this consultation does not therefore seek to explore this matter in great depth.

It is however useful to outline some of the variety of approaches which might be taken once a Minister has made the position clearer.

- **Continue the current position (No regulatory body) -**
Successive Northern Ireland administrations have taken the view that since large-scale commercial gaming is not permitted here, the necessary scrutiny and regulatory functions can be discharged satisfactorily by existing agencies
- **Establish an independent body –**
In recent years there has been a move towards independent regulation of licensing and enforcement activities across most European states and beyond; an example of this is the Gambling Commission in Great Britain
- **Government regulator -**
Establish a new gambling regulator's office within a Government Department to undertake particular regulatory functions

- **An existing regulatory body –**
Another potential option would be to seek the support of another regulator to carry out the regulatory functions required in Northern Ireland. It is expected that such a body would need to have experience in either the regulation of gambling or of a related subject, one such example might be the Gambling Commission

Do you believe that there is a need for a regulatory body for gambling?

Yes

No

If Yes, which, if any, of the following options do you think would be most appropriate for Northern Ireland?

An independent body

Government regulator

An existing regulatory body

Don't know / No strong view

**Do you have any other comments
in respect of the licensing,
enforcement or regulation of
gambling in Northern Ireland?**

Yes **No**
If Yes, please provide details

Gambling – Final comments

**Do you have any other comments in
respect of the future of gambling in
Northern Ireland?**

Yes

No

If Yes, please provide details

Annex A

Gaming Machines - Northern Ireland

Supply and maintenance of gaming machines

Anyone wishing to supply or maintain gaming machines must obtain a gaming machine certificate or permit from a court authorising him to do so.

Permitted gaming machines

There are three types of gaming machine permitted:

- jackpot machines mainly used in registered clubs

- two types of smaller prize machines (usually referred to as 'higher' and 'lower' amusement with prizes (AWP) machines)

Location, stakes and prizes

Gaming machines may be lawfully used in a limited number of locations and are subject to statutory limits on stakes and prizes as shown in the table below:

Type of Machine	Permitted Locations	Maximum Stake	Maximum Prize
Jackpot	Registered clubs	50p	£250
AWP higher prize machines	<ul style="list-style-type: none"> • Adult only areas of amusement arcades & similar premises • Bookmaking offices • Commercial bingo clubs • Public houses and licensed hotels (bar areas only) 	30p	£25
AWP lower prize machines	<ul style="list-style-type: none"> • Arcades & similar premises • Commercial bingo clubs • Travelling showmen's pleasure fairs 	30p	£8

Gaming Machine Categories

- Great Britain

Category	Maximum Stake £	Maximum Prize £	Permitted Locations
A	Unlimited	Unlimited	No category A machines are currently permitted
B1	5	£10,000 (with the option of a max £20,000 linked progressive jackpot on a premises basis only)	Casinos only
B2	2	500	Betting shops, tracks, casinos
B3	2	500	Bingo halls, adult gaming centres, betting shops, tracks, casinos
B3A (Lottery style games only)	2	500	Registered clubs only
B4	2	400	Commercial clubs, registered clubs, bingo halls, adult gaming centres, betting shops, tracks, casinos
C	1	100	Family entertainment centres, pubs, commercial clubs, registered clubs, bingo halls, adult gaming centres, betting shops, tracks, casinos
D There are five different combinations of stake and prize for the various types of category D machine	10p to 1	15 to 50	Casinos, betting shops, tracks, bingo halls, adult gaming centres, registered clubs, commercial clubs, family entertainment centres, pubs, travelling fairs

Further details can be seen at: www.gamblingcommission.gov.uk/for-gambling-businesses/Compliance/Sector-specific-compliance/Arcades-and-machines/Gaming-machine-categories/Gaming-machine-categories.aspx

Available in alternative formats.

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Is Europe ready for Integrated Resort Casinos?



0

the number of IRCs currently in Europe

40%

the average increase in tourism visits in Singapore post the launch of IRCs

\$600m

EBITDA generated by the average IRC in 2015

About the authors

PwC is a leading provider of consulting and advisory services to the public and private sectors, including strategy, operations, policy, economics, technology, digital, regulation and risk.

We have experience in the gaming sector in most major gaming jurisdictions (UK, France, Germany, Italy, Spain, South Africa, Macau, Greece, Eastern Europe, the US, and the Netherlands, among others) and across many issues. For example in the casino sector our experience spans evaluating the socio-economic impact of casino developments, feasibility assessments for developers, due diligence for investors and lenders, strategic advice for operators and legal and regulatory services, market reviews and numerous types of financial, tax, and pensions advice. We also work with investors, operators, regulators, industry groups and government in online gambling, bingo, gaming machines, horse racing, lottery and betting.

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What is an Integrated Resort Casino (IRC)?

The IRC acronym first surfaced in 2010 to describe Marina Bay Sands and Resorts World Sentosa in Singapore, but the basic theory behind an Integrated Resort Casino goes back at least to the early 90s, to glitzy landmark developments like the MGM Grand in Las Vegas. Despite owing its prototype to Las Vegas, the IRC centre of gravity is now definitely in Asia, where IRCs and future developments are currently focused. There are some notable new developments underway or under investigation outside Asia, in countries like Australia, Brazil, and in US states such as New York and Massachusetts, but thus far there is nothing in Europe that comes close to the IRC model.

But what is an IRC? There are three key features that mark out an IRC from other gaming developments:

- One is the '**integration**' of one or more major casinos and gambling operations with hotels and other leisure and entertainment facilities, from sports, to shopping, to conference facilities, night-life, and even theme parks.
- The second is the broad appeal of IRCs to gamers and non-gamers, locals and **foreign tourists**, and within this to high-spending VIPs.
- And last, but by no means least, the sheer **scale**. IRCs are huge operations in every sense: huge physical sites, huge numbers of gaming tables, huge upfront investment costs, and potentially huge tax revenue and job creation.

So would the rewards be as sizeable in Europe, or could risks and barriers outweigh the advantages? There may be a strong economic case, but there are political and social concerns which can hold development back. And in purely practical terms, developments of this size always require a lengthy and detailed approval process, which demands the careful management of a very wide range of stakeholders. Sometimes this process takes so long, in fact, that the operator concerned pulls out; in other cases initial proposals get so watered down that resulting development are not really IRCs at all. We've seen both outcomes in Europe recently. The question is whether the

time is now right for governments and operators across the continent to make a decisive move into this segment.

In this report we'll look at how IRCs have evolved, and where the market is now. We'll look at the advantages and the challenges, both for host governments, and potential operators and investors, based on the experience in other parts of the world.

Established major IRC jurisdictions

Las Vegas

Gaming has been the heart and soul of Las Vegas since 1931, when gaming was legalised. What we might now think of as “hotel-casinos” began opening in the 1940s, and the highway where they clustered became known as the Strip. These hotel casinos made a deliberate decision to attract big name singers and entertainers to supplement their gaming attractions, and by the mid-50s the city was drawing eight million tourists a year.¹

The first mega-resort was the Mirage, which opened in 1989, and since then we’ve seen a wave of ever bigger and more ostentatious developments. The Strip currently has 3.2m square feet of casino space, c.90,000 hotel rooms and employs 100,450 people across 47 different casino operations, of which 23 generate revenues in excess of \$70m each.² The city’s deliberate diversification into entertainment seems to be paying off: it now bills itself (tellingly) as ‘The Entertainment Capital of the World’, and even in 2008, at the height of the credit crunch, 38 million people went to Vegas, drawn as much to its leisure attractions as gambling alone. In 1984 gaming accounted for 59% of the Strip’s revenues, but by 2015 that had dropped to around 35%.³



Singapore

Singapore has come to the IRC party relatively late, but its two big resort casinos have made a huge impact since they opened in 2010. When the Singaporean government passed the liberalising Casino Control Act in 2006, what they wanted was high-class attractions that would draw people in, encourage them to stay longer, and enhance the country’s prestige as an international tourist destination. And that’s what they’ve achieved.

Marina Bay Sands and Resorts World Sentosa combined cost an estimated \$10-15bn to build, and were planned and developed from the start as diversified entertainment and gaming destinations. Resorts World Sentosa, for example, has a Universal Studios theme park as part of the complex and Marina Bay Sands has a 150 metre infinity swimming pool. The two IRCs are very different, but they are both aiming to be an ‘all-day leisure location’, rather than just a night-time gambling venue. By the end of 2011 the two casinos’ Gross Gaming Revenue (GGR) was equivalent to two thirds of the gross gaming revenues of the whole Las Vegas Strip, and they are amongst the most profitable IRCs globally.⁴



¹ History.com, Las Vegas, 2009

² Nevada Nevada Gaming Control Board, Nevada Gaming Abstract, 2015

³ UNLV, Nevada Casinos: Departmental Revenues, 1984-2015

⁴ DICJ, Nevada Gaming Abstract, Operator Annual Reports



Macau

Macau has a gambling tradition that goes back as far as three hundred years, and its modern history as a gaming destination stemmed initially from the decision of its 119th Governor to focus the territory's economic strategy on gambling and tourism, which led to it being designated as a 'permanent gaming region' in 1961.⁵

Since the beginning of the 21st century, and the 2004 opening of the first mega-casino, the Venetian, the number of casinos has grown to 36 (as at the end of 2015),⁶ as the region has capitalised on its proximity to China. Gambling is hugely popular among wealthy Chinese, who are prevented by law from doing it at home, and two-thirds of Macau's 31 million visitors in 2015 were from the mainland. The wealthiest are brought to Macau by the 'junket' operators, who cater for their clients' every need offering them free accommodation, travel and other perks in Macau, and provide the host casino with a significant source of revenue (accounting for c.54% of casinos Gross Gaming Revenues (GGR) in Q1 2016). And the overall GGR in Macau is big money: growing from around \$6bn in 2005, to \$44bn at the peak of the market in 2013, which at seven times Las Vegas' \$6bn gaming revenues, easily outstripped the Strip.⁷

But since 2013 (the peak for Macau), the market has been suffering. The Chinese economy is slowing, and the government has cracked down on corruption and tightened visa regulations. As a result many fewer Chinese punters, and crucially fewer Chinese VIPs, are coming to Macau. The territory's GGR for 2015 fell by 34% compared to 2014, and the decline has continued into the first quarter of 2016 (which is 13% below the first quarter of 2015). Macau is looking to counter this decline by diversifying into more mainstream gaming (targeting "mass-premium" players) and including more leisure into Macau's casino proposition.

New developments in the Cotai strip are certainly moving in this direction. The \$3.2bn Studio City has a Ferris wheel and a Batman virtual reality ride and only c.5% of the development area is dedicated to gaming.⁸ Likewise the \$3bn MGM Cotai, due to open in 2017, will have a smaller amount of space dedicated to VIPs, devote more space to shopping, restaurants, spas, high-end accommodation and even have a dynamic theatre. Whether this will be enough to hit the Government's stated target for non-gaming of c.9% of total revenue by 2020 (up from an estimated c.7% currently), remains to be seen.⁹

Despite the doom and gloom, we need to put things in perspective. Macau's \$28bn gaming revenue in 2015, is still five times the gaming revenue of Las Vegas. However things pan out Macau is going to remain a major casino jurisdiction for the foreseeable future.

⁵ Gaming Inspection and Coordination Bureau Macao SAR, Macao Gaming History, 2016

⁶ Gaming Inspection and Coordination Bureau Macao SAR, Gaming Statistics, 2016

⁷ UNLV, Nevada Casinos: Departmental Revenues, 1984-2015

⁸ CNN, 'World's first figure-8 ferris wheel opens in Macau', 5th November 2015 and Innovate Gaming, 'Studio City reveals world's first Figure-8 ferris wheel', 9th July 2015

⁹ GGR Asia, 'Macau ops confident in achieving non-gaming rev target', 28th April 2016

The appeal of the IRC approach

The IRC model presents distinct advantages for operators, investors and governments all of which are predicated on its appeal to the consumer.

What’s in it for consumers

Mass market

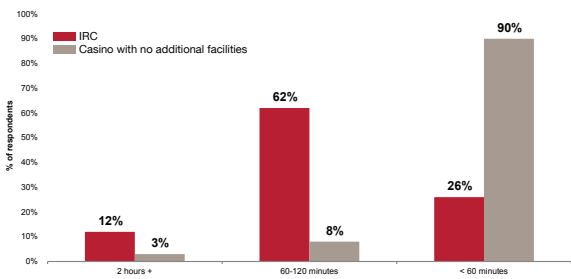
The worldwide tourism and hotel industry is seeing a trend towards high-class all-inclusive resorts,¹⁰ both with and without a casino element. Tourists enjoy the convenience of having all facilities in one place, and are prepared to travel considerable distances to reach IRCs, as the chart on the right demonstrates (see figure 1):

In fact leisure, and not gambling, is the primary reason why people visit Vegas, the home of the first IRCs (see figure 2).

The idea of the IRC as a “leisure destination” in its own right is mirrored in similar trends in retail, where the world’s biggest and most exclusive malls are expanding their entertainment and leisure elements to appeal to consumers who are as interested in experiences as they are in shopping. In Dubai, for example, the added attractions include aquariums and indoor sky diving.

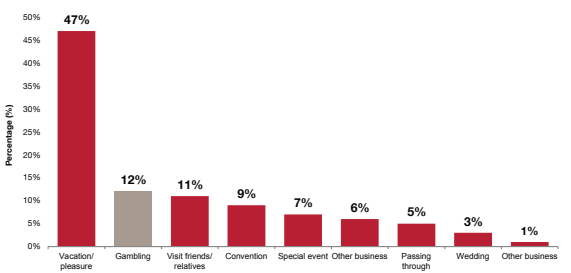
This emphasis on experience is a recognized trend characterizing millennial consumers, which is also having an impact on casino market. Millennials consider leisure activities (e.g. eating-out, shopping) much more important elements of their casino visits, according to surveys by the American Gaming Association.¹¹ Serving them requires a more integrated offering. And hence the interest in – and popularity – of the integrated model, which offers a huge variety of different attractions for different tastes, and times of the day.

Figure 1: Consumers are willing to travel further to visit IRCs



Note: Based on respondents’ answer to the question: “when you visited this casino how far did you travel?” (n=3,035). The integrated resort casino is Foxwoods and the convenience casino is Twin Rivers. Based on a University of Massachusetts 2013 survey

Figure 2: Primary reason for visiting Las Vegas



Source: Las Vegas Visitors Authority, Visitor survey 2014

¹⁰ Iowa State University, A review of studies on luxury hotels over the past two decades, 2014
¹¹ American Gaming Association, The State of the States, 2014, p27

VIPs

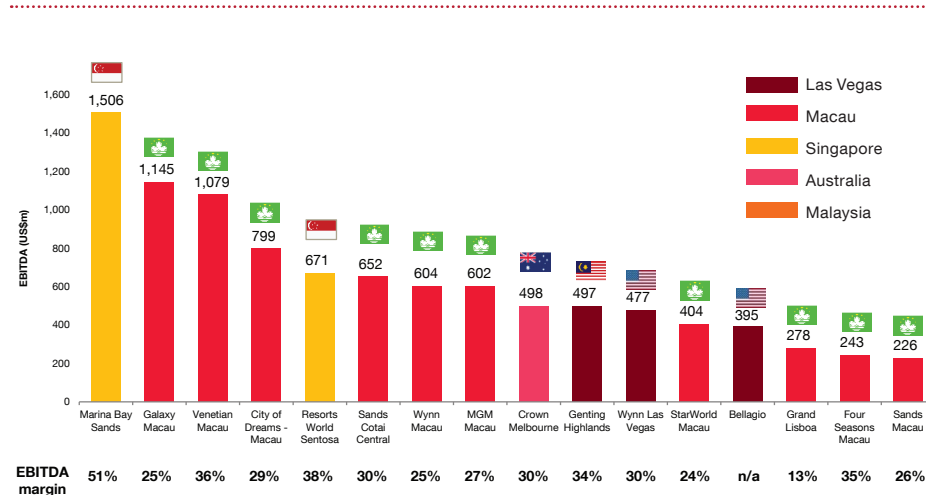
Like many other large casinos, IRCs rely on very wealthy VIPs, who can account for up to half of gaming revenues – around 54% in Macau, 50% in Singapore, and 25% in Las Vegas.¹² Ultimately the attractiveness of an IRC to VIPs is a sign of likely success with the mass market as IRC facilities good enough for VIPs will mean that the mass market will follow. But what is good enough for VIPs? VIPs expect ultra-high levels of service and luxury both for themselves and for their entourage. Luxury suites, access to top restaurants, spas, shopping, entertainment, helicopter transfers, private chauffeurs and tour guides as well as permanent support staff speaking the VIP's language are all part of the package and this richness of experience is harder to provide outside the IRC model. The exception here are destinations like London and Monte-Carlo, where the cities themselves offer the diversity and choice VIPs are looking for.

What's in it for casino operators?

This can be summed up in two words: profitability and diversification.

As the chart below shows, IRCs can be extremely **profitable** operations, with Marina Bay Sands in Singapore generating well in excess of \$1bn in EBITDA and other resorts generating an average of c. \$600m of EBITDA per property (see figure 3).

Figure 3: Adjusted Property EBITDA by IRC, 2015 (selected major IRCs)



Source: Company Annual Reports

The second factor for the operators is **diversification**. And it applies across the business model: diversification of offer, diversification of revenue stream, diversification into new consumer groups, and – as new markets adopt the model – diversification geographically.

¹² DICJ, Nevada Gaming Abstract, Operator Annual Reports

Let's look at these in more detail:

Diversification of the offer

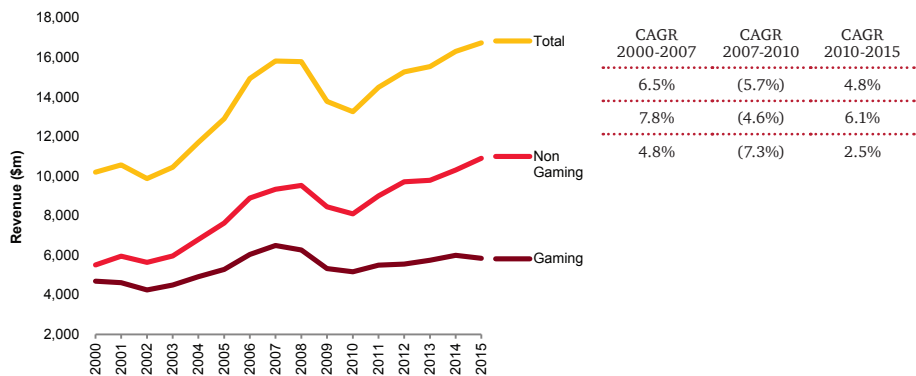
The essence of the integrated model is the range of attractions on offer, which both broadens the venue's appeal and gives the IRC an advantage over other adjacent casinos offering only gaming and nothing else.

Atlantic City is a case in point. Up to 2006, the city's casino industry grew strongly, benefiting from what was, in effect, a monopoly on casino gaming on the East Coast. But as new venues opened in Delaware, Pennsylvania and Maryland, Atlantic City's older casinos struggled to compete, and no longer had a competitive advantage – which a modern integrated model, with a focus on non-gaming might have provided. The city's gaming revenue subsequently fell by 51% between 2006 and 2015, and a number of casinos have gone into administration.¹³ Those that remain are looking at diversifying away from gaming alone, though it's not clear whether it's not too late to make a significant difference.

Diversification of the revenue stream

The integrated model, by its very nature, broadens the operator's revenue stream away from gaming alone. This can provide a hedge across the economic cycle, making the IRC more resilient in downturns. Las Vegas is a good example of this working in practice. The recovery of overall revenues in the Strip was driven by non-gaming that (1) bounced back faster and (2) continued growing faster than gaming (see figure 4).

Figure 4: Las Vegas Strip Revenue evolution, 2000 -2015



Source: Nevada Gaming Control Board, 2015, Las Vegas Strip

Diversification of the customer base

An IRC can cater much more comfortably to a wide range of customers, from VIPs travelling for the sole purpose of gambling at high-stakes private tables, to families looking for an exciting holiday destination with all the different attractions conveniently located together, and the more leisure focused millennials already mentioned. This breadth of attractions makes it much easier to generate higher spending per head, and also makes it easier to attract repeat gaming visits, as well as visitors who aren't interested in gambling.

¹³ UNLV, Atlantic City Gaming Revenue, 2016

What's in it for governments?

Again, the main incentives here are fairly obvious: revenue, jobs, and private investment. And linking all three of them, the benefits to the tourist industry.

New revenue, new jobs

A successful IRC, can make a significant contribution to a country's GDP. It can provide jobs, both in the construction phase and once opened, and provide gaming and other tax revenues. Macau is obviously the most extreme example of this, with casinos accounting for around almost all of GDP growth between 2005 and 2013 (Macau's peak) and supporting employment (employment and median earning in the sector went up by 13% and 9% p.a. respectively during this period, and have in fact been fairly resilient despite the problems facing Macau with employment stable between 2013 and 2015 and average earnings continuing to increase by c.9% p.a. between 2013 and 2015).¹⁴ The taxes paid have allowed Macau to significantly increase expenditure on public services such as education, health care, housing, and social welfare, which increased around 16% p.a. between 2010 and 2015.¹⁵ These advantages can also be delivered by any type of casino, of course, but the multiplier effect of an IRC can be very substantial (both through its direct economic effects, through supporting ancillary industries such as tourism, marketing, and through induced effects such as the spending of IRC employees and other beneficiaries from the economic boost of an IRC).

New investment

The sheer scale of an IRC development can serve to attract other foreign direct investment, as overseas operators either develop sites themselves, or in partnership with local businesses. The spin-offs can be intangible as well as financial, including bringing in new know-how, new technology, and new skills.

IRCs can provide investment in public infrastructure too: operating licences often require funding for airports, roads, sewage, electric substations, or land decontamination as part of the deal. For example, the \$2bn Echo Entertainment Queens Wharf development approved in Brisbane will involve significant regeneration of the local area, including the refurbishment of heritage buildings, upgrading the cycling infrastructure, a new theatre, new green spaces, and a new pedestrian bridge.¹⁶

Support for tourism

Singapore is the poster child here: the two IRCs which opened in 2010 have had a significant impact on the number of people coming to the country and their length of stay. For example the average annual number of international visitors has increased from c.8m pre IRC opening (average 1991-2009) to c.14m (average 2010-2015) and average length of stay has increased from an average of c.3 days to c.4 days per visitor.¹⁷

The authorities in Brisbane have similar objectives in approving an IRC in their area, hoping to attract more international and especially Asian tourists to Brisbane, Cairns, and the Gold Coast.¹⁸

The facilities needed for an IRC can also double as an attractive conference venue, and the Meetings, Incentives, Conferences and Exhibitions - or MICE - market is an increasingly important and profitable segment of international and national tourism. Las Vegas is a case in point. As the city's non-gaming activities started evolving in the early 90s Las Vegas grew as a MICE venue as well as a leisure tourist destination. It is now one of the largest MICE locations in the US, with 6m delegates visiting Las Vegas per year (c.14% of all visitors to Las Vegas).¹⁹ Macau has also seen benefits here. The number of its MICE travellers has steadily increased from around 600,000 in 2009 to 2.5 million in 2015.²⁰

¹⁴ Macau statistical authority DSEC

¹⁵ Macau Financial Services Bureau

¹⁶ The Courier Mail, 'Casino Brisbane: new casino, mega resort by Echo Entertainment at Queens Wharf precinct', 20th July 2015

¹⁷ Singapore Tourism Board. Average length of stay average is the average 1995-2007 vs. 2010-2015, 2008 and 2009 are excluded as the impact of the recession makes average days in this period not comparable

¹⁸ Queensland Government, Department of Infrastructure, Local Government and Planning, Integrated Resort Developments, 2016

¹⁹ Las Vegas Visitors Authority, Historical Visitation statistics, 1970-2015

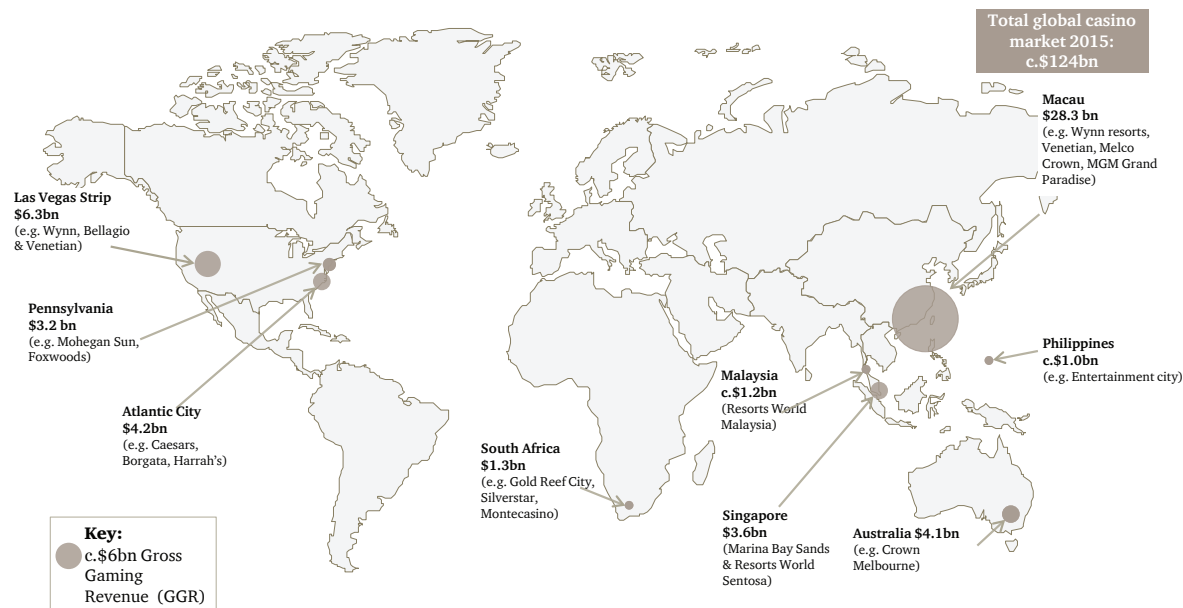
²⁰ Macau statistics authority DSEC, Financial Services Bureau, MICE events and attendees to meeting, conferences and exhibits 2009-2015

Europe: Opportunities, issues, barriers, risks

It's clear that the IRC model could offer European countries significant opportunities in all of the areas we've identified: revenue, jobs, investment, and growth. And yet, as our development maps demonstrates, Europe is absent both from the list of major casino markets globally (see figure 5) and is underrepresented in the current pipeline of new IRCs (see figure 6).

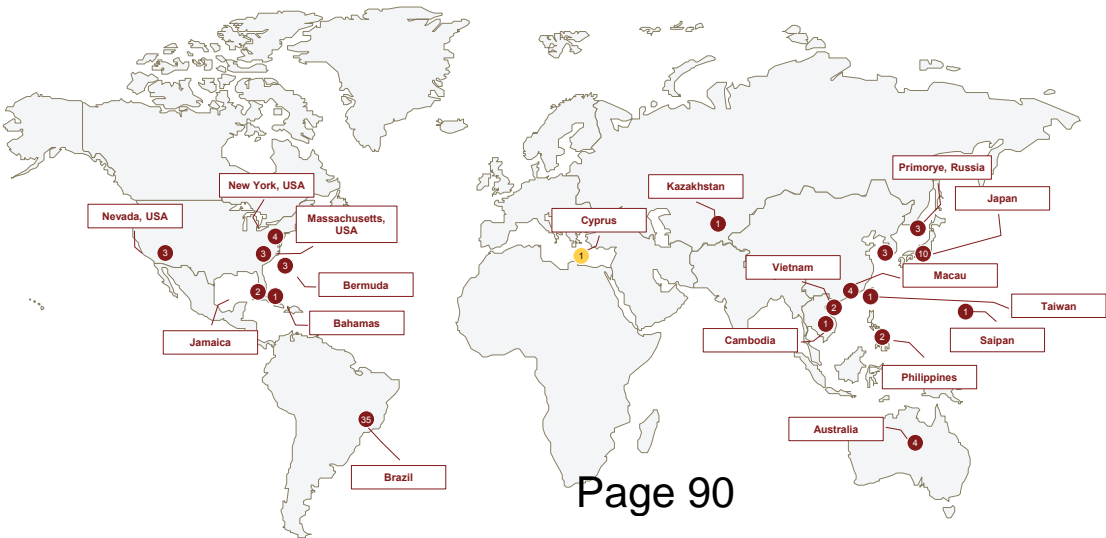
So what's holding the IRC idea back? Is it a lack of consumer demand, operator reluctance, or government resistance? Or perhaps, some combination of all three?

Figure 5: The most significant casino jurisdictions are the IRC jurisdictions of Las Vegas, Macau and Singapore



Note: Total casino GGR for the jurisdiction provided, examples of casino provide samples of casinos broadly in line with the IRC model.. Only casino jurisdictions which include IRC with a total GGR over \$1bn shown

Figure 6: selected proposed new IRC developments as at June 2016

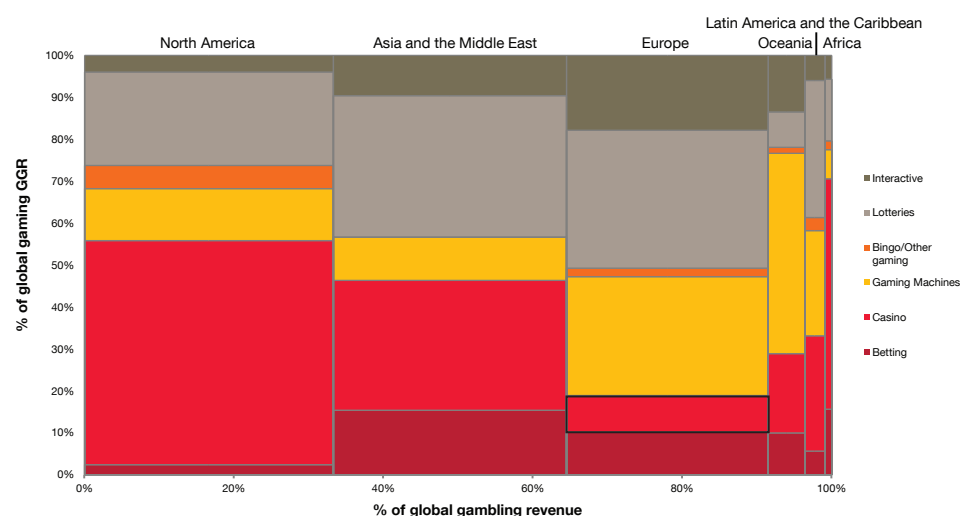


How Europe stacks up for IRC consumers

Even though Europe is the third-largest region for gaming globally (see figure 7), the casino market is tiny, and most casino properties are smaller, less attractive developments, catering to the locals market, where the revenue potential is inevitably constrained. In 2013, European casinos earned an average of \$11.3m per casino, compared to \$1,977m in Singapore, \$1,267m in Macau, \$286m in Australia, and \$151m in the Las Vegas Strip (see figure 8). Nonetheless, Europeans are clearly interested in gaming (see figure 7). And there seems to be no reason why they would not be interested in a more attractive IRC proposition either local to them, or in nearby European countries to which they already extensively travel for either work or leisure.

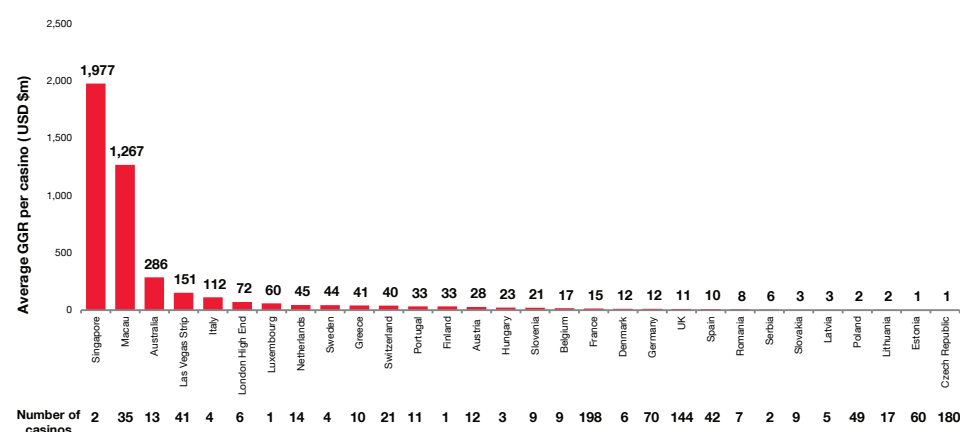
There is also no question that an IRC in Europe would be an attractive travel destination both for Europeans and other travellers from farther afield. It has many tourist and leisure attractions, from heritage to theme parks to beach resorts. In 2015, five of the top ten countries by tourist arrivals were in Europe.²¹ Furthermore Europe is an established conference and meetings destination, with 15 of the world's top 20 cities for this type of travel.²²

Figure 7: Global gaming revenues by type and region, 2015



Source: H2 Gambling Capital

Figure 8: Average gross gaming revenue per casino, 2013



Source: DICJ, UNLV, European Casino Association, Gambling Compliance

²¹ World Bank, 'International tourism, number of arrivals; 2015

²² ICCA top 20 cities by number of MICE meetings, 2014

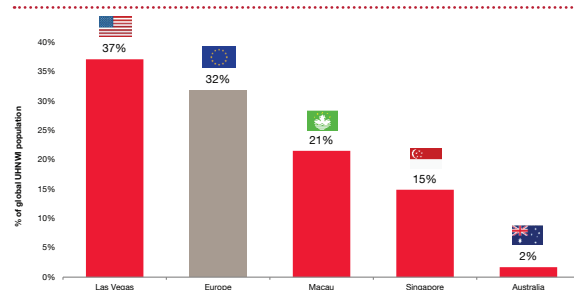
Apart from its many leisure and conference tourism attractions Europe is a relatively politically stable, stress-free place to travel, and benefits from excellent transport links. This is especially important to the crucial and demanding VIP customer, a customer that many European countries are geographically well-positioned to serve. Many sites in Europe would be only a few hours by air from a vast population of both mass-market visitors and High-Net Worth Individuals, in fact more HNWIs live nearer to Europe than Macau (see Figure 9).

And the number of these wealthy individuals is growing: the number of people with net assets over \$30m is forecast to grow by almost 60,000 in the next decade, and Europe, which is already the largest region, will see further growth. What is more the Middle East and the former Soviet Union, key VIP regions for Europe, are expected to see the number of these wealthy residents rise by 40% and 32% in the next decade.²³

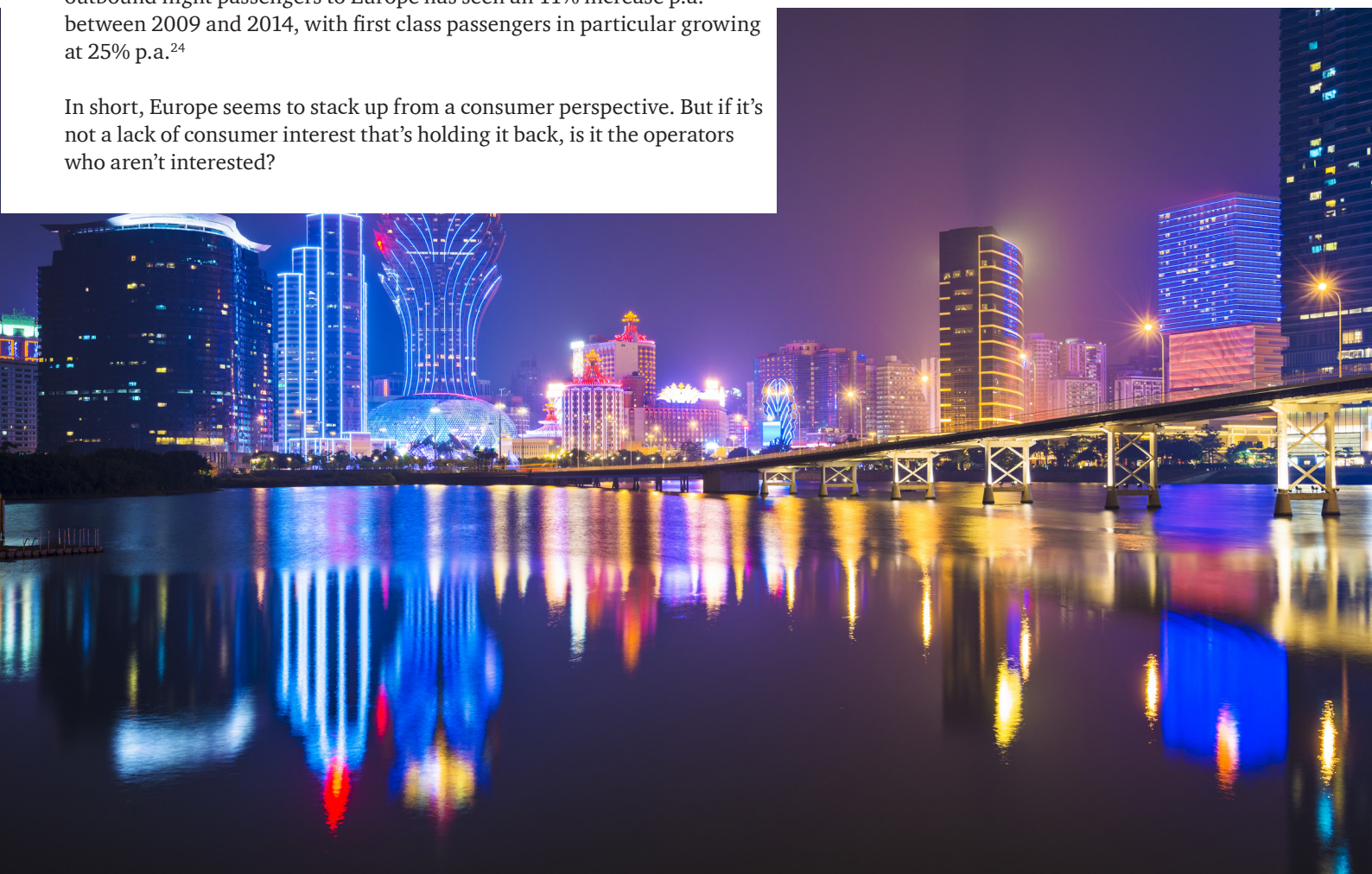
The continent is also seeing a surge in visitor numbers from China, including many wealthy Chinese visitors. The annual number of China outbound flight passengers to Europe has seen an 11% increase p.a. between 2009 and 2014, with first class passengers in particular growing at 25% p.a.²⁴

In short, Europe seems to stack up from a consumer perspective. But if it's not a lack of consumer interest that's holding it back, is it the operators who aren't interested?

Figure 9: Proportion of Ultra High Net Worth Individuals within 4 hours flight time from selected jurisdictions, 2014



Source: UBS, PwC analysis



²³ Knight Frank Wealth Report, 2015

²⁴ Milanamos Planetoptim, PwC analysis

How Europe stacks up for IRC operators

Positive in theory...

The operators can obviously see the potential demand in Europe, and the continent also offers a stable political and tax regime, a new and untapped market, and the possibility of becoming the first established and trusted IRC operator in Europe, a potentially significant first mover advantage.

And despite economic headwinds (e.g. Brexit, the asylum crisis, the slowdown in China) the overall outlook for Europe remains positive with modest real GDP growth of c.2% p.a. (2015 to 2021) and with the total number of HNWIs expected to increase by 25% to 2024.²⁵

What is more, this could be a good time for operators to diversify into Europe, given the relative weakness of the Macau market. But there are other options for operators that Europe would need to compete with.

...but other opportunities feature more prominently...

The most obvious is Japan, which would be operators' destination of choice – it would offer the same diversification advantages as Europe, but pound for pound, the prize would be much higher, with a Japanese IRC attracting not just domestic consumers but other high-value Asian visitors. The possibility of Japan opening up to the IRC model has been tantalising operators for years, but the issue is right there, in that sentence: it's been going on for years, although recent news may be more positive.²⁶ Chief Cabinet Secretary Yoshihide Suga

stated on March 25th 2016 in the House of Representatives Cabinet Committee that IRCs are essential for a tourism-oriented country, and that the Government would be in position to move quickly with preparation after the IRC promotion bill has been passed.

There are other options in Asia, though, besides Japan, and Asia is generally seen as an easier regulatory environment than the EU, which is often viewed as cumbersome and complicated. Asia as a whole is likely to see a number of IRCs in the next five years, with a number of committed projects set to open before 2020 (see figure 6 and Appendix 1). This is not to say that developments in Asia come without challenges.

In 2015, South Korea invited bids to develop two new IRCs, but the level of initial enthusiasm was later tempered by the high level of required investment (around \$850m), recent health scares in the country, the specification of only 9 locations where an IRC would be allowed, the requirement for IRCs to be foreigner only, and the issues in China. In the end, only six of a reported potential 34 bidders submitted proposals,²⁷ and only one IRC has been licensed thus far vs. the two initially planned.²⁸ Vietnam is also an interesting case. The government is currently considering three new licenses for IRCs, but operator interest has been held back by high investment minima, foreigner only gambling, and high tax-rates. As we understand it the Government has gone back to the

drawing board on these and the expectation is that a more "operator-friendly" regime is likely to be introduced.²⁹ Cambodia, the Philippines, the second stage of developments in Macau as well as IRCs in the US, Australia, and potentially Brazil are also in the frame.

What this all proves, if nothing else, is that the operators have plenty of options. The question, therefore, is whether they see enough potential in Europe to divert money there. It's certainly true that until fairly recently, IRC operators haven't seen the degree of enthusiasm for their business that they encounter in many other territories. And even if this is now starting to change there are still some serious practical obstacles in Europe.

...and there are practical difficulties with Europe

The main issue for most operators is navigating the political and regulatory process in Europe. It takes a long time, it involves a large number of different stakeholders, and it's immensely complex to manage, both politically and practically.

The most obvious example is the - now abandoned - Las Vegas Sands project in Spain. It was 2011 when the idea of building a EuroVegas resort casino in Madrid first surfaced, and if it had gone ahead it would have been a \$30bn complex, with twelve hotels, six casinos, golf courses, theatres, shopping, bars and restaurants, as well as a convention centre designed to create a state-of-the-

²⁵ IMF World Economic Outlook Database April 2016, Knight Frank Wealth report, 2015

²⁶ Gambling Compliance, 'As Japan's IR bill stalls, thoughts to turn to Tokyo', 25th February 2016

²⁷ Gambling Compliance, 'Korean IR tender attracts only six bids', 30th November 2015

²⁸ Gambling Compliance, 'Mohegan Sun Consortium wins Korean IR Rights', 26th February 2016

²⁹ Ggrasia, 'Location critical for Vietnam's new casinos: analyst' 14th January 2016

art Las Vegas-style hub for meetings and conferences in Madrid. EuroVegas would also have created more than 260,000 jobs, but in December 2013 Las Vegas Sands issued a statement saying that the proposal was “no longer in the best interests of the company’s shareholders”, and they would be focusing on Asia instead, and especially Japan and Korea.³⁰

The stumbling-blocks apparently included the company’s failure to secure gambling tax and other financial concessions, or compensation for the impact of any future legislation that might affect the IRC’s profitability.³¹ Spain’s refusal to exempt the complex from the country’s smoking ban made a lot of headlines, too, but in our view, the smoking issue was probably a smokescreen, and the length and complexity of the regulatory and licensing process was much more likely to have been the deal-breaker.

The long-running saga on the BCN World development is another case in point. The project was announced in 2012,³² but it appears to have stalled due to a lack of consensus among the various stakeholders involved (including different members of the government coalition).³³ The \$6bn development would have included 6 casinos, hotels, a theme park, a water park, a beach club, and shopping centres among its attractions.³⁴



³⁰ Casino City Times, ‘Las Vegas Sands cancels \$30 billion EuroVegas development in Spain’, 16th December 2016

³¹ Wall Street Journal, ‘Las Vegas Sands pulls plug on Spanish hotel plan’, 13th December 2013

³² BCN World, Macrocomplex & Leisure Center in Tarragona, 2016

³³ Spanish Property Insight, Political disagreements force BCN World mega-project rethink, 18th March 2016

³⁴ Catalonia Votes, ‘Hard Rock to invest €2.5billion in BCN World casino, hotel and entertainment resort’, 10th February 2016

How IRCs stack up for Europe's governments

Capturing the opportunities

As we look at the government perspective in more detail, it's worth remembering that most European markets already have standalone casinos, and many have recently opened up to online gaming. It would therefore seem slightly perverse, in a context where gaming regulation is already being revisited, not to reap the rewards of IRC developments, with all the additional advantages of tax revenues, investment, and employment. And with a far greater focus now on the value of the tourist industry, it's a good time for governments to look again at the IRC concept.

Minimising the risks

At the same time Governments also need to balance the obvious benefits against societal concerns often associated with expansions of the gambling supply. This is perhaps the single biggest barrier to IRC expansion in Europe – and in fact globally. For example, this was a big factor in the failure to introduce a super-casino in the UK, which was scrapped in 2008. The super-casino would have been allowed to have an area of 5,000 square meters and up to 1,250 slots.³⁵ The eventual permitted eight large casinos are limited to 1,000 square meters with a maximum 150 slots, and only three large casinos have opened thus far. One of these, the £150m Resorts World complex in Birmingham, has some scaled-down elements of the integrated model (e.g. a hotel, spa, cinema, multiple restaurants and bars), and a smaller gaming

component, restricted to 30 tables and c.100 slots, which is less attractive than an IRC.

One answer here is a more collaborative approach between the operators and the government to ensure a robust regulatory framework, access to support for those who need it, and careful monitoring to spot those at risk. Cyprus' attempt to balance benefits and risks is a case in point.

IRCs in Europe: The Cyprus approach

The Cypriot government made the decision to license a casino in late 2013, citing its objectives as economic growth, job creation, attracting foreign investment, promoting tourism and limiting illegal gaming. It was particularly concerned to diversify Cyprus' tourist appeal to include conference facilities, and making the island a more year-round destination, where people would come more often, stay longer, and spend more.

The government looked at various standalone and multiple options, before settling on one large integrated development. The first round of bids was invited in late 2015, attracting interest from eight companies, including the USA's Hard Rock, Cambodia's NagaCorp, Bloomberry Resorts Corp of the Philippines; a French consortium, and a Russian conglomerate.³⁶ The licence is likely to be awarded sometime in 2017.

The key to Cyprus' success this far - bucking the trend elsewhere - is the measures the government put in place to attract operator and investor interest. The key factors here are clarity, financial incentives, and recognising the commercial realities facing operators. Potentially with the Eurovegas failure in mind, the Cypriot government has offered an exemption to the smoking ban, as well as allowing gaming on credit and permitting 'junkets' (both of which are key for VIPs), and giving bidders maximum flexibility about the location of the site. The gaming tax rate has also been set at 15% of GGR, to be competitive with other international gambling locations.

But it isn't all about incentives; the Cyprus approach also recognises the societal concerns that come with gaming developments: it's tackling the risk of problem and under-age gambling by limiting casino gaming to a small number of highly regulated locations, making robust social responsibility and harm-minimisation policies a criterion for licensee selection, and it's instituting a rigorous regulatory regime, designed to instil investor and stakeholder confidence on the integrity, probity and accountability of the regulatory regime (e.g. setting up an independent casino regulator, drafting laws in line with international standards).

One vs Cluster: An interesting question is whether one big IRC or a cluster of IRCs is better. Approaches have varied thus far. Las Vegas is the archetype of the cluster which certainly creates a hub of activity and excitement, and promotes competition between operators, but a cluster may not be the best approach for smaller jurisdictions like Cyprus (as operators may need guaranteed exclusivity to be interested in smaller jurisdictions such as these). The decision ultimately comes down to balancing five interrelated factors (i) market capacity, (ii) the benefits of competition vs the need to provide operator exclusivity, (iii) regulatory ease of managing a small number of properties (iv) match of a cluster to local ambiance and taste (v) the degree to which a cluster vs fewer developments can provide sufficient variety for customers

³⁵ UK Parliament, 'The Gambling Act 2005: A bet worth taking?

– Culture, Media and Sport Committee, 2012

³⁶ Calvin Ayre, 'Eight bidders for Cyprus casino license', 18th December 2015

Conclusion: Considerations for operators, ways forward for governments

There is a strong rationale for IRCs in Europe, but there are a number of things to consider

It's clear that there is a significant opportunity to implement the IRC model in Europe, and do it successfully. The economic conditions are right, the fundamentals are strong, and the consumers are there. So what should operators be considering, and what should governments be doing, to help make this happen?

Considerations for operators

As IRC operators look across Europe, they will need to understand the scale of the opportunity, and how this differs in different countries. There are crucial issues to consider from an economic, practical, and regulatory standpoint, and it will take time to evaluate these fully, but here are some initial points to consider in weighing up the advantages and disadvantages of specific sites:

Risk weighted size of prize	Tax and finance
<ul style="list-style-type: none">• What is the potential size of the IRC market (e.g. will VIPs come to the country are there barriers to this)?• What are the risks to market size (e.g. competition, economy, health-scares)?• What are potential upsides to the IRC market size (e.g. new infrastructure developments in progress, visa-condition changes)• What is the risk profile of the development (i.e. level of political momentum, public or local opposition, potential of political change)? Can anything be done to affect this?• What's the proposed approval process – how long will it take, and what level of complexity is involved? What are my chances of success, how long am I able to wait, and what is the impact of delays?	<ul style="list-style-type: none">• What is the base and level of gaming taxes envisaged, and other relevant taxes or levies?• What are the tax implications of key staff travelling and staying in the jurisdiction?• What is deductible for tax purposes (e.g. free bets)• What tax concessions might the host government be prepared to offer?

Conditions of operation	License terms and conditions	Regulatory environment
<ul style="list-style-type: none"> • Which games will be permitted? • Will there be any restrictions on the number of tables and slots and on the allowable gaming area? • Will junkets be allowed? • What will the position be on credit gambling? • What opening hours will be offered? • Are locals permitted in the IRC and do they face any additional entry requirements? • What are the rules on ATMs and smoking in the casino and VIP areas? • Will advertising/marketing be allowed and what are the associated limitations? • How best to organise and structure partnerships needed to develop and operate the IRC? 	<ul style="list-style-type: none"> • What is the term of the proposed licence and exclusivity conditions? • Does the license grant a period of certainty around tax rates and fees? • What are the conditions on commencement of development and operations? • Is a temporary casino permitted prior to the completion of the IRC? • What land is available, and are there restrictions or conditions on its use? • Are there specific employment policies or restrictions attached to the license (e.g. employing a proportion of locals)? • What level of flexibility could you expect from government after the licence is awarded? 	<ul style="list-style-type: none"> • What will the regulatory framework be? • How similar is the regulatory environment to what I am already used to? (e.g. AML, CFT) • What is the cost of regulatory compliance envisaged (e.g. time, supervision fees) • What is the likely impact of participating in the regulatory and social responsibility framework envisaged on my licenses elsewhere (is the jurisdiction likely to affect my reputation negatively or positively?)

Ways forward for governments

Many of the considerations for operators have their equivalent for host governments, as key policy decisions are made affecting the gaming product, licensing, tax and regulation. Below we offer some of the considerations that need to be taken into account in framing these decisions and in considering an IRC licensing process.

What is the USP of the jurisdiction?	What are your objectives? What is non-negotiable? What do you need to change?
<ul style="list-style-type: none"> • How is the size of the opportunity likely to be assessed? • What is the competitive advantage of the jurisdiction and how can this be effectively communicated? • What can you do to enhance this? Do you need to? 	<ul style="list-style-type: none"> • It's important to be clear exactly what are you trying to achieve, in terms of revenue, employment, regeneration and tourism, and how an IRC could - or could not - contribute to these goals. This will help you make some <u>key policy decisions</u> for example on the scale and location of the IRC (e.g. is a single venue or 'cluster' the best approach, what is the optimum length of exclusivity periods, what is the trade-off between tax revenues and employment?). • How will you <u>address societal concerns</u>? What is the level of public concern about these issues? Will your operator work in partnership with you on this? • What are the European and international rules and regulations that your regime will need to comply with (e.g. on AML, CFT, smoking)? • What <u>regulatory regime</u> do you have - does it need to be reviewed or adapted? Will it be credible and robust?

Align objectives with the commercial imperatives of operators?

- Is the overall package on offer commercially attractive to operators and will it generate interest? Do you understand what operators will want to know?
- Do you understand the specific demands of the IRC customer base, and can you accommodate them (e.g. quick access through airports for VIPs, smoking)?
- Can you be flexible about the size, format, and location of the proposed IRC?
- Where are your red lines (for example, allowing credit gaming, junkets)?
- What is the envisaged level of gaming tax and fees? Is it competitive compared to other IRC options whilst maximising state revenues?

Optimally design and run the regulatory change and licensing process?

- Are there any European tender rules that need to be followed and which are these?
- What is the best way to align the legal process required for the change with the licensing and regulatory change process?
- How are communications with stakeholders and bidders going to be managed throughout the process?
- How and when can you involve public and local stakeholders to address concerns and maximise the chance of project success?
- What can you do to make the approval process quicker and simpler?
- What is the best way to run the process to extract the best value from the winning bidder?
- How can you ensure that the licensing process is beyond reproach? – Failing to do this can result in delays and legal action that can topple a process over.



We are uniquely positioned to help

This paper has been prepared by PwC's London Gaming Centre of Excellence with contributions from other global jurisdictions. We have a long track record of working in the resort casino and gaming space, supporting both governments and operators. Our experience and scale places us in a unique position to support clients across all the key considerations involved in IRC development and we are excited about the potential for IRCs in Europe. We are available for informal discussions and more formal engagements and look forward to hearing from you.



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Appendix

Table 1: IRC development pipeline, as at June 2016 (not exhaustive)

Region		Country/state	IRC development status	Potential number of new IRCs	Details
Europe		Cyprus	Licensing	1	The tender process for a 30-year IRC licence is ongoing. The licence is expected to be awarded in 2016/2017 and the IRC to open in 2019/2020
		Spain	Delayed/ Aborted	1	The \$5.3bn Barcelona World IRC initially proposed in 2012 appears to have limited momentum. Plans announced in 2015 by ARC Resorts to develop a \$1.1bn IRC in Valencia also appear to have stalled
		Greece	In consideration	1	Plans for IRC and real estate development in the old Athens airport had lost momentum in early 2015 due to the economic and political instability in Greece but there appears to be some recent progress on this front. The political outlook does however remain uncertain
USA		New York	Licensing	4	3 of 4 licences have been awarded for casino development in upstate New York. Among these, Empire Resorts is planning a \$1.3bn resort in the Catskills by the end of 2017. A 4th casino licence is currently under review
		Las Vegas	Advanced	3	\$4bn Resorts World Genting is in development, to open in 2019; Crown Resorts in funding and construction negotiations for the \$2bn Alon project; Wynn Resorts planning for a new \$1.5bn IRC to open in 2020, pending investor approval
		Massachusetts	Advanced/ Some delays	3	Major \$1.7bn development planned by Wynn Resorts in Everett Massachusetts to open end of 2018; Genting-backed Mashpee tribe to open a \$1bn First Light IRC in four phases throughout 2017-2022; MGM expecting to open a \$950m casino in Springfield in late 2018
Latin America & the Carribbean		Jamaica	Advanced	2	\$1.8bn Celebration Jamaica and \$1bn Harmony Cove IRC projects to begin construction in Montego Bay in 2016
		Bermuda	Licensing	3	Bermuda's newly-formed gaming authority is holding a tender process to license up to 3 IRCs
		Brazil	In Consideration	up to 35	Brazil is currently considering the legalisation of casino gaming, with potential for a large number of casinos to be opened in the country, including a number of IRCs
		Bahamas	Delayed	1	\$3.5bn Baha Mar IRC missed multiple opening deadlines due to construction delays and financial difficulties. The project filed for bankruptcy in June 2015. However, the government announced in May 2016 that it had a 'framework agreement' with "China Export-Import Bank" and "China Construction America" to finish the integrated resort. The first round of bids for the acquisition of the property closed with a number of investors interest in the project

Region		Country/state	IRC development status	Potential number of new IRCS	Details
Asia Pacific		Australia	Advanced	4	4 IRCS currently in development, including Crown's \$1bn IRC in Barangaroo, New South Wales and 3 IRCS in Queensland (Tony Fung's \$6bn Aquis Great Barrier Reef in Cairns, ASF Consortium's \$5.5bn Broadwater Marine project on the Gold Coast, and the \$2.2bn Queen's Wharf Brisbane project)
		Cambodia	Advanced	1	Jimei International Entertainment Group's IRC in Sihanoukville currently in early stages of development
		Philippines	Advanced	2	Manila's Entertainment City development to add 3rd and 4th IRCS – Universal Resorts to open in 2016 and Resorts World Bayshore to open end of 2020. Each IRC has a minimum investment requirement of \$1bn.
		South Korea	Advanced	3	2 IRCS in progress in Incheon: Mohegan Sun's \$1.2bn Inspire is due to open in 2020 and Paradise Sega Sammy's \$1.1bn Paradise City to open in 2017. Additionally, Phase 1 of Genting's \$1.8bn Resorts World Jeju is on track to open in 2017, with a full resort opening expected in 2019. Las Vegas Sands has also announced intentions to build an IRC in Busan but this is at an early stage
		Macau	Advanced	4	Second round of casino resort development in Cotai includes 4 major IRCS currently under construction with expected opening dates in 2016-2017
		Saipan	Advanced	1	Best Sunshine International have been licensed and have opened a "temporary casino" while the IRC is being developed. Further financing to complete construction is being sought and the resort opening is targeted for 2017
		Japan	In consideration	10	Japan is currently considering legalising casino gaming and licensing a number of IRCS but progress has been relatively slow. However, the conclusion of a super draft implementation bill in June 2016 may give IRCS more momentum
		Taiwan	In consideration	1	A referendum is expected to be held on permitting an IRC in Penghu island by December 2016. The result expected to be favourable
		Vietnam	Advanced	3	\$4bn Nam Hoi An IRC in progress in Quang Nam province, targeting 2019 completion for the first phase of construction; Banyan Tree and Hard Rock planning Laguna Lang Co IRC joint venture. Vingroup is planning an \$870m IRC in Hai Phong, with an expected completion in 2017
Russia & Middle East		Kazakhstan	Delayed/ Aborted	1	Plans were announced in 2015 for Tengri Resort, a major IRC in Almaty, to include several hotels and casinos. No recent updates have been reported on the development
		Russia	Advanced	3	3 more IRCS are expected in the Primorye Entertainment Zone of Vladivostok with targeted completion dates of 2017-2018. These will be added to Lawrence Ho's existing Tigre de Cristal, which has recently opened

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Subject:	Motion : Support for Health and Social Care Workers - Responses from Permanent Secretaries
Date:	24th January, 2020
Reporting Officer:	Mr. John Walsh, City Solicitor
Contact Officer:	Mr. Jim Hanna, Senior Democratic Services Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report/Summary of Main Issues
1.1	To consider responses from the Permanent Secretary, Department of Health, and the Permanent Secretary, Department of Finance, in relation to a motion on Support for Health and Social Care Workers which was passed by the Council on 2nd December.
2.0	Recommendation
2.1	The Committee is requested to note the responses and take any such action as may be determined.
3.0	Main Report
	<u>Key Issues</u>
3.1	The Committee will recall that the Council, at its meeting on 2nd December, passed the following motion on Support for Health and Social Care Workers, which had been proposed by Councillor McAteer and seconded by Councillor Groves:

	<p>“This Council supports the overwhelming result of the Royal College of Nurses’ ballot in favour of industrial action, supports the industrial action already being undertaken by UNISON and the decision of the other Health and Social Care (HSC) Trade Union, NIPSA, to ballot members on industrial action.</p> <p>Health and social care workers are the system’s greatest assets and are entitled to fair pay and conditions, safe staffing levels and parity of pay with NHS colleagues.</p> <p>Health and social care workers are taking action as they are no longer willing to see patients being denied the care to which they are entitled. There are currently over 7,000 non-medical vacancies, including 3,000 nursing posts, within the HSC system in the north of Ireland. These frontline vacancies are having a detrimental impact upon patient care and staffing, compromise the safety of staff and patients alike, contribute to long waiting lists and add enormous pressure to the existing HSC workforce, who are doing everything they can to care for patients.</p> <p>This Council calls upon the Permanent Secretary, Department of Health, to engage respectfully and meaningfully with Trades Union representatives on a pay deal. It calls also upon the Permanent Secretary, alongside his colleagues in the Department of Finance and the Head of the Civil Service, to secure the funding that is needed to achieve pay parity for health workers.</p> <p>Furthermore, the Council agrees to convene an all-Party meeting with those Trades Unions representing health and social care staff to hear directly the challenges which they are facing and to take such action thereon to support staff and patient care at this time.”</p>
3.2	<p>Responses have since been received from Ms. S. Gray, Permanent Secretary, Department of Finance, and Mr. R. Pengelly, Permanent Secretary, Department of Health, copies of which are attached. A response has yet to be received from the Head of the Civil Service. It should be noted that the responses were written prior to the recent restoration of the Northern Ireland Assembly and the ensuing discussions between the Health Minister and health unions.</p>
3.3	<p>Ms. Gray points out that health and social care staff are central to the delivery of a vital public service and that she understands the deep sense of frustration felt by them at this time. She concludes by highlighting the challenging budgetary position being faced currently across the public sector and by stressing her commitment to working with colleagues in the</p>

	Department of Health and with the Head of the Civil Service and other parties to find a way forward.
3.4	Mr. Pengelly refers to the work which the Department of Health has undertaken to date, in partnership with trades unions, to progress pay discussions and highlights the significant constraints in terms of affordability and the inability in the absence of Ministers to achieve pay parity with other regions. He explains that the decision to depart from pay parity was taken at Ministerial level and that it would be the responsibility of any incoming Minister to restore parity. He provides details of the Department of Health's latest financial offer, affirms its commitment to securing a resolution and stresses that continued industrial action could only exacerbate an already difficult situation. He concludes by confirming that Health and Social Care Trusts have developed contingency plans, with a view to minimising disruption for the wider public, and that they would work with unions at a local level to protect vital services.
3.5	The Committee will be aware that the aforementioned motion approved the holding of a meeting between an All-party deputation from the Council and trades unions representing health and social care staff. Given that discussions between the Health Minister and the unions are advancing, the Committee might wish to consider if that meeting is still required.
	<u>Financial and Resource Implications</u>
3.6	None
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.7	None
4.0	Documents Attached
	Appendix 1 - Response from Permanent Secretary - Department of Finance Appendix 2 – Response from Permanent Secretary, Department of Health

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**SUE GRAY
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www.finance-ni.gov.uk

Suzanne Wylie
Belfast City Council
City Hall
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BT1 5GS

Our ref: SCORR 752-2019

3 January 2020

Dear Suzanne

Thank you for your letter of 17th December 2019 advising me of the recent motion passed by Belfast City Council in support of health and social care workers.

Our health and social care staff are central to the delivery of a vital public service and I understand the deep sense of frustration felt by many staff at this time.

I am sure you will also appreciate the very challenging budgetary position currently faced across the public sector. However, I am committed to working with colleagues in the Department of Health, the Head of the Civil Service and the other parties involved to try to find a way forward.

Yours sincerely

SUE GRAY

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**From the Permanent Secretary
and HSC Chief Executive**



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Our ref: RP 5092
SCORR-1181-2019

Date: 7 January 2020

Dear Ms Wylie

Thank you for your letter of the 17th December, regarding pay for local health and social care workers.

Throughout the year, the Department of Health has worked extensively in partnership with trade unions to make progress in pay talks, however, there are significant constraints in terms of affordability and the inability in the absence of ministers to achieve pay parity with other regions.

The concerns and frustrations of Health Care Workers are understandable, however continued industrial action can only exacerbate an already difficult situation.

Whilst agreement on a pay deal has not yet been reached, the Department of Health remains committed to engagement with trade unions to find a way forward on pay and related matters. The Department's last financial offer, which would add £79m (approx. 3.2%) to the overall pay bill, remains the maximum which I am able to offer within both the budget and the authority available to me.

The decision to depart from pay parity was taken by minister and, given that fact and the longer term implication of it, consideration of restoration of that position is similarly an issue for Ministers.

In the meantime, Health and Social Care Trusts have developed contingency plans to seek to minimise the disruption to the wider public. As employers, each Trust will continue to work with trade unions locally, to agree protection of vital services.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R. Pengelly', with a stylized flourish at the end.

RICHARD PENGELLY



Subject:	Public Awareness Campaign on the Responsible use of Fireworks
Date:	24 January 2020
Reporting Officer:	Nigel Grimshaw, Strategic Director, City & Neighbourhood Services Department
Contact Officer:	Mark McGovern, Senior Environmental Health Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	<p>At the meeting of the Strategic Policy and Resources Committee on 22 November 2019, the following issue was raised by Councillor Long:</p> <ul style="list-style-type: none"> To actively promote a public awareness campaign on the responsible use of fireworks – including specific information on the legal consequence of misuse; the impact of fireworks on vulnerable people and animal welfare; and precautions that can be taken to mitigate risks. To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays To encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display

1.2	The Committee agreed that a report would be brought back before the Committee regarding a public awareness campaign on the responsible use of fireworks and how this could be facilitated, resourced and managed.
2.0	Recommendations
2.1	<p>The Committee is asked to approve the following actions:</p> <ol style="list-style-type: none"> 1. Council officers to request a meeting with the Department of Justice with a view to asking it to lead on a high profile public awareness campaign in 2020 highlighting the impact of fireworks on vulnerable people and animals and promoting the use of low noise fireworks. 2. Council to write to the Office for Product Safety and Standards at the Department for Business, Energy and Industrial Strategy, requesting it to consider amending the current legislation to limit the noise level emitted by fireworks to 90db.
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>The House of Commons Petitions Committee recently published a report on fireworks (Appendix 1). The report highlighted evidence that petitions calling for greater restrictions on sales and use of fireworks had been motivated by justified concerns. It suggested in many cases there were substantial adverse effects, for example on people with a wide range of health conditions and disabilities. Also distressing effects on people with Post-traumatic Stress Disorder and the report suggested animals could suffer serious and long-term effects.</p>
3.2	<p>The Petitions Committee looked closely at the proposal to ban sales and use of fireworks by the public but was not persuaded to recommend this course of action at this time. The Committee expressed concern that a ban could have consequences for competently-run, voluntary, community displays, which use fireworks to raise funds for local good causes. In many cases these community displays have widespread local support and increase community cohesion.</p>
3.3	<p>Some of the recommendations in the report are already in place in Northern Ireland as it has the strictest controls on fireworks in the UK. The Department of Justice Firearms and Explosives Branch oversees the legislation. Currently in Northern Ireland possession of</p>

	fireworks without a license (with the exception of indoor fireworks or sparklers) is an offence and the supply of licensed fireworks is age restricted to those over 18 years of age.
3.4	<p>Council officers work on an agency basis with the Department of Justice to regulate the safe supply, use and storage of fireworks and to ensure that public fireworks displays in the city are safe to attend. Fireworks sold in Northern Ireland must comply with the requirements of the Pyrotechnic Articles Safety Regulations 2015. These regulations, which implement two EU Directives, set out the essential safety requirements which must be met before pyrotechnic articles can be placed on the UK market. The purpose of the legislation is to protect consumers and individuals from unsafe pyrotechnic articles and they limit the noise levels emitted by fireworks to 120 decibels. This is a European safety standard but given the concerns expressed in the Petition Committee report and by Cllr Long it is recommended that the Council writes to the Department for Business, Industry and Industrial Strategy, asking it to consider amending the regulations to reduce the maximum permissible noise limit emitted by fireworks to 90 decibels. By way of comparison a car door slamming is approximately 97 decibels; a thunderclap approximately 120 decibels and a shotgun firing approximately 150 decibels.</p>
3.5	<p>There has been a move by some of the large supermarkets to sell low noise fireworks, concentrating on the colours and effects rather than the noise. However these supermarkets do not appear to sell fireworks from their stores in NI, possibly because of the requirement for the purchaser to have a licence and also the requirement for the company to be registered to sell explosives. Sainsbury's banned the sale of all fireworks from its stores across the UK in October last year.</p>
3.6	<p>Over the years there have been a number of firework safety campaigns organised by various government departments and the emergency services, with key public messages being promoted in the run up to Halloween. Belfast City Council, through its Environmental Health Service has supported these campaigns and there has been a downward trend in complaints, with fewer fireworks complaints being reported to the Department of Justice during 2018-2019.</p>
3.7	<p>Having said that, more can be done to raise public awareness of the negative impact caused by inconsiderate use and misuse of fireworks. Council officers will seek to meet with the Department of Justice to discuss the negative impact fireworks can have on vulnerable individuals and animals and to consider opportunities for a high profile public</p>

	<p>awareness campaign in 2020, promoting low noise fireworks and key messages for preventing misuse. Officers will also recommend that the firework safety code on nidirect (https://www.nidirect.gov.uk/articles/fireworks) is updated to encourage the purchase of low noise fireworks. Officers will propose that the Department of Justice leads the public awareness campaign with support from local councils, the emergency services and other relevant stakeholders.</p> <p><u>Financial & Resource Implications</u></p> <p>3.8 The Council's contribution to any future public awareness campaign will be met within existing budgets.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>3.9 None.</p>
4.0	Appendices- Documents Attached
	Appendix 1 – The House of Commons Petition Committee Report on Fireworks, November 2019



House of Commons Petitions Committee

Fireworks

First Report of Session 2019

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 29 October 2019*

HC 103

Published on 5 November 2019
by authority of the House of Commons

Petitions Committee

The Petitions Committee is appointed by the House of Commons to consider e-petitions submitted on petition.parliament.uk and public (paper) petitions presented to the House of Commons.

Current membership

[Helen Jones MP](#) (*Labour, Warrington North*) (Chair)

[Martyn Day MP](#) (*Scottish National Party, Linlithgow and East Falkirk*)

[Michelle Donelan MP](#) (*Conservative, Chippenham*)

[Steve Double MP](#) (*Conservative, St Austell and Newquay*)

[Luke Hall MP](#) (*Conservative, Thornbury and Yate*)

[Mike Hill MP](#) (*Labour, Hartlepool*)

[Catherine McKinnell MP](#) (*Labour, Newcastle upon Tyne North*)

[Damien Moore MP](#) (*Conservative, Southport*)

[Paul Scully MP](#) (*Conservative, Sutton and Cheam*)

[Liz Twist MP](#) (*Labour, Blaydon*)

[Daniel Zeichner MP](#) (*Labour, Cambridge*)

Powers

The powers of the Committee are set out in House of Commons Standing Orders, principally in SO No. 145A. These are available on the internet via www.parliament.uk.

Publications

Committee reports are published on the [Committee's website](#) and in print by Order of the House.

Committee staff

The current staff of the Committee are Lauren Boyer (Second Clerk), James Clarke (Petitions and Engagement Manager), Paul Connolly (Media Officer), Katherine Gammie (Enquiries and Engagement Assistant), Zoe Hays (Senior Committee Assistant), Nicole Le Marie (Media Officer), Shane Pathmanathan (Petitions Moderation Officer), Ben Sneddon (Clerk), and Stephen Wilson (Petitions and Communications Manager).

Engagement Staff

Robert Baldry (Senior Engagement Officer), Shapla Begum (Senior Engagement Officer), Nicholas Carey and Siobhan Conway (Select Committee Engagement Support Officers), Naomi Jurczak (Select Committee Engagement Manager), Tara Jane Kerpens Lee (Senior Engagement Officer).

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Summary

Fireworks have been a popular topic for e-petitions during this Parliament. Individuals and campaign groups have used the e-petitions system to express a wide range of concerns, including: noise from fireworks having serious detrimental effects on people and animals; misuse of fireworks and anti-social behaviour blighting local communities; and environmental issues.

The Petitions Committee has scheduled three debates in Parliament on petitions relating to fireworks that had each gained more than 100,000-signatures. In total, petitions calling for tighter restrictions on the sale and use of fireworks by the general public have attracted around 750,000 signatures in three years. While the Government expressed “empathy” for people and animals affected, it was clear it had no plans to change the law. The Government’s responses to these petitions, and Ministers’ replies to the debates, left petitioners feeling frustrated and ignored. We undertook this inquiry to hear their concerns and propose changes in response to them.

We looked closely at the proposal to ban sales and use of fireworks by the public but were not persuaded to recommend this drastic course of action at this time. There are valid concerns, backed up by evidence from overseas, that a ban could have unintended consequences. A ban would have a substantial economic effect, which would be most keenly felt by people who have built their livelihoods on the fireworks industry. A ban would likely have dire consequences for competently-run, voluntary, community displays, which use fireworks to raise funds for local good causes. In many cases these community displays have widespread local support and increase community cohesion.

However, our inquiry has found clear evidence that petitions calling for greater restrictions on sales and use of fireworks have been motivated by justified concerns. In many cases, there are substantial adverse effects, for example on people with a very wide range of health conditions and disabilities. There can be very distressing effects on people with Post-traumatic Stress Disorder, including military veterans. Animals can suffer serious and long-term effects. It is not good enough for the Government to repeatedly claim that the law protects these people and animals from harm. It does not. We now expect action, rather than continued apathy.

Loud and high-pitched noises can adversely affect a large proportion of animals, whose hearing is often much more sensitive than humans’. The decibel level limit of consumer fireworks needs to be reconsidered, with animal welfare in mind, with a view to setting a workable reduced maximum decibel limit that would diminish the risks to animals’ health.

Inconsiderate or irresponsible use of fireworks can have appalling effects on people too, but we were frustrated by the lack of official data on the extent and nature of the problems. Any rule about who can set off fireworks, and where and when they can be used, would be difficult to enforce because fireworks are inherently transient. A lack of enforceability is likely suppressing the number of complaints, meaning the real level of concern is under-reported. People must be enabled, and encouraged, to make their concerns known. There must be a coordinated effort led by the Government, across the relevant agencies, to establish a consistent approach to the collection and publication of

data about the types and extent of problems associated with fireworks.

Local authorities must be empowered to act where they deem it necessary in response to their residents' concerns. We recommend the Government work with local authorities to identify a best practice approach to a revenue-neutral, mandatory permit system for fireworks displays, where local evidence suggests this is necessary to protect the community. We want to see a scheme piloted by the end of 2020.

It is imperative that consumer fireworks are only sold to the public through legitimate retailers with the appropriate licences and by staff with the appropriate level of training to advise customers about safe and responsible use. The Government should act quickly to close a potential loophole in the regulations around storage by retailers of up to 5kg of fireworks without a licence. It should also conduct a review of online sales of fireworks, particularly over social media, with a view to establishing a national, cross-agency strategy to tackle illegal online sales before October 2020.

Packaging of consumer fireworks in a way which may appeal to children creates a risk that children may be tempted to play or tamper with potentially dangerous products stored in the home. The Government should act swiftly to address this through new packaging Regulations as soon as possible, and no later than November 2020.

Inconsiderate and irresponsible use of fireworks should be considered as socially unacceptable as drink driving. There is very clear evidence that loud unexpected noise from fireworks has severe and distressing effects on people with a range of health conditions and disabilities, including military veterans and others suffering with Post-traumatic Stress Disorder (PTSD), children with autistic spectrum disorders and people with hyperacusis and other hearing conditions. If people are going to use fireworks, they must let their neighbours know in advance, so that people can take steps to protect themselves if they need to. The Government must fund and coordinate major, national awareness campaigns, from October 2020 and annually thereafter, on responsible use of fireworks to get this message across to the public.

The Government has so far failed to act in response to legitimate concerns about fireworks expressed through the e-petitions system. People rightly expect the Government to listen to them, take their concerns seriously, and act. The Government's response to this Report is its chance to finally do that.

1 Fireworks e-petitions and the need for this inquiry

Our role

1. We oversee and act on e-petitions submitted to the UK Parliament and Government through petitions.parliament.uk. All such e-petitions that get over 10,000 signatures receive a UK Government response. We automatically consider all e-petitions that receive over 100,000 signatures for debate in Westminster Hall.¹

2. E-petitions allow members of the public to bring their concerns directly to the UK Parliament. We can also act on e-petitions by asking the Government for more information and, like other Select Committees, launching inquiries, hearing from witnesses and making recommendations to Government in reports like this one. Like other Select Committees, we expect the Government to respond to our recommendations within two months.

Fireworks e-petitions

3. Fireworks have been a popular topic for e-petitions during this Parliament. Individuals and campaign groups have used the e-petitions systems to express a wide range of concerns, including about noise from fireworks affecting animals and people; misuse of fireworks and anti-social behaviour; and environmental issues.

4. When we launched our inquiry in February 2019, there were 11 e-petitions about fireworks open for signatures. They requested actions including: calls for quieter or silent fireworks; for the law to raise the age restrictions on buying fireworks; greater restrictions on use of fireworks during daytime hours; a new permit or licensing system for firework displays, including those in domestic gardens; restricting sales of fireworks to licensed gun shops; and a total ban on public sales and use, and restriction of fireworks use to professional, licensed displays only. These petitions, ordered by the number of signatures they gained, are listed below:

- **Ban the sale of fireworks to the public. Displays for licenced venues only** ([e-petition 231147](#)): closed on 30 April 2019 with **307,897 signatures**
- **Pass a law that only allows the sale of Quiet Fireworks to the general public** ([e-petition 232038](#)): closed on 13 May 2019 with **1,199 signatures**
- **Change the laws for fireworks only to use silent fireworks** ([e-petition 231604](#)): closed on 8 May 2019 with **955 signatures**
- **Increase firework restrictions to prevent use during daytime** ([e-petition 232109](#)): closed on 13 May 2019 with **279 signatures**
- **Full ban on the purchase of fireworks & displays** ([e-petition 231962](#)): closed on 12 May 2019 with **205 signatures**

¹ See www.petition.parliament.uk and www.parliament.uk/petitions-committee

- **Create a permit system for garden fireworks and when they can be used** ([e-petition 231965](#)): closed on 12 May 2019 with **99 signatures**
- **Raise the age of sale, of fireworks, to the general public from 18 to 25** ([e-petition 231437](#)): closed on 30 April 2019 with **87 signatures**
- **Ban Fireworks that are toxic to both the environment and humans!** ([e-petition 231806](#)): closed on 12 May 2019 with **36 signatures**
- **Stop firework work displays on armistice Sunday** ([e-petition 232653](#)): closed on 26 May 2019 with **13 signatures**
- **Fireworks should only be sold in registered gun shops** ([e-petition 232653](#)): closed on 8 May 2019 with **13 signatures**
- There was also one counter-petition, against fireworks being banned. ([e-petition 232242](#)), which closed on 12 May 2019 with **424 signatures**

5. The most popular recent petition, created by Amy Cullen, called for a ban on the sale of fireworks to the public and for fireworks displays to be restricted to licensed venues only. Amy's petition stated:

Every year fireworks are set off unnecessarily. Fireworks are a nuisance to the public. They scare animals, young children and people with a phobia. They injure thousands of people every year. They cause damage to buildings, vehicles, emergency vehicles and lastly kids are still being sold them.²

Our inquiry

6. In recent years, several petitions about fireworks have reached the 10,000-signature threshold and received a formal response from the Government. Amy Cullen's petition far-exceeded the 100,000-signature threshold and was debated in Westminster Hall in November 2018.³ Three other petitions, all calling for greater restrictions or bans on public sales or use of fireworks, passed the 100,000-signature threshold:

- **Restrict the use of fireworks to reduce stress and fear in animals and pets, created by Julie Doorne** ([e-petition 109702](#)): closed on 2 April 2016 with **104,038 signatures**⁴
- **Ban the sale of fireworks to the public and only approve organised displays, created by Mike Old.** ([e-petition 168663](#)): closed on 10 April 2017 with **168,160 signatures**
- **Change the laws governing the use of fireworks to include a ban on public use, created by Julie Doorne** ([e-petition 201947](#)): closed on 6 April 2018 with **113,284 signatures**⁵

In total, fireworks e-petitions had attracted around 750,000 signatures in three years.

² E-petition 231147, [Ban the sale of fireworks to the public. Displays for licenced venues only](#)

³ You can read a transcript of the Westminster Hall debate on Amy Cullen's petition. See HC Deb, 26 November 2018, [cols 144WH](#)

⁴ Debated in Westminster Hall, see HC Deb, 6 June 2016, [cols 1–30WH](#)

⁵ Debated in Westminster Hall, see HC Deb, 29 January 2018, [cols 227–63WH](#)

7. Despite the number of e-petitions about fireworks and the large number of signatures they attract each year, the Government's response to these petitions has consistently been that it believes the legislation and guidance already in place is appropriate and proportionate. For example, in her reply to the Westminster Hall debate on Amy's petition in November 2018, Kelly Tolhurst MP, Parliamentary Under Secretary of State at the Department for Business, Energy and Industrial Strategy, emphasised that, while she empathised with people's concerns and understood the strong feelings:

We have legislation in place to regulate the supply, storage, possession, use and misuse of fireworks, to help to ensure public safety. These powers include powers to prosecute those who use fireworks in a dangerous or antisocial manner. Together, the restrictions set out in the Fireworks Act 2003, the Fireworks Regulations 2004 and the Pyrotechnic Articles (Safety) Regulations 2015 provide the regulatory framework that seeks to support the public's enjoyment of fireworks while effectively managing the risk of fireworks harming individuals, property or animals.⁶

8. The regulatory framework in relation to fireworks as a consumer product:

- categorises fireworks as **F1 (indoor) fireworks**, which can be sold to people aged 16 years and over; **F2 (outdoor, confined space) fireworks**, which can be sold to and used by people aged 18 and over in confined outdoor spaces such as back gardens; **F3 (display) fireworks** for use by people aged 18 and over in large outdoor areas; and **F4 (professional display) fireworks**, the most powerful category of fireworks, which are not to be sold to the general public and are intended for use only by people with specialist knowledge;
- **prohibits use of fireworks between 11pm and 7am, except on dates where fireworks are used for traditional or cultural events.** On 5 November, the curfew is extended until midnight; on New Year's Eve, Chinese New Year and Diwali the curfew is extended until 1am;
- **restricts the periods during which retailers without a special licence can sell fireworks to dates around the four protected traditional/cultural events:** i.e. around 5 November (from 15th October to 10 November); New Year's Eve (from December 26th to 31st); Chinese New Year (on the first day of the Chinese New Year and the 3 days immediately preceding it); and Diwali (on the day of Diwali and the 3 days immediately preceding it);
- **limits the noise level of consumer fireworks to 120 decibels;** and
- **grants enforcement powers to local authorities and the police against misuse of fireworks**, including on-the-spot fines of £90, and prosecutions, which can result in fines of up to £5,000 and/or a prison sentence of up to six months.⁷

9. Despite insisting it takes the issues "very seriously", the Government appeared to downplay petitioners' concerns and has consistently stated that it has no plans to strengthen the law. For example, the Government's response to Julie Doorne's 2018 petition stated:

⁶ HC Deb, 26 November 2018, [col 38WH](#)

⁷ For a comprehensive summary of the regulatory framework, see Regulation of Fireworks, House of Commons Library Briefing Paper [05704](#), October 2018

Although a small minority of people use fireworks in a dangerous, inconsiderate or anti-social manner, we believe that the majority use them sensibly and responsibly. [...] the number of injuries is low and the total number of hospital admissions caused by firework injuries has remained below 200 a year for the last 10 years.[...] The Government believes that the current regulations strike the right balance between the enjoyment of fireworks by the public and restricting the sale and use of fireworks for public safety reasons.⁸

This has left petitioners feeling frustrated. That's why, in response to the clear strength of public feeling, we decided to launch an inquiry.

10. We have used this inquiry to give people the opportunity to raise and explain their concerns directly with us and in more detail than an e-petition alone allows. We wanted to demonstrate through our inquiry that, where people use petitions to raise an issue, we are committed to listening and taking concerns seriously, and pressing the Government for change. As our Chair said during the debate on Amy Cullen's petition, the alternative is that "we will have petition after petition and debate after debate until the Government start to take notice."⁹

11. We published wide-ranging terms of reference and received more than 350 written submissions from members of the public, animal welfare organisations, bonfire societies and other non-professional groups who put on community fireworks displays, fireworks professionals and specialist retailers, the Association of Convenience Stores, the Health and Safety Executive and the National Fire Chiefs Council.¹⁰

12. Our schedule of oral evidence began with evidence from a petitioner, Sue Kerr, representing the anti-fireworks campaign group, Fireworks Abatement UK, founded by Julie Doorne. We then heard an industry perspective from the British Fireworks Association, followed by oral evidence from representatives of regulatory and enforcement agencies, including the Health and Safety Executive, the Fireworks Enforcement Liaison Group, and the Chartered Institute of Environmental Health, alongside the Association of Convenience Stores. We completed our oral evidence schedule by hearing from the RSPCA, the National Fire Chiefs Council and the National Police Chiefs Council. A full list of witnesses is set out at the end of this Report.¹¹

13. From the beginning and throughout, the voices of the public were central to our inquiry. We conducted our largest-ever online survey, which 42,629 people took the time to complete.¹² We arranged face-to-face events to hear directly from military veterans, including those suffering with Post-traumatic Stress Disorder, and people with other health conditions and disabilities. We also held an event with fireworks enthusiasts, particularly those involved in bonfire societies and other non-professional, community-run displays, and an industry body, the CBI's Explosives Industry Group. Our colleagues in Parliament's Education Service surveyed the views and experiences of school students

8 Government response to [e-petition 201947](#), Change the laws governing the use of fireworks to include a ban on public use

9 HC Deb, 26 November 2018, [col 6WH](#)

10 You can read the full terms of reference on our website: <https://www.parliament.uk/petitions-committee>.

11 You can read the full terms of reference on our website: <https://www.parliament.uk/petitions-committee>.

12 See Annex A: Summary of survey results

aged 10–18. We’ve included summaries of all these public engagement activities in annexes to this Report.¹³ We’re very grateful to everyone who contributed, particularly those who related their personal experiences.

14. We very quickly became aware of the strength of feeling both for and against greater regulation of fireworks: while there are many who believe strongly that fireworks are a scourge and that radical change is needed, people in the fireworks industry and many fireworks enthusiasts feel equally strongly that the law as it stands either does, or at least could and should, provide a balance between allowing people to enjoy fireworks responsibly and protecting people, animals and property from harm.

15. We have listened carefully to people with a wide-range of views about the use of fireworks, both positive and negative. Our conclusions and recommendations are intended to try to find some common ground. We have identified clear loopholes in the current legal framework, which the Government should act swiftly to close in the interest of those who sell and enjoy fireworks and those who are concerned about their use. Above all, we believe the Government’s response to this Report will be an opportunity for it to begin to demonstrate that it’s listening too, and is willing to act to address legitimate concerns, while enabling people to enjoy fireworks responsibly.

13 See Annexes B to E

2 The practical implications of a ban on public sales and use

16. As set out in chapter 1, hundreds of thousands of people have signed e-petitions calling for a ban on public sales and use of fireworks and for fireworks to be restricted to professionally-run, licensed displays only. We wanted to give this proposal our full consideration.

17. The case for a ban on public sales and use was made from an animal welfare perspective and by, and on behalf of, groups of people who can be particularly adversely affected, such as people with a wide range of health conditions and disabilities and military veterans and others suffering with Post-traumatic Stress Disorder.¹⁴ We discuss these concerns, and ways of addressing them, in more detail in chapters 3 and 4.

Effects of a ban on community groups and local fund-raising

18. Several concerns were raised about the potential consequences, some unintended, of a ban. For example, we received evidence from several community-based groups, including Sussex bonfire societies, schools and grass-roots sports clubs, who were deeply concerned about our inquiry and the potential consequences of us recommending a ban.¹⁵ These groups emphasised that their displays were run by competent, but non-professional, people. Their displays raised considerable funds, either for their own running costs or for local good causes. For example, a Surrey school told us its display raised around £2,500 each year.¹⁶ A professional company's fees for running an event would amount to a substantial proportion of this figure.¹⁷ A ban on public use of fireworks would therefore have potentially dire consequences for them.¹⁸

19. The community groups we heard from argued their displays were supported by the local community and improved community cohesion. They took steps to ensure local people were aware of when and where displays were happening, so that people who might be adversely affected could take steps to mitigate the effects. The groups we spoke to reported there were very few, if any, complaints about noise or other issues. All the groups told us they worked closely with the local community to address any concerns. Sussex bonfire societies argued that their events were part of the unique cultural identity of their area.¹⁹

Potential unintended consequences

20. The fireworks industry raised practical concerns about the implications of a ban on public sales and use. Steve Raper, Vice Chairman of the British Fireworks Association, argued there would be insufficient professional fireworks companies to meet demand, which could have implications for safety:

14 See Annex B: Summary of public engagement with military veterans and Annex C: Summary of public engagement with people with health conditions and disabilities

15 See Annex D: Summary of roundtable meeting with community groups and explosives industry; also, Chris Galvin ([FWS0001](#)); Mark Priest, Firework Crazy Ltd ([FWS0357](#))

16 See Annex D: Summary of roundtable meeting with community groups and explosives industry

17 [Q56](#) [Fraser Stevenson]

18 See Annex D: Summary of roundtable meeting with community groups and explosives industry

19 See Annex D: Summary of roundtable meeting with community groups and explosives industry

The simple answer to that question is that it would not work. There are not enough professional firework companies in the UK to fill that market. If there were, they would be doing it already. [...] The current pro providers would be stretched. You would see an upsurge in pop-up professional display operators trying to fill the gap. That is not an ideal situation.²⁰

21. Other experts raised concerns about the likely ineffectiveness of a ban. Dr Tom Smith, Managing Director of major professional display company, Carndu Limited, and the Explosive Industry Group's Chairman, emphasised that evidence from overseas suggested stricter restrictions on public use could be counter-productive. He noted that places where bans were in place throughout almost the entire year tended to have more injuries when fireworks were permitted. Berlin, for example, had a poor safety record on New Year's Eve, the only night of the year when public use of fireworks was permitted.²¹ Others raised concerns about the economic effects of a ban, particularly the effects on the general and specialist retail sector.²²

Emergence of a black market

22. The National Fire Chiefs Council and the National Police Chiefs Council were concerned about the possibility of a ban pushing sales underground and creating a black market of potentially dangerous products.²³ Fraser Stevenson, Director of Absolute Fireworks, noted that the police in the Republic of Ireland, where the general public are banned from using fireworks, had raised concerns about dangerous illegal fireworks entering the country and causing injuries.²⁴ Assistant Chief Constable (ACC) Andy Prophet, the anti-social behaviour lead of the National Police Chiefs Council, told us that, "If a black market became available, it would be even more difficult to police than the situation we currently have, which would be a really unhelpful unintended consequence."²⁵

23. **We have listened carefully to concerns about banning public sales and use of fireworks. There are valid concerns about the likely effects on community groups and their local fund-raising efforts. For some groups, for example in Sussex, community-run, non-professional displays form an important part of an area's unique culture and identity. There are also genuine concerns about the likely ineffectiveness of a ban, including some evidence from overseas that a ban could have unintended and counter-productive consequences for public safety. A ban on public sales would have a substantial economic effect, which would be most keenly felt by people who have built their livelihoods on the fireworks industry.**

24. **While people who want to ban the public from buying and using fireworks have valid concerns that must be addressed, we cannot support a ban before other, less drastic but potentially more effective, options have been fully explored.**

20 [Q54](#)

21 See Annex D: Summary of roundtable meeting with community groups and explosives industry

22 See, for example, [Q186–8](#) [Chris Kemp]; Mark Priest, Firework Crazy Ltd ([FWS0357](#))

23 See, for example, [Q203](#) [Chris Kemp]; [Q205](#) [ACC Prophet]

24 [Q58](#)

25 [Q205](#)

3 Assessing the extent of problems and empowering effective local responses

25. In this chapter, we set out what the public told us about the nature of problems associated with fireworks. We describe our attempts to establish the extent of these problems, and our frustration about the lack of official data. We emphasise the inherent difficulties in enforcing the rules around domestic use of fireworks and the lack of protection for people and animals against frequent disturbance by fireworks, which suggests a new approach may be necessary in some places. Our recommendations focus on improving data collection and empowering local authorities and enforcement agencies to act where and when they think it necessary.

Fireworks and animals

26. Our survey of people who have signed petitions showed that most people who have concerns about fireworks are worried about the effects of fireworks noise on animals. Nearly 30,000 people (about 70% of those who completed our survey and expressed a primary concern) told us this was their main issue. Of these, the largest group was owners of domestic pets, particularly dogs. We read thousands of comments from pet owners recounting very similar experiences, for example:

“In our experience of owning 6 dogs over different periods, dogs are absolutely petrified of fireworks. The fear is beyond anything I see in the dogs at any other time. They cry, cower away, whimper, chew through power cables and rugs, etc.”; and

“My dog is terrified of fireworks, every year he has to take diazepam plus many other ‘aids’ to relax him during the fireworks just to calm him down which don’t work, he gets extremely stressed to the point he will be sick.”²⁶

27. While dog owners were the largest group, owners of other domestic pets told us about similar experiences.²⁷ In written evidence to the inquiry, horse owners recounted some particularly distressing experiences, including injuries sustained when horses take flight in response to the noise of fireworks.²⁸

28. The evidence of animal owners was challenged by people working in the fireworks industry and fireworks enthusiasts. They argued that evidence of the effects on animals was anecdotal, often exaggerated and not borne out by official data.²⁹ Some argued that animal ownership was a lifestyle choice, which should not override their own lifestyle choice to enjoy fireworks responsibly, in accordance with the law.³⁰ There was clear evidence presented, however, that fireworks can produce fear responses in a substantial proportion of animals. For example, the RSPCA noted a 2013 study, which showed that fireworks were the most common cause of fear responses in dogs, and a 2005 study of

26 See Annex A: Summary of survey results

27 See, for example, Mrs Vivienne Scott ([FWS0047](#)); Mr Henry Bowden ([FWS0092](#)); Vanessa Lord ([FWS0173](#))

28 See, for example, Miss Lindsay M Horner ([FWS0003](#)); Mrs Samantha Durham ([FWS0354](#)); Redwings’ Horse Sanctuary ([FWS0337](#));

29 See, for example, Jonathan’s Fireworks Ltd ([FWS0230](#)); Jonathan West ([FWS0242](#)); Bright Star Fireworks ([FWS0250](#)); Mr Glen Pearson ([FWS0321](#))

30 See, for example, Jonathan West ([FWS0242](#)); Mr Dieter Wadeson ([FWS0299](#)); Mr Glen Pearson ([FWS0321](#));

firework fears and phobias in dogs, which found that 45% show signs of fear when they hear fireworks. The RSPCA noted that animals which display fear responses “not only suffer psychological distress but can also cause themselves injuries, sometimes very serious ones, as they attempt to run or hide from the noise.”³¹

29. The British Veterinary Association confirmed that the effects of fireworks noise on animals were real, and could lead to longer-term phobias:

Studies, reports and animal welfare organisations all agree that loud and high-pitched fireworks can have a negative impact on animal health and welfare by causing not just physical harm, but stress or fear responses across a range of species, including companion animals, wildlife, horses, livestock and zoo animals. [...] As animals have more acute hearing than humans, many show stress, fear or even phobia responses to loud and high-pitched noises.³²

30. We wanted to explore the scale of these problems, and where fireworks ranked amongst other animal welfare issues. The RSPCA told us that of the around 1.1 million calls it receives from the public each year, only around 400 were logged as being specifically related to issues with fireworks. However, Claire McParland, the RSPCA’s Government Relations Manager, said that this number was likely “the tip of the iceberg”, because many incidents go unreported. She acknowledged that:

The challenge is getting good, accurate data. One of the things that we flagged up is that there probably is insufficient information in a lot of these areas. [...] It seems like a very small thing, but the reality is that over a condensed period of time, from October through to January, it might take up quite a lot of our work.³³

31. Animal welfare organisations were united behind the RSPCA’s calls for change. Suggested recommendations included a reduction in the maximum noise level of consumer fireworks from 120 decibels to 90 decibels, based on recent studies of the effects on animal welfare, and for local authorities to be empowered to regulate public fireworks displays through licensing schemes.³⁴

32. Witnesses from the fireworks industry confirmed that the current decibel limit of 120 for consumer fireworks had been set based on the effects of noise on people, rather than animals.³⁵ Steve Raper, Vice Chairman of the British Fireworks Association, emphasised there were technical limitations on reducing noise from fireworks. He told us that:

You cannot have an absolutely quiet firework. The lifting charge on a firework for a shot tube is about 95 decibels, and that is just the cartridge being ejected into the air.³⁶

33. Loud and high-pitched noises can adversely affect a large proportion of animals, whose hearing is often much more sensitive than humans’. They can cause substantial

31 RSPCA ([FWS0336](#))

32 British Veterinary Association ([FWS0323](#))

33 [Q156](#)

34 RSPCA ([FWS0336](#))

35 [Q65](#) [Fraser Stevenson]

36 [Q64](#)

distress and lead to longer-term phobias and behavioural issues. *In the light of this evidence, we believe the decibel level limit of consumer fireworks needs to be looked at again, with animal welfare in mind. We recommend the Government lead a review, working with animal welfare experts and the fireworks industry, of the effects of fireworks noise on animal welfare, with a view to setting a workable reduced maximum decibel limit which would diminish the risks to animal health.*

Disproportionate effects on particular groups of people

People with health conditions and disabilities

34. Our survey of fireworks petitioners identified groups of people who can be particularly badly affected by fireworks. One was a broad group of people with a range of health conditions and disabilities, including anxiety disorders; bipolar disorder; cataplexy; cerebral palsy; dementia; epilepsy; fibromyalgia; hydrocephalus; hyperacusis; myalgic encephalomyelitis; multiple sclerosis; narcolepsy; Parkinson's disease; and tinnitus.³⁷

35. Some of the experiences relayed to us via the survey were distressing, for example where parents described the experiences of their disabled children:

“[...] our son has severe complex needs including epilepsy, which can cause him to stop breathing. Loud, unexpected noises are often a trigger for this. [...] Sadly, at home where he should be safe and protected, members of the public are able to set fireworks off at any time, in the street or in their gardens, the laws are not enforced and we cannot guarantee how loud they are going to be [...] My son screams, has a seizure and has to be administered oxygen. This is distressing for all involved.”; and

“My nephew has autism and hearing fireworks triggers meltdowns for him. He screams and screams. It surprises me that more people don't understand this [...].”³⁸

36. At a public engagement event, we discussed some of the effects on people in more detail. We spoke to a group of young people with learning disabilities, organisations which supported people with anxiety disorders and tinnitus and a paediatric doctor specialising in audiology. Experts emphasised that panic attacks instigated by fireworks noise were a common experience for people with a wide range of noise phobias, hearing problems, anxiety disorders and Post-traumatic Stress Disorder (PTSD). The effects could be particularly severe for people suffering with hyperacusis, a heightened sensitivity to sound, which is particularly prevalent amongst children with autistic spectrum disorders. The effects weren't only physical. Common coping strategies to avoid unexpected loud noises, such as staying indoors wearing ear defenders or travelling to remote areas, tended to exacerbate pre-existing feelings of isolation and “not being part of the fun”.³⁹

37. People told us about their preferred solutions to the problem. There was considerable support for a ban on public sales and use or local authority licensing schemes, but a

37 See Annex A: Summary of survey results and Annex C: Summary of engagement event with people with health conditions and disabilities

38 Annex A: Summary of survey results

39 Annex C: Summary of engagement event with people with health conditions and disabilities

key theme was promoting increased public awareness. The young people with learning disabilities told us they had no wish to “spoil people’s fun”. They wanted to see a return to “public service announcements”, with very widespread campaigns like the anti-drink-driving campaigns around Christmas. They thought young people should be made aware in schools and youth centres and that local communities should run “tell you neighbours” campaigns, to encourage people to inform others when they were planning fireworks displays.

Military veterans and combat-related Post-traumatic Stress Disorder

38. We had a similar conversation with military veterans, some of whom had been diagnosed with combat PTSD, who found fireworks very problematic. They told us about severe effects, on themselves and their families. We heard about loud unexpected noise from fireworks provoking “hyper-vigilance” in veterans. For example, a veteran reported instinctively diving for cover with his daughter. A partner of a veteran told us that fireworks had a “terrible” effect on family life for weeks during autumn. A veteran told us he’d “come out of [the armed forces] pretty unscathed, but for those three weeks around fireworks night it’s horrendous”. Another described disturbed sleep from late October until the New Year, with “horrible” consequences for family life.⁴⁰

39. Again, the strong preference was for a ban on public use or mandatory local authority permit schemes, but public awareness was also a strong theme. The veterans believed that the public were far less aware of the effects of fireworks on people like PTSD sufferers than they were about the effects on animals. It was felt that high profile, national campaigns, supported in the media by politicians could make a real difference.⁴¹ We return to the theme of raising public awareness and encouraging considerate and responsible use of fireworks in chapter 4.

“Year-round” fireworks

40. A regular theme in evidence was concern about the length of the “fireworks season”, which many people said now ran from late October through to January.⁴² Sue Kerr told us the season had become “noticeably longer” since the Millennium, after which fireworks had become much more popular.⁴³ While legislation restricts the periods during which retailers without a special licence can sell fireworks to certain days between mid-October and mid-February, for some people, the frequency of fireworks noise was exacerbated by year-round use of fireworks to celebrate weddings and other occasions. We heard from people who lived close to wedding venues, for whom this had become a problem in recent years. Written evidence and participants in our public engagement events noted that the current regulatory framework did nothing to protect them from the frequency of local fireworks displays, which legally could take place at any time of the year.⁴⁴

41. The current law does not offer people and animals enough protection from frequent disturbance by fireworks, particularly where there are numerous public and

40 Annex B: Summary of public engagement event with military veterans

41 Annex B: Summary of public engagement event with military veterans

42 See Annex A: Summary of survey results; see also, for example, Mrs Heidi Mitchell ([FWS0131](#)); Mr Kevin Williams ([FWS0137](#)); Tracey Smyth ([FWS0147](#)); Miss Nicky Williams ([FWS0170](#)); Sue Coulter ([FWS0178](#)); Martin Gray ([FWS0187](#))

43 [Q13](#)

44 See, for example, Lindsay Harrison ([FWS0183](#)); Mrs Christine Thomas ([FWS0221](#)); see also Annexes A-E

domestic displays around the traditional and religious dates and a growing number of displays at other celebratory events like birthdays and weddings. We believe local authorities should be empowered to limit the number of displays in their areas in these circumstances. *We recommend the Government work with local authorities to identify a best practice approach to a revenue-neutral, mandatory permit system for fireworks displays, where local evidence suggests this is necessary to protect the community. The Government should work with a local authority to pilot the approach before the end of 2020, with a view to legislating to empower all local authorities to establish mandatory permit schemes where they deem it necessary.*

Attacks on emergency services

42. Some witnesses noted media reports of attacks using fireworks on emergency services personnel. There was a perception that such attacks were common or increasing in some places.⁴⁵ The problem of attacks using fireworks was also referred to by respondents to our survey. Several serving emergency services workers used the survey to report incidents, for example:

“Every year fireworks are used as weapons against me and my colleagues across all emergency services. The Police are stretched enough but bonfire night for example we are having to have our days off cancelled to keep the fire service safe. I am bored of ducking fireworks that are fired at us.”; and

“It was Mischief night, when I got called to a fire near an electrical substation. It was in a car park next to a block of small flats with a cut through to a cul-de-sac and a road to the left. 15 males, approx 13–19 surrounded both sides and proceeded to set off fireworks directly at myself and my colleague. We proceeded to push through the crowd and run through the cut through. However, I had suffered temporary blindness and hearing loss and had suffered heat rash burns.”⁴⁶

43. However, the perception of a very widespread or growing problem was countered by the fireworks industry with information obtained from Freedom of Information (FOI) requests they had made. While some Fire and Rescue services that responded, such as Avon Fire and Rescue and Lancashire Fire and Rescue Service, had recorded a handful of attacks with fireworks on crew over the last six years, most had not recorded any at all.⁴⁷

44. However, these FOI responses did not reflect experiences all over the country. Chris Kemp of West Yorkshire Fire and Rescue Service, representing the National Fire Chiefs Council, reported a very real and worrying problem with attacks on fire crew, often involving fireworks, in his part of the country:

We have evidence of calls being made to certain areas of certain cities almost as a trap for firefighters to be caught and then attacked with fireworks. Last year, we had 20 incidents of that, and in 2017 we had 30 incidents of that in West Yorkshire. If we look at the data from West Yorkshire, those attacks are specifically where firefighters have been attacked with a firework, but we

45 See, for example, Mrs Marion Roberts ([FWS0135](#)); Julie Doorne ([FWS0145](#)); Stuart Walsh ([FWS0198](#)); Claire Cooper ([FWS0290](#)); PDSA ([FWS0351](#))

46 Annex A: Summary of survey results

47 Bright Star Fireworks ([FWS0250](#))

have a whole host of attacks with other missiles and where verbal abuse has been given. On average, in about 21% of attacks on firefighters a firework has been used.⁴⁸

45. ACC Prophet of the National Police Chiefs Council could not provide similar figures for attacks on police, either for his own force of Essex or nationally, but confirmed that “The level of violence and the number of attacks committed towards officers and emergency service workers is increasing”. His view was that “there has not been a particular spike in attacks on police officers driven by fireworks in recent years” but there was no readily available national data to confirm this.⁴⁹

46. **Any attack on emergency services workers is entirely unacceptable. It’s therefore hugely worrying that these attacks appear to be on the increase, and we welcome recent measures set out in the Assaults on Emergency Workers (Offences) Act 2018 to tackle the broader issue. There is evidence that attacks involving fireworks make up a significant proportion of these incidents in some parts of the country, but we are concerned they are not being consistently recorded and published. Without complete and accurate data, it is not possible to understand the extent of the problem or take steps to rectify it through properly informed local decisions. We recommend the Government work with emergency services across the country to ensure that such incidents involving fireworks are specifically and consistently recorded across all local emergency services, and the data made publicly available.**

Anti-social behaviour and misuse of fireworks affecting communities

47. After the effects of fireworks on animals, the next most frequently expressed concern was about a broad category of anti-social behaviour, ranging from a lack of common courtesy in informing neighbours about planned fireworks displays to much more serious misuse of fireworks and anti-social behaviour affecting communities. 4,552 people said that anti-social behaviour was their biggest issue with fireworks.

48. Commonly specified concerns included **fireworks being set off in the street or being set off very late at night by neighbours or near-neighbours**. Reports of very serious and dangerous anti-social behaviour were less common, but some incidents reported in our survey were distressing to read, for example:

“I’ve actually had a group of older teenagers set fireworks off 3 foot from my bedroom window late at night. In my previous flat high school children used to open the main door to the flat and throw fireworks in.”; and

“The neighbour’s back garden is 3 metres away from the front of my house (semi-detached). They used commercial fireworks and these were very powerful and frightening. When we protested, they pushed and hurt another neighbour.”⁵⁰

49. There were several common themes in responses to our survey from people concerned about their neighbours’ use of fireworks, including: **insufficient space** in small

48 [Q181](#)

49 [Q201](#)

50 See Annex A: Summary of survey results

residential gardens for the type of fireworks being used; neighbours using fireworks under the influence of **alcohol; damage to property; and** fireworks debris **littering** gardens and streets.⁵¹

50. There was a very strong perception in survey responses and written evidence that **current laws were unenforceable and that complaints were not acted on** by the police or councils. These comments were typical of the hundreds we received:

“My next-door neighbour set off some fireworks, which should only have been used at an organised event. He nearly set fire to our house and car, he caused thousands of pounds worth of damage. The fire service and police were involved but nothing happened to him.”

“The laws are not being enforced at all. They usually start at Halloween then continue every night for the rest of the month. They go off at all hours from 5pm until 5am.”

“The law is impossible to enforce, fireworks go off till the early hours of the morning and for longer than the specified occasions, for example bonfire night. They’re going off as soon as you can buy them continuously till New Year’s Eve.”

“I have called the police to report the use of fireworks until the early hours of the morning, when a festival is not in place. I have been told that it is not against the law and that if I have an issue I should call environmental health regarding this. I feel I was fobbed off just so the local police force didn’t have to bother with it.”⁵²

51. Local authority and police witnesses confirmed that enforcing fireworks law was challenging. In relation to the use of consumer fireworks in domestic gardens which were too small, Liz Vann, representing the Chartered Institute of Environmental Health suggested there was little, if anything, that could be done from a local authority enforcement perspective.⁵³

52. Rachel Hallam, a Trading Standards Officer at Worcestershire County Council and Chair of the Fireworks Enforcement Liaison Group, noted there was a safety guide for domestic firework displays produced by the Explosives Industry Group (EIG) and that all consumer fireworks were labelled with minimum safety distances. Essentially, compliance with the law relied heavily on people following these instructions; there was little that could be done after the event. She agreed that it was doubtful that many people planning a domestic fireworks display would take the trouble to read the EIG’s guide, or even always follow the instructions on the box to the letter:

Can we guarantee that everyone is going to read them? We all know from any purchase that we buy that not everybody reads the instructions. We can encourage people to read them and encourage retailers to have that conversation with customers when we do inspections. [...] But we cannot

51 See Annex A: Summary of survey results

52 Annex A: Summary of survey results; see also Mrs Rhoda Burns ([FWS0123](#)); Ms Michelle Page ([FWS0158](#)); Ms Penny Clarke ([FWS0205](#)); Mrs Debbie Rook ([FWS0261](#)); Ms Julie Drakeley ([FWS0287](#)); Miss Helen Wood ([FWS0328](#)); Mr David Hall ([FWS0332](#))

53 [Q133](#)

control what happens in a domestic environment. That is the same with any consumer product. Once they have bought it from the shop and had whatever instruction there is, what they are going to do with it and where they are going to set it off is in their hands.⁵⁴

53. Enforcing the night-time curfew was also considered very challenging, if not impossible. Rachel Hallam summed up the difficulty neatly, telling us that enforcing the curfew was a question of:

Is there somebody able to listen to it, to be able to take enforcement action? It is about being able to get evidence. With the police issuing a fixed penalty, unless they are in the area and able to do it there and then, it is on to the next action. It is quite a challenging one to enforce.⁵⁵

Echoing this point, ACC Prophet, told us:

It gets really tricky, doesn't it? If after a certain time a firework cannot be let off, it is a very clear line in the sand, but how do you find out who let the firework off? It comes back to that fundamental point. Unless you have, which we don't, an eye and a camera on every street corner, you will never find out who let the firework off, short of someone coming forward and telling you who it was. Even then, "It wasn't me." It is incredibly difficult.⁵⁶

54. There was disagreement between anti-fireworks campaigners and the industry about how common these issues were. In the face of a lack of official published data, industry witnesses had obtained data from local authorities and others using FOI requests. These showed very few recorded incidents of noise complaints, with many authorities that responded to the FOI request recording no complaints at all in some recent years.⁵⁷

55. In oral evidence, Steve Raper, Vice Chairman of the British Fireworks Association, argued this showed that problems associated with domestic fireworks noise were "nowhere near as bad" as petitioners' and campaigners' anecdotal evidence suggested.⁵⁸ Sue Kerr, on behalf of Fireworks Abatement UK, countered this argument by suggesting that people knew complaints would not, or could not, be acted on, and therefore tended not to complain, meaning that the FOI data under-reported the real level of noise nuisance problems:

You cannot complain to the local authority, because there is nothing it can do, unless it is the same person setting them off all the time, which it tends not to be. [...] We have also heard lots of times, on social media, that when somebody complains that fireworks are being used illegally and you suggest they ring the police, their response is always, "What's the point? They won't do anything; we've tried that before. They won't even give an incident number."⁵⁹

54 [Q135-6](#)

55 [Q148](#)

56 [Q197](#)

57 See, for example, Bright Star Fireworks ([FWS0250](#))

58 [Q62](#)

59 [Q20](#)

56. Fireworks are inherently transient, and, once they have been used, there may be little evidence of where or when they were set off. It's therefore inevitable that any rule about who can set off fireworks, and where and when they can be used, will be difficult to enforce. People are aware of this, including those who misuse fireworks and those for whom fireworks cause significant problems. It is likely that this is suppressing the number of complaints, meaning the real level of concern is under-reported.

57. We believe the first step towards addressing people's valid concerns about misuse of fireworks should be improving the collection and publication of data about the types and extent of problems associated with fireworks. While the challenges of enforcement are widely acknowledged, people must be enabled, and encouraged, to make their concerns known. It must be made clear to people how and to whom to report concerns. *We recommend the Government work with local authorities and police and fire services to review the systems in place for people to report concerns about misuse of fireworks, including breaches of the night-time curfew, use of fireworks in inappropriately small domestic gardens and other anti-social behaviour, with a view to establishing a consistent approach to data collection and publication. Local authorities must have systems in place to record incidents of concern to their residents. It is vital that local areas collect this information to inform local responses. We expect the Government to issue guidance to this effect before October 2020.*

4 Sales, packaging and public awareness

58. While we think empowering local authorities to control the number of displays in their areas in response to local problems is necessary, we do not think this will be enough to fully address people's concerns. Consumer fireworks are heavily regulated products, which must conform to stringent safety standards, but a regular theme throughout our inquiry was that problems associated with fireworks were not inherent to the product but were about people's misuse of them. Below we consider important aspects of encouraging safe and responsible use of consumer fireworks. We look at where and how they can be bought, how they are packaged and ways of raising public awareness about the potential adverse effects of fireworks on particular groups of people.

Sales

"Pop-up" stores and sales over social media

59. People who submitted written evidence and respondents to our survey, including members of the general public, people who were enthusiastic users of fireworks and fireworks retailers, raised concerns about sales of fireworks by seasonal "pop-up" outlets and sales over social media. There was a perception that such sales tended to be unlicensed and/or outlets for illegal products. Many people felt that a proliferation of pop-ups and unlicensed online sales made fireworks too easy to come by and that people selling through these means had little or no incentive to operate within the law, such as adherence to age restrictions, selling dates, provision of proper consumer protection or offering advice on safe use to those purchasing fireworks.⁶⁰ Several people expressed the view that sales of fireworks ought to be restricted to specialist retailers only.⁶¹ After we had concluded our inquiry, we noted with interest that Sainsbury's announced that it would no longer sell fireworks in its 2,300 stores across the UK.⁶²

60. The British Fireworks Association told us it had concerns about illegal products being sold online, in particular via social media, and emphasised difficulties in addressing the problem. Industry witnesses believed fireworks bought through these channels were far more likely to be misused than those purchased from a legitimate retailer.⁶³

61. Steve Raper, Vice Chairman of the British Fireworks Association told us that legitimate retailers often reported these issues to local authority Trading Standards teams but found that "their hands are tied as to how they can respond".⁶⁴ Fraser Stevenson, Director of Absolute Fireworks, reported that Trading Standards were sometimes unable to investigate because they were prevented from accessing social media on their office computers:

60 See, for example, Mrs Susanne Taggart ([FWS0031](#)); Mr Iain Morgan ([FWS0204](#)); Louise Cairns ([FWS0280](#)); Claire Cooper ([FWS0290](#)); Mr Gerald Lewis ([FWS0297](#)); See also, Annex A: Summary of survey results; Annex B: Summary of public engagement with military veterans

61 See, for example, Mr Michael Kearey ([FWS0161](#)); Marisa Morgan ([FWS0320](#)); Mrs Lisa Booth ([FWS0352](#))

62 "Sainsbury's to stop selling fireworks", *BBC News*, 18 October 2019

63 See, for example, [Q82](#) [Fraser Stevenson]

64 [Q47](#)

It is a strange situation, where we can report issues on Facebook but the local authority prohibits its staff from going on to Facebook to see what the problem is. You get the situation where they are not allowed access to social media sites or platforms within their IT structure.⁶⁵

62. Rachel Hallam, Worcestershire Trading Standards Officer and Chair of the Fireworks Enforcement Liaison Group, acknowledged there was an “undercurrent of illegal activity” via social media and confirmed that Trading Standards teams found it “challenging” to deal with. Her evidence to us suggested that enforcement was some way behind the curve of illegal sales via social media. For example, she told us:

[...] if somebody is advertising a firework on a Thursday, it might be sold or set off by Friday or Saturday. To create a sufficient enforcement team, or multi-agency operation, to try to address that can be quite challenging in such a short space of time. [...] it is not always possible to get information from social media in a clear and accurate way, because people do not always use their own name; they do not necessarily provide addresses to track them down, so quite a lot of work may have to go on in the background to find the sellers in the first place.⁶⁶

63. We are concerned about reports of illegal sales of fireworks online, particularly over social media. It’s imperative that consumer fireworks are only sold to the public through legitimate retailers with the appropriate licences and staff with the appropriate level of training to advise customers about safe and responsible use. It appears local authority Trading Standards teams lack the necessary skills and resources to address illegal online sales effectively. We recommend the Government conduct a review of online sales of fireworks, with a particular focus on sales via social media, with a view to establishing a national, cross-agency strategy to tackle the problem. The strategy should include measures to exert pressure on social media companies to identify and remove posts advertising unlicensed or illegal fireworks for sale on their platforms. We recommended this review be conducted, and a strategy published, before October 2020.

Storage and sales by non-specialist retailers without licence

64. As noted in chapter 1, the law is intended to prevent general retailers who do not hold a licence from selling fireworks outside of restricted periods around the four protected traditional/cultural events: 5 November; Diwali; New Year’s Eve; and Chinese New Year.⁶⁷

65. It appears that only a relatively small proportion of general retailers hold a licence to store fireworks, and therefore most do not sell them even during the designated periods. The Association of Convenience Stores (ACS), for example, told us that around 3,200 convenience stores, only 7% of the total number in the UK, hold a licence to store.⁶⁸

66. Retailers can, however, store up to 5kg of fireworks without a licence and can also apply for a licence to sell fireworks all year round. The ACS was initially unable to tell us how many of its members held an all year-round sales licence, but later conducted a survey of 1,574 of its members which found that 1.7% held such a licence. Applied to the

65 [Q47](#)

66 [Q102](#)

67 *Regulation of fireworks*, Briefing Paper [05704](#), House of Commons Library, October 2018

68 Association of Convenience Stores ([FW50347](#))

total number of convenience stores, this would equate to fewer than 800 of the over 46,000 across the UK.⁶⁹ We remained uncertain, however, about the effects of the 5kg threshold, for example whether some retailers might be using it as a loophole to enable them to sell fireworks year-round without a licence.

67. We heard different explanations about the original intended purpose of the 5kg rule from regulatory authorities. Rachel Hallam told us it was originally put in place for category F1 indoor fireworks, such as “cake sparklers, party poppers and Christmas crackers”. It was intended to allow retailers to store and sell these low hazard products without the need for a £500 licence. She told us, however, that:

Over the last few years, people have been looking at the regulations and thinking that they could have 5 kg of fireworks and sell them all year round. That gives them a little more room in terms of fireworks. From an enforcement perspective, it is one area that it would probably be preferable to tie down a little bit more, because 5 kg of F1, which is an indoor firework, is completely different from 5 kg of an F3 product. That is one area where I know there are concerns [...]

She thought this was a clear potential loophole which ought to be closed. Her preference was for the Regulations to make explicit that the 5kg rule applied to category F1 products only.⁷⁰

68. Chris Kemp of the National Fire Chiefs Council told us his understanding of where the 5kg rule had come from, and its original intended purpose, was somewhat different. He told us it had come from the Explosives Act 1875 and had been intended to apply to “people storing gunpowder for personal use”. He agreed, however, that it was “time for an update”, confirming that, “What it meant is that we now have a situation whereby shops store just under the 5 kg threshold and sell them at the prescribed periods of time. For me, that is not what the 5 kg rule was for.”⁷¹

69. **We’re concerned that the 5kg storage rule is open to misinterpretation, which may have the result of unlicensed retailers selling consumer fireworks all year round. We believe this is clearly against the spirit and intention of the Regulations and may be contributing to increased misuse of fireworks, where they are being sold by people without the proper licence or training. We recommend the Government take action as soon as possible, and at the latest by April 2020, to clarify the 5kg storage rule by amending the relevant Regulations to explicitly state it applies to low hazard category F1 fireworks only.**

“Family-friendly” packaging

70. In our research into fireworks retailing, we were struck by how many consumer fireworks seemed to be packaged to appeal to children. Many had the appearance of toys, for example the “Funky Frog”, the “Alien Surprise Fountain” and examples which looked like toy cars or had “Minions” on the packaging:

69 Association of Convenience Stores supplementary written evidence ([FWS0363](#))

70 [Q120](#); see chapter one for a description of the different categories of fireworks: F1; F2; F3; and F4

71 [Qq 203–4](#)

Figure 1: Examples of fireworks packaging⁷²

71. We are concerned that age-restricted products should be packaged in this way. We worried that it could encourage under-age sales. We also felt there was a risk that children would be attracted to these products if stored in the home, which could risk safety. Our fears were not allayed by our Education Service's survey of school students, in which 28% said they had used, played with or carried a firework without an adult present and 21% said that fireworks were sometimes kept in their home.⁷³

72. Witnesses for the fireworks industry denied that these types of product were packaged to appeal to children. Steve Raper told us they were strikingly packaged to "attract the eye". He claimed there was no problem with underage sales, therefore "it does not matter how appealing it is to a five-year-old because a five-year-old cannot buy it." He emphasised that fireworks were rarely bought on impulse and that:

It takes an adult to complete the purchase. The adult would buy that firework if it was in rainbow colours, as we see there for the Minion, or if it was in a brown plain wrapper.⁷⁴

Fraser Stevenson emphasised that fireworks tended to be bought for family events, and the packaging reflected that; the packaging was not an attempt to appeal directly to children.⁷⁵

73. Rachel Hallam confirmed, from her experience in Worcestershire, there was no evidence of a widespread under-age sales problem.⁷⁶ Pressed on whether storing these products in the home presented a risk, Liz Vann of the Chartered Institute of Environmental health offered a personal view that it did. She felt it was therefore something that "may need to be looked at".⁷⁷ Dr Paul Logan, Director of the Chemicals, Explosives and Biological Hazards Division at the Health and Safety Executive, observed that an obvious flaw with the age-restriction:

[...] would inevitably be that, once you get them home, we do not really have control over how they are going to be used in a household. We expect parents to be responsible.⁷⁸

74. We accept that there is no evidence of a widespread problem with underage sales of fireworks from legitimate retailers. However, evidence from the fireworks industry and regulatory bodies did not entirely allay our concerns about packaging which may

72 The "Funky Frog" and "Alien Surprise Fountain" available online, including via www.brightstaruk.com; the "Hummer" and the "Minion" available online, including via www.fireworkscrazy.co.uk

73 See Annex E: Survey of school students, July 2019

74 [Q85](#)

75 [Q86](#)

76 [Qq 122-5](#)

77 [Q127](#)

78 [Q128](#)

appeal to children. We remain concerned that where fireworks are packaged in this way, it creates a risk that children may be tempted to play or tamper with potentially dangerous products stored in the home. *We recommend the Government take steps to ensure that these age-restricted products are not packaged in a way which is designed to appeal to children and that it introduce appropriate Regulations as soon as possible, and at the latest by November 2020.*

Raising awareness of the effects of fireworks

75. As discussed in chapter 2, the preferred solution of people who are disproportionately badly affected by fireworks, such as people with a range of health conditions and disabilities and people suffering with PTSD, tended to be a ban on public sales and use. However, people in these groups also felt that high profile, national awareness-raising campaigns could also be part of the solution.⁷⁹

76. The fireworks industry, through the British Fireworks Association, publishes an updated version of the Fireworks Code. It includes practical advice, which many people will be aware of, about storing and handling fireworks. It also encourages fireworks users to “be considerate. Let your neighbours know you will be having a display”. Steve Raper, Vice Chairman of the British Fireworks Association, emphasised that these messages were “hammered into” young people at school in the 1970s and 1980s.⁸⁰

77. There was a view, across a range of witnesses on all sides of the debate, that this simply wasn’t the case anymore. Written submissions from members of the public referred to public information films in previous decades being an important part of public awareness around safe and responsible use of fireworks. There was a perception that a lack of similar awareness campaigns today was one reason for an increase in inconsiderate or irresponsible use of fireworks. Chris Kemp of the National Fire Chiefs Council, believed that the campaigns of the 1970s and 1980s had a positive effect, and called for a renewed and “joined-up” cross-agency approach.⁸¹

78. **There is very clear evidence that loud unexpected noise from fireworks has severe and distressing effects on people with a range of health conditions and disabilities, including military veterans and others suffering with Post-traumatic Stress Disorder (PTSD), children with autistic spectrum disorders and people with hyperacusis and other hearing conditions. It’s not good enough for the Government to repeatedly claim that the law protects these people from harm. It doesn’t. We agree with military veterans and people with health conditions and disabilities that inconsiderate and irresponsible use of fireworks needs to be considered as socially unacceptable as drink driving. If people are going to use fireworks, they must let their neighbours know in advance, so that people can take steps to protect themselves if they need to. We recommend the Government fund and coordinate a major, national awareness campaign on the responsible use of fireworks to get this message across to the public. The**

79 See Annex B: Summary of public engagement with military veterans and Annex C: Summary of public engagement event with people with disabilities and health conditions

80 [Q51](#)

81 [Q190](#) [Chris Kemp]; see also, [Q165](#) [Claire McParland]; Mrs Debbie Willmot ([FW50124](#)); Stuart Willmot ([FW50140](#)); Stuart Walsh ([FW50198](#)); Mrs Kate Over ([FW50244](#)); Mr Timothy Atkinson ([FW50276](#))

campaign should run across national mainstream and social media, and in all schools, from October 2020 and annually thereafter and should include explicit information on the impact which fireworks can have on veterans and those with PTSD.

5 Conclusion

79. E-petitions calling for greater restrictions on sales and use of fireworks have been motivated by people's genuine concerns and, in many cases, substantial distress and harm they have suffered. We have heard about the appalling effects inconsiderate or irresponsible use of fireworks can have on animals and people, who deserve a determined effort across the relevant agencies to reduce the risks.

80. The most popular petitions have called for a ban on public sales and use, with support from hundreds of thousands of people. The call for this drastic action in recent years may have been motivated by the Government's repeated complacent and dismissive responses to people's concerns. While we do not support a ban on public sales and use of fireworks at this time, further inaction from Government and agencies could mean that it becomes the only option to reduce the harm caused by the misuse of fireworks.

81. Through better monitoring and increased public awareness of the harms caused by the misuse of fireworks, greater regulation of the marketing and sales of fireworks, and more protections for those most impacted, we have offered the Government reasonable and workable recommendations, on which we expect action rather than continued apathy. People rightly expect the Government to listen to them and take their concerns seriously. The Government's response to this Report is its chance to finally do that.

Conclusions and recommendations

The practical implications of a ban on public sales and use

1. We have listened carefully to concerns about banning public sales and use of fireworks. There are valid concerns about the likely effects on community groups and their local fund-raising efforts. For some groups, for example in Sussex, community-run, non-professional displays form an important part of an area's unique culture and identity. There are also genuine concerns about the likely ineffectiveness of a ban, including some evidence from overseas that a ban could have unintended and counter-productive consequences for public safety. A ban on public sales would have a substantial economic effect, which would be most keenly felt by people who have built their livelihoods on the fireworks industry. (Paragraph 23)
2. While people who want to ban the public from buying and using fireworks have valid concerns that must be addressed, we cannot support a ban before other, less drastic but potentially more effective, options have been fully explored. (Paragraph 24)

Assessing the extent of problems and empowering effective local responses

3. Loud and high-pitched noises can adversely affect a large proportion of animals, whose hearing is often much more sensitive than humans'. They can cause substantial distress and lead to longer-term phobias and behavioural issues. In the light of this evidence, we believe the decibel level limit of consumer fireworks needs to be looked at again, with animal welfare in mind. We recommend the Government lead a review, working with animal welfare experts and the fireworks industry, of the effects of fireworks noise on animal welfare, with a view to setting a workable reduced maximum decibel limit which would diminish the risks to animal health. *Loud and high-pitched noises can adversely affect a large proportion of animals, whose hearing is often much more sensitive than humans'. They can cause substantial distress and lead to longer-term phobias and behavioural issues. In the light of this evidence, we believe the decibel level limit of consumer fireworks needs to be looked at again, with animal welfare in mind. We recommend the Government lead a review, working with animal welfare experts and the fireworks industry, of the effects of fireworks noise on animal welfare, with a view to setting a workable reduced maximum decibel limit which would diminish the risks to animal health.* (Paragraph 33)
4. The current law does not offer people and animals enough protection from frequent disturbance by fireworks, particularly where there are numerous public and domestic displays around the traditional and religious dates and a growing number of displays at other celebratory events like birthdays and weddings. We believe local authorities should be empowered to limit the number of displays in their areas in these circumstances. We recommend the Government work with local authorities to identify a best practice approach to a revenue-neutral, mandatory permit system for fireworks displays, where local evidence suggests this is necessary to protect the community. The Government should work with a local authority to pilot the approach before the end of 2020, with a view to legislating to empower

all local authorities to establish mandatory permit schemes where they deem it necessary. *The current law does not offer people and animals enough protection from frequent disturbance by fireworks, particularly where there are numerous public and domestic displays around the traditional and religious dates and a growing number of displays at other celebratory events like birthdays and weddings. We believe local authorities should be empowered to limit the number of displays in their areas in these circumstances. We recommend the Government work with local authorities to identify a best practice approach to a revenue-neutral, mandatory permit system for fireworks displays, where local evidence suggests this is necessary to protect the community. The Government should work with a local authority to pilot the approach before the end of 2020, with a view to legislating to empower all local authorities to establish mandatory permit schemes where they deem it necessary.* (Paragraph 41)

5. Any attack on emergency services workers is entirely unacceptable. It's therefore hugely worrying that these attacks appear to be on the increase, and we welcome recent measures set out in the Assaults on Emergency Workers (Offences) Act 2018 to tackle the broader issue. There is evidence that attacks involving fireworks make up a significant proportion of these incidents in some parts of the country, but we are concerned they are not being consistently recorded and published. Without complete and accurate data, it is not possible to understand the extent of the problem or take steps to rectify it through properly informed local decisions. We recommend the Government work with emergency services across the country to ensure that such incidents involving fireworks are specifically and consistently recorded across all local emergency services, and the data made publicly available. *Any attack on emergency services workers is entirely unacceptable. It's therefore hugely worrying that these attacks appear to be on the increase, and we welcome recent measures set out in the Assaults on Emergency Workers (Offences) Act 2018 to tackle the broader issue. There is evidence that attacks involving fireworks make up a significant proportion of these incidents in some parts of the country, but we are concerned they are not being consistently recorded and published. Without complete and accurate data, it is not possible to understand the extent of the problem or take steps to rectify it through properly informed local decisions. We recommend the Government work with emergency services across the country to ensure that such incidents involving fireworks are specifically and consistently recorded across all local emergency services, and the data made publicly available.* (Paragraph 46)
6. Fireworks are inherently transient, and, once they have been used, there may be little evidence of where or when they were set off. It's therefore inevitable that any rule about who can set off fireworks, and where and when they can be used, will be difficult to enforce. People are aware of this, including those who misuse fireworks and those for whom fireworks cause significant problems. It is likely that this is suppressing the number of complaints, meaning the real level of concern is under-reported. (Paragraph 56)
7. We believe the first step towards addressing people's valid concerns about misuse of fireworks should be improving the collection and publication of data about the types and extent of problems associated with fireworks. While the challenges of enforcement are widely acknowledged, people must be enabled, and encouraged, to make their concerns known. It must be made clear to people how and to whom

to report concerns. We recommend the Government work with local authorities and police and fire services to review the systems in place for people to report concerns about misuse of fireworks, including breaches of the night-time curfew, use of fireworks in inappropriately small domestic gardens and other anti-social behaviour, with a view to establishing a consistent approach to data collection and publication. Local authorities must have systems in place to record incidents of concern to their residents. It is vital that local areas collect this information to inform local responses. We expect the Government to issue guidance to this effect before October 2020. *We believe the first step towards addressing people's valid concerns about misuse of fireworks should be improving the collection and publication of data about the types and extent of problems associated with fireworks. While the challenges of enforcement are widely acknowledged, people must be enabled, and encouraged, to make their concerns known. It must be made clear to people how and to whom to report concerns. We recommend the Government work with local authorities and police and fire services to review the systems in place for people to report concerns about misuse of fireworks, including breaches of the night-time curfew, use of fireworks in inappropriately small domestic gardens and other anti-social behaviour, with a view to establishing a consistent approach to data collection and publication. Local authorities must have systems in place to record incidents of concern to their residents. It is vital that local areas collect this information to inform local responses. We expect the Government to issue guidance to this effect before October 2020.* (Paragraph 57)

Sales, packaging and public awareness

8. We are concerned about reports of illegal sales of fireworks online, particularly over social media. It's imperative that consumer fireworks are only sold to the public through legitimate retailers with the appropriate licences and staff with the appropriate level of training to advise customers about safe and responsible use. It appears local authority Trading Standards teams lack the necessary skills and resources to address illegal online sales effectively. We recommend the Government conduct a review of online sales of fireworks, with a particular focus on sales via social media, with a view to establishing a national, cross-agency strategy to tackle the problem. The strategy should include measures to exert pressure on social media companies to identify and remove posts advertising unlicensed or illegal fireworks for sale on their platforms. We recommended this review be conducted, and a strategy published, before October 2020. *We are concerned about reports of illegal sales of fireworks online, particularly over social media. It's imperative that consumer fireworks are only sold to the public through legitimate retailers with the appropriate licences and staff with the appropriate level of training to advise customers about safe and responsible use. It appears local authority Trading Standards teams lack the necessary skills and resources to address illegal online sales effectively. We recommend the Government conduct a review of online sales of fireworks, with a particular focus on sales via social media, with a view to establishing a national, cross-agency strategy to tackle the problem. The strategy should include measures to exert pressure on social media companies to identify and remove posts advertising unlicensed or illegal fireworks for sale on their platforms. We recommended this review be conducted, and a strategy published, before October 2020.* (Paragraph 63)

9. We're concerned that the 5kg storage rule is open to misinterpretation, which may have the result of unlicensed retailers selling consumer fireworks all year round. We believe this is clearly against the spirit and intention of the Regulations and may be contributing to increased misuse of fireworks, where they are being sold by people without the proper licence or training. We recommend the Government take action as soon as possible, and at the latest by April 2020, to clarify the 5kg storage rule by amending the relevant Regulations to explicitly state it applies to low hazard category F1 fireworks only.*We're concerned that the 5kg storage rule is open to misinterpretation, which may have the result of unlicensed retailers selling consumer fireworks all year round. We believe this is clearly against the spirit and intention of the Regulations and may be contributing to increased misuse of fireworks, where they are being sold by people without the proper licence or training. We recommend the Government take action as soon as possible, and at the latest by April 2020, to clarify the 5kg storage rule by amending the relevant Regulations to explicitly state it applies to low hazard category F1 fireworks only.* (Paragraph 69)
10. We accept that there is no evidence of a widespread problem with underage sales of fireworks from legitimate retailers. However, evidence from the fireworks industry and regulatory bodies did not entirely allay our concerns about packaging which may appeal to children. We remain concerned that where fireworks are packaged in this way, it creates a risk that children may be tempted to play or tamper with potentially dangerous products stored in the home. We recommend the Government take steps to ensure that these age-restricted products are not packaged in a way which is designed to appeal to children and that it introduce appropriate Regulations as soon as possible, and at the latest by November 2020.*We accept that there is no evidence of a widespread problem with underage sales of fireworks from legitimate retailers. However, evidence from the fireworks industry and regulatory bodies did not entirely allay our concerns about packaging which may appeal to children. We remain concerned that where fireworks are packaged in this way, it creates a risk that children may be tempted to play or tamper with potentially dangerous products stored in the home. We recommend the Government take steps to ensure that these age-restricted products are not packaged in a way which is designed to appeal to children and that it introduce appropriate Regulations as soon as possible, and at the latest by November 2020.* (Paragraph 74)
11. There is very clear evidence that loud unexpected noise from fireworks has severe and distressing effects on people with a range of health conditions and disabilities, including military veterans and others suffering with Post-traumatic Stress Disorder (PTSD), children with autistic spectrum disorders and people with hyperacusis and other hearing conditions. It's not good enough for the Government to repeatedly claim that the law protects these people from harm. It doesn't. We agree with military veterans and people with health conditions and disabilities that inconsiderate and irresponsible use of fireworks needs to be considered as socially unacceptable as drink driving. If people are going to use fireworks, they must let their neighbours know in advance, so that people can take steps to protect themselves if they need to. We recommend the Government fund and coordinate a major, national awareness campaign on the responsible use of fireworks to get this message across to the public. The campaign should run across national mainstream and social media, and in all schools, from October 2020 and annually thereafter and should include

explicit information on the impact which fireworks can have on veterans and those with PTSD. *There is very clear evidence that loud unexpected noise from fireworks has severe and distressing effects on people with a range of health conditions and disabilities, including military veterans and others suffering with Post-traumatic Stress Disorder (PTSD), children with autistic spectrum disorders and people with hyperacusis and other hearing conditions. It's not good enough for the Government to repeatedly claim that the law protects these people from harm. It doesn't. We agree with military veterans and people with health conditions and disabilities that inconsiderate and irresponsible use of fireworks needs to be considered as socially unacceptable as drink driving. If people are going to use fireworks, they must let their neighbours know in advance, so that people can take steps to protect themselves if they need to. We recommend the Government fund and coordinate a major, national awareness campaign on the responsible use of fireworks to get this message across to the public. The campaign should run across national mainstream and social media, and in all schools, from October 2020 and annually thereafter and should include explicit information on the impact which fireworks can have on veterans and those with PTSD.* (Paragraph 78)

Annex A: Summary of survey results

We launched our survey on 27 February. A link to the survey was emailed to everyone who had signed one of 11 open petitions about regulation of fireworks and had consented to be contacted.

By far the most popular of these petitions was the first listed below, calling for a ban on sales to the public, which had around 300,000 signatures (the second most popular petition, calling for firework sales to the general public to be restricted to “quiet fireworks”, had only around 1,000 signatures).

- **Ban the sale of fireworks to the public. Displays for licenced venues only** ([e-petition 231147](#))
- **Pass a law that only allows the sale of Quiet Fireworks to the general public** ([e-petition 232038](#))
- **Change the laws for fireworks only to use silent fireworks** ([e-petition 231604](#))
- **NOT to ban the sale of fireworks to the public** ([e-petition 232242](#))
- **Increase firework restrictions to prevent use during daytime** ([e-petition 232109](#))
- **Full ban on the purchase of fireworks & displays** ([e-petition 231962](#))
- **Create a permit system for garden fireworks and when they can be used** ([e-petition 231965](#))
- **Raise the age of sale, of fireworks, to the general public from 18 to 25** ([e-petition 231437](#))
- **Ban Fireworks that are toxic to both the environment and humans!** ([e-petition 231806](#))
- **Stop firework work displays on armistice Sunday** ([e-petition 232653](#))
- **Fireworks should only be sold in registered gun shops** ([e-petition 232653](#))

The survey closed on 26 March. There were 63,076 responses in total (20,447 partial responses and 42,629 complete responses).

Key themes

- A large majority of respondents were **primarily concerned about the effects of fireworks on animals** and, within this group, a large majority were members of the public concerned about the effects on pets and domestic animals
- Owners of dogs were by far the largest group of pet owners
- Unsurprisingly, given the population of people surveyed, a large majority of respondents supported a ban on public sale and use

- However, **a significant minority of respondents, including some in the fireworks industry, supported compromise solutions, short of a ban**, including:
- **Raising age restrictions** on sales to the public
- **Further restrictions on the specifications of fireworks** available for sale to the public
- A new **permit system for displays**
- **Greater restrictions on types of retailer permitted to sell fireworks** e.g. specialist fireworks retailers only
- Respondents had a **reasonably good understanding of current fireworks laws**, though there were significant areas of misunderstanding, for example about available sentences for fireworks offences
- Many **fireworks professionals believed the current Regulations were adequate but were not being enforced effectively**
- However, many other respondents believed the **current laws were unenforceable**
- Many believed the police and local authority Trading Standards and Environmental Health Officers **lacked the resources to enforce current laws** effectively
- Respondents in a range of categories believed modern fireworks were **unnecessarily loud** (many said the current 120Db limit was too high; there was considerable support for quieter or “silent” fireworks)
- Fireworks were very **problematic for people with a wide range of disabilities**
- Dozens of military veterans and their families reported that fireworks were problematic, for example exacerbating symptoms of **Post-traumatic Stress Disorder (PTSD)**
- Organised, public displays were relatively manageable for people for whom fireworks were problematic
- Whereas **private displays were less predictable and often impossible to mitigate against**
- **Anti-social behaviour** was a significant concern, and many respondents believed the authorities lacked the time and resources to deal with it effectively
- Many respondents objected to **fireworks being set off all year round**, rather than on only a handful of days each year
- **A majority of those who did not support change to current laws said that fireworks were culturally important to them.**

“Quiz” on current laws

The first section of the survey was designed to test respondents’ knowledge and understanding of the following current rules:

- Outdoor fireworks, including sparklers, can only be sold to people aged 18 years and over.
- It’s against the law to sell very powerful fireworks designed for use in large open spaces to the general public.
- It’s illegal to set off fireworks between 11pm and 7am except during four times of the year.
- Those four times are: New Year’s Eve; Chinese New Year; Diwali; and bonfire night.
- The maximum sentence for selling or using fireworks illegally is 6 months in prison.

Respondents’ knowledge and understanding of these rules was mixed. For example, large majorities were aware of special rules in place for each of the four protected festivals. A very large majority were aware of the night time restrictions. There was relatively poor awareness of the penalties for fireworks misuse.

The quiz asked:

1. How old do you have to be to buy outdoor sparklers? **

About half of respondents answered correctly that people had to be 18 years or older to buy outdoor sparklers. Around 40% believed the age requirement was at least 16 years. Less than 10% thought people had to be at least 21 years old to buy outdoor sparklers:

2. True or false? It’s against the law to sell very powerful fireworks designed for use in large open spaces to the general public. **

A small majority of people (57%) believed this statement to be true; 43% answered that it was false.

****Note on questions 1 and 2 of the survey:**

Several survey respondents, particularly those working in the fireworks industry who had a detailed understanding of the relevant Regulations, told us that questions 1 and 2 were potentially ambiguous.

The “quiz” questions were intended to assess the public’s broad understanding of the rules. They were posed in simple language and in such a way as not to presuppose a detailed understanding of the Regulations and the technical specifications of the different categories of fireworks.

By “outdoor sparklers” in question 1, we meant category F2, intended for use in confined outside areas (e.g. domestic gardens). The Regulations are clear that people must be at least 18 years old to buy F2 fireworks, including sparklers.

By “very powerful fireworks designed for use in large outdoor spaces” in question 2, we meant the most powerful category, F4 fireworks, which the relevant Regulations state are intended for use by people with specialist knowledge only.

3. There are special rules for fireworks during four festivals every year. Which four festivals?

- New Year’s Eve
- Halloween
- The Queen’s birthday
- Diwali
- Chinese New Year
- Bonfire Night/Guy Fawkes’ Night
- St. George’s Day

Most people understood there were special rules in relation to New Year’s Eve (75% of respondents), Bonfire Night/Guy Fawkes (71%), Chinese New Year (69%) and Diwali (66%).

However, a significant proportion of people wrongly believed there were also special rules in place for the Queen’s Birthday (34%), Halloween (18%) and St. George’s Day (17%).

4. True or false? Other than those four festivals, it’s illegal to set off fireworks between 11pm and 7am.

81% of respondents answered correctly that this statement was true; 19% wrongly believed it was false.

5. What’s the maximum prison sentence for selling or using fireworks illegally?

- No prison sentence
- 3 months
- 6 months
- 12 months
- More than 12 months

A small majority of respondents (53%) incorrectly believed there was no prison sentence for selling or using fireworks illegally. Only 18% of respondents answered correctly that the maximum sentence was six months in prison.

Views on the Government’s position and key concerns

We wanted to know what respondents thought of the Government’s view that current Regulations provide a good balance between people’s rights to enjoy fireworks and protecting people, animals and property from harm.

The survey presented four options and asked respondents which best described their opinion:

- I don't believe that fireworks are a problem
- I support an outright ban on members of the public buying and using fireworks
- It should be harder to buy and use fireworks, but they shouldn't be banned
- I don't believe the current law is being enforced

Unsurprisingly, given the population surveyed, a large majority of respondents (74%) supported an outright ban on public sale and use. However, a significant minority of respondents (14%) believed enforcement of the current law was the main concern. 10% of respondents supported greater restrictions (short of an outright ban) on sale and use. Only 2% of respondents believed there was no problem with the current rules.

The survey asked respondents to choose the category which best described them:

- I'm concerned about the effects of fireworks on animals and the environment;
- effects on children;
- effects on people who are particularly sensitive to noise or explosions;
- concerned about anti-social behaviour;
- I'm a member or ex-member of the emergency services or medical profession;
- a fireworks professional (pyrotechnics or events); or
- a fireworks professional (insurance; local authority; trading standards; or health and safety).
- Other

A large majority of respondents (70%) identified as being principally concerned about the effects of fireworks on animals and the environment. The next largest group (11%) identified as being primarily concerned about anti-social behaviour. The remaining categories were each chosen by fewer than 5% of respondents.

Concerns specified by the nearly 10% of respondents who chose the "other" category included:

- People broadly concerned about safety risks, particularly those who had been injured by fireworks;
- People particularly concerned about elderly people and those with dementia;
- People whose property had suffered damage;
- People concerned about the use, or potential use, of fireworks for violence or terrorism;

- People whose primary concern was that fireworks are set off all year round and no longer limited to a couple of special occasions per year; and
- Many respondents reported being affected by fireworks in several of the ways listed and felt unable to choose a primary concern.

Breakdown by category of respondent

1. Concerned about animals and the environment

Of those who described themselves as most concerned about the effects of fireworks on animals and the environment (29,402 respondents, 70% of respondents who chose a category) we asked which of the following best described them:

- I work with animals in an animal-related business (e.g. zoo, equestrian, pet boarding);
- I work directly with wildlife (e.g. conservation worker, ranger);
- I'm a veterinary surgeon/nurse or work in animal welfare e.g. rescue centre;
- I'm a member of the public concerned about wildlife and the environment;
- I'm a member of the public concerned about pets/domestic animals.
- Other

A majority (67%) of respondents principally concerned about animals or the environment identified themselves as members of the public concerned about pets/domestic animals. The next largest category (17%) was those who described themselves as members of the public concerned about wildlife and the environment. 8% of those concerned about animals and the environment identified as working in an animal-related business. Wildlife and veterinary/animal welfare workers accounted for less than 2% of all respondents who were concerned about animals and the environment.

As with the broader question about people's main concern about fireworks, many of the 6% of respondents in the animals/environment group who chose the "other" category reported that more than one category applied to them and they were concerned about all animals, whether pets, domesticated or wildlife. Several respondents in the "other" category identified as Guide Dog owners.

We asked respondents concerned about the effects of fireworks on animals they cared for, how often their animals were affected. An overwhelming majority (94%) said their animals were affected several times a year or more frequently.

Summary of free text comments from respondents who identified as primarily concerned about animals and the environment

Owners of pets and domesticated animals

As noted above, by far the largest category of respondents was owners of pets and domesticated animals. 19,676 commented in the free-text box provided. **By far the most common responses were in relation to the effects on pet dogs.** There were thousands of similar descriptions. These examples were typical:

“I have 2 dogs, one of which doesn’t bother about fireworks, and another that is terrified. The noise of fireworks causes him a high amount of distress and anxiety—to the point where he won’t eat and can barely sleep. It’s not fair for helpless animals to have to go through this.”

“In our experience of owning 6 dogs over different periods, dogs are absolutely petrified of fireworks. The fear is beyond anything I see in the dogs at any other time. They cry, cower away, whimper, chew through power cables and rugs, etc.”

“My dog is terrified of fireworks, every year he has to take diazepam plus many other ‘aids’ to relax him during the fireworks just to calm him down which don’t work, he gets extremely stressed to the point he will be sick.”

“My poor dog suffers terribly, and it does not put stress just on her but me and my partner. It makes her hysterical and she messes everywhere with being so frightened.”

Workers in animal-related businesses

People who worked in a range of animal-related businesses reported that it was not possible to fully mitigate the effects of fireworks on their animals. A substantial proportion of responses were from people who worked in pet boarding and equestrian businesses. **People described both the financial and emotional costs.** For example:

“When fireworks are set off for long periods of time (6 weeks every year) my horses become sick. They have colic through stress and then suffer weeks of costly gut ulcer management. This can make horses dangerous to handle for weeks and weeks. Every year I have up to £1000 worth of drug and vet bills at this time. Starts end of September and goes on to March. When they are panicked I have to spend endless evenings out with them in the cold trying to ensure they don’t jump thru fencing and onto highways.”

“I work in a kennels and cattery, the fireworks absolutely scare our animals to the maximum, they have no where they can try and escape to hide in a kennel or cattery. We try our best to provide radios, shut all doors so the building is as sound proof as it possibly can be, however there’s so many going off in so many directions I think it’s getting stupid now. It starts from bonfire night and goes all the way up to New Years, every single night there’s at least one firework go off no matter what day it is.”

“I’m in the Equestrian industry, and for a flight or fight animal, loud explosions (for want of a better word) going off every night for up to 4 weeks at a time at all hours of the night is absolutely terrifying. In some horses (especially the more nervous), this can cause injury or illness, leading to large vet bills and great emotional and financial distress.”

“I lost a much-loved competition horse who was so traumatised by a private fireworks party held unannounced next to his yard that it triggered colic. We spent £10,000 trying to save him but he was beyond hope. I had invested 15 years of hard work into his competition training. His value was £25,000 plus the emotional attachment I had to him. That one fireworks party cost me £35,000 in losses and an immeasurable amount emotionally.”

“I manage a yard of 40 horses in surrey, between Halloween and New Year’s we have firework displays at people’s houses local to the farm every weekend. It is very shocking to the horses who cannot see what’s causing these sudden explosions. If it was just one night we could manage the horses and sedate those particularly stressed by fireworks but it’s multiple nights and multiple displays that are incredibly close to our farm.”

“They frighten animals, we have had horses go through barbed wire fences.”

There were also reports of serious injuries to farm animals, for example:

“The injuries I have seen caused to livestock; aborting foals, calves, lambs, running in blind panic through fencing with often fatal injuries and just sheer distress of animals when fireworks are let off in gardens adjacent to fields and farmland.”

Conservation workers

There were relatively few responses from conservation workers and others concerned about wildlife. Typically, the primary concern was about the effects on birds and their nesting sites. Some reported concerns about the effects on a wider range of wildlife:

“Wildlife find fireworks incredibly alarming. They often disturb the roosts of thousands of birds such as starlings causing them to fly off in panic and often end up colliding with buildings/cars. They startle larger animals such as deer which can be a hazard for people in vehicles. They may cause parent animals to abandon their young through fear [...]”

Veterinary surgeons/nurses/animal rescue centres

Veterinary and animal rescue professionals and volunteers described injuries to animals including birds, dogs and wildlife:

“[...] birds crash into buildings especially glass windows, nesting birds are abandoned [...]”

“I work as a veterinary nurse. Last year I was a night nurse and the whole week on firework night leading up to new year I had animals come in in horrible states.”

“3 dogs had anxiety seizures. 2 of which were euthanised as they were in such a bad state and couldn’t come out of it.”

“I run a wildlife rescue charity, and despite our best effort to limit the effects of the fireworks on the nights we are expecting them, we usually lose a handful of patients directly as a result of fireworks in the neighbourhood. [...] Wildlife is prone to a condition brought on by the stresses of captivity, (Rhabdomyolysis) and we work tirelessly to limit this, as it is nearly always fatal. This is the condition that fireworks cause; as the sudden shock of the explosions and lights in conjunction with the inability to escape (usually due to the injury for which the creature was admitted to us), instantly releases the chemicals that start this process. We can only attempt to protect against it when we are aware of local firework displays.”

2. Effects of fireworks on children

We asked those respondents who identified themselves as primarily concerned about the effects of fireworks on children (1,127 respondents, less than 3% of respondents who chose a category) which of the following best described them:

- I’m concerned about effects on children I’m close to e.g. I’m a parent/guardian/carer;
- I’m a teacher or other school worker;
- I’m a youth worker or work with children in youth organisations e.g. sports clubs, scouts

A large majority (80%) of those primarily concerned about the effects of fireworks on children identified as parents/guardians/carers. Of the remainder the largest category was “other” (13%), with respondents in this category identifying as extended family members or merely concerned members of the public. 6% identified as teachers or school workers. Less than 2% identified as youth workers or involved in youth groups.

We asked people concerned about the effects of fireworks on children what was their main concern about fireworks:

- effects on children’s sleep;
- that fireworks frighten children;
- concern about children with specific needs, such as those with autism or learning, sensory or developmental disabilities;
- or concerned that fireworks were dangerous.
- other

A majority (66%) were concerned that fireworks were dangerous for children. The remainder of respondents were quite equally spread between concerns about sleep, children being frightened and children with specific needs (each around 10%).

Those who chose the “other” category (50 respondents) typically identified as a member of a child/children’s extended family or a member of the public concerned about the welfare of children generally.

Summary of free text comments by respondents who identified as being predominately concerned about the effects of fireworks on children:

Dangers of fireworks to children

Despite the high level of concern about the danger of fireworks to children, **there were few reports of actual injuries**. Those that were described were very distressing, however, for example:

“Our son was hit by a firework last year, he was 22 months old at the time. This was a firework sold to us by a large supermarket chain, one that shoots colour bursts, not a rocket. We secured it as per the instructions and it fired from the side instead of the top, straight into my son’s hand (he was a good 10+ metres away). He has suffered deep burns to the whole of his palm and fingers, it took over a month for the wounds to ‘heal’ and now has thick scarring on his palm. He has to have cream/silicone gel applied several times a day and is now at risk of this causing him long term damage and restricting the use of his hand/fingers.”

Many respondents reported being aware of local children being hurt by fireworks but without giving specific details. There were also many descriptions of “close calls” in which children were nearly hurt by fireworks.

Effects on children’s sleep

Many respondents described the effects of fireworks set off at night on children’s and babies’ sleep. For example:

“During bonfire night and New Year’s Eve my house was like being in a war zone. Fireworks were going off outside the windows until 2-3am. My baby (who was four months!) could not sleep due to the extreme noise and lights.”

“My youngest daughter is in tears before going to school during the bonfire night season (because it lasts 3 weeks here) because she is so exhausted after constant disruption to her sleep. The current laws are not being enforced as we have them going off at 2am sometimes which is massively anxiety inducing and unfair.”

Children being frightened

“[...] the noise of them is so debilitating to my 2 year old son, to the point he bites his fingers until they bleed, he tries to smother himself and is in constant fear with each loud bang.”

“We have a young son who was terrified and wouldn’t sleep in his own bed for weeks because he was so frightened by the loud bangs. Every night we would put him to sleep at 7pm and then have screaming hell until midnight because he was terrified of the noise that continuously wakes him up. He has suffered night terrors as a result of this.”

“Nearly 4 months after bonfire night and my 2 year-old still goes to bed scared of fireworks. Her sleep was severely disrupted for months and the impact of this on our family has been awful. Fireworks go off pretty much every night before 5th Nov up to and beyond new year. It’s too much and constant fear in my daughter is unnecessary and very hard for her to cope with emotionally.”

Effects on children with special needs such as autism and learning, sensory and developmental disabilities

Several parents of children with autism and other complex needs reported the effects of fireworks. For example:

“[...] our son has severe complex needs including epilepsy, which can cause him to stop breathing. Loud, unexpected noises are often a trigger for this. We don’t very often take him to displays, but if we do he wears ear defenders, and we stand a safe distance away from the fireworks, sometimes choosing to stand far enough away so they aren’t as loud. Sadly at home where he should be safe and protected, members of the public are able to set fireworks off at any time, in the street or in their gardens, the laws are not enforced and we cannot guarantee how loud they are going to be due to the proximity to our home. As lovely as it is to see fireworks on new year’s Eve etc ... My son screams, has a seizure and has to be administered oxygen. This is distressing for all involved.”

“My nephew has autism and hearing fireworks triggers meltdowns for him. He screams and screams. It surprises me that more people don’t understand this [...].”

3. Effects on people sensitive to noise or explosions

We asked those respondents who identified themselves as primarily concerned about the effects of fireworks on people who are sensitive to noise and explosions (1,721 respondents, just over 4% of all respondents) whether they would still want greater restrictions on the sale and use of fireworks if all fireworks were quieter: 60% said yes, they would still want greater restrictions; 26% said no; and 14% answered “don’t know”.

We asked respondents whose primary concern was people who were sensitive to noise or explosions which of the following categories best described them:

- I've had or someone close to me has had a traumatic experience/s involving loud noises or explosions;
- I am or someone close to me is a veteran;
- I am or someone close to me is on the autistic spectrum or has specific needs such as a learning, sensory or developmental disability.
- other

Of those who chose a category, 618 respondents (36%) said they or someone close to them had had a traumatic experiences/s, which meant they could not enjoy fireworks; a similar proportion (34%, 593 respondents) said they or someone close to them was on the autistic spectrum or had other special needs; 11% (198 respondents) said they or someone close to them was a veteran.

9% (102 respondents) of people who said their main concern about fireworks was the effects on people who were particularly sensitive to noise said they had been diagnosed with PTSD.

Summary of free text comments by respondents who identified as being predominately concerned about the effects of fireworks on people who are particularly sensitive to noise:

Disabilities

Many of the nearly 19% (323) respondents who chose the “other” category described a very wide range of medical conditions and disabilities that made fireworks problematic for them, for example:

- Anxiety disorders
- Bipolar disorder
- Cataplexy
- Dementia
- Epilepsy
- Fibromyalgia
- Hyperacusis
- Hydrocephalus
- Myalgic Encephalomyelitis (M.E.)
- Multiple sclerosis (MS)

- Narcolepsy
- Parkinson's disease
- Tinnitus

Traumatic experiences leading to fear of fireworks

Respondents described a range of traumatic experiences leading to fear of fireworks.

Four respondents reported that they or relatives had been present at the Manchester MEN bombing and described the fearfulness fireworks now caused them. For example, one respondent wrote:

“Myself and my sister were at the MEN arena in Manchester the night of the Manchester attack (22/05/2017). The result of that night and hearing the explosion has caused us distress when it comes to fireworks, as the noise of a firework is very similar to the sound of the bomb explosion. Therefore, myself and my sister (mainly my sister (who is 13) find it difficult when there are fireworks going off.”

Several respondents reported that older relatives who had lived through bombing in the Second World War had always retained a fear of fireworks.

Other respondents reported being involved in accidents, for example exploding gas canisters and road traffic accidents:

“My brother was seriously injured in a work place explosion involving gas cylinders. Any celebrations involving fireworks render him a physical and mental wreck, this also has a deep emotional impact on his wife and three children. He dreads the run up to, during and following Bonfire night and other celebrations because members of the public use fireworks in a reckless manner and over a long period of time, usually around 4 weeks.”

Veterans

Dozens of veterans of military conflicts and their families described fireworks triggering panic attacks or symptoms of PTSD. The key theme in these responses was that, while organised public displays were generally manageable, private fireworks displays, which were less predictable and often impossible to plan for, caused significant problems. For example:

“I am a veteran and constant fireworks, which are very loud, take me back to the battlefield and have an impact on my mental health. I can't fully describe the terror the fireworks cause me. I have no problem with public organised events. However, the constant unexpected bursts of loud noise and flashes of fireworks is terrifying. I served for almost 25 years in various conflicts, I believe in people having the freedom of choice, but allowance must be made for people like me.”

“My husband, after being to Afghanistan and Iraq with the army and unfortunately being involved in an explosion with an IED, now suffers

PTSD. Majority of the time this is managed. If we are at an organised display, he is OK, prepared for the noise etc. However, when they are going off at all times of the day and night on numerous days that aren't fireworks night/new year, in his mind he is right back there in Afghanistan [...]. And then there we are all the work he has done to overcome his PTSD is undone in an instant and we are right back at square one—night terrors, withdrawn etc.”

4. Anti-social behaviour

We asked the 4,552 people who said anti-social behaviour (ASB) was their primary concern about fireworks (11% of respondents who chose a primary concern) whether the ASB they were concerned about was predominantly committed by young people. A majority (61%) answered yes; 17% said no; 22% didn't know whether ASB was predominantly committed by young people.

We asked respondents whose primary concern was ASB which of the following categories best described their reason for concern:

- Neighbours or near-neighbours have set off fireworks in their gardens, which frightens/worries me
- Neighbours or near-neighbours have set off fireworks until very late at night
- People have set off fireworks in the street near me
- I or someone close to me have been threatened with a firework
- I or someone close to me have been injured by a firework
- other

Most respondents whose primary concern was ASB were most concerned about fireworks being set off in the street (1,527 responses, 33%) or set off very late at night by neighbours or near-neighbours (1,521, 33%).

Concern about more serious ASB was relatively uncommon: 9% (426 respondents) of those primarily concerned about ASB reported having been threatened with a firework; 7% (304 respondents) reported having been injured by a firework in an ASB incident).

Summary of free text comments by respondents who identified as being predominately concerned about anti-social behaviour with fireworks

Problems with neighbours' fireworks

There were relatively few reports of more serious ASB committed by neighbours, but some examples were distressing. For example:

“I’ve actually had a group of older teenagers set fireworks off 3 foot from my bedroom window late at night. In my previous flat high school children used to open the main door to the flat and throw fireworks in.”

“The neighbour’s back garden is 3 metres away from the front of my house (semi-detached). They used commercial fireworks and these were very powerful and frightening. When we protested, they pushed and hurt another neighbour.”

There were several common themes in responses from people concerned about their neighbours’ use of fireworks:

- **insufficient space** in small residential gardens in built up areas
- neighbours using fireworks under the influence of **alcohol**
- **damage to property**
- fireworks debris **littering** gardens and streets
- **lack of consideration** by neighbours setting off fireworks in gardens, with no warnings given
- a **perception that today’s fireworks were much more powerful and louder** than they were in the past, or an **assumption that neighbours were using category F3 and F4 fireworks** intended for use in larger open areas or by specialists
- a strong perception that **current laws were unenforceable**
- **complaints not acted on** by the police or councils.

“I didn’t realise that there were actually laws in force regarding the use of fireworks—you could have fooled me. Where I live (Hackney) it’s a nightmare - if they are on sale, young people buy them and they are free to set off as many of them as they please and the Police DO NOT put a stop to it at all.”

“Near neighbours had a firework display for five hours including extremely loud fireworks which I would be surprised if they were intended for garden use. Two of those fireworks burnt holes in my conservatory roof and the lady involved denied any involvement, although the whole road and gardens around were full of firework debris, and all the neighbours were very distressed by it.”

“I have very close neighbours, who up to 4 times a year, and not on any of the festivals with special rules, have set off very large and powerful display only fireworks very close to our house, and with no warning, so that we can at least make sure our animals are not in the garden. The last time was about 1:00 am, and the time before that, the firework was just one gigantic explosion, like a bomb going off. It definitely wasn’t a domestic firework.

All the plugs come down in our garden, and could do damage to our glass roofed conservatory, but they just have no concern about anyone else's welfare."

"My next-door neighbour set off some fireworks, which should only have been used at an organised event. He nearly set fire to our house and car, he caused thousands of pounds worth of damage. The fire service and police were involved but nothing happened to him."

Fireworks set off late at night

Hundreds of respondents reported neighbours or near-neighbours setting off fireworks until very late at night outside of the four protected festivals. Many reported complaints not being acted on. There was an assumption that the police and councils lacked the resources to enforce the law.

"The laws are not being enforced at all. They usually start at Halloween then continue every night for the rest of the month. They go off at all hours from 5pm until 5am."

"The law is impossible to enforce, fireworks go off till the early hours of the morning and for longer than the specified occasions, for example bonfire night. They're going off as soon as you can buy them continuously till New Year's Eve."

"Police have told me they need to be there at the time to witness the fireworks being set off and they don't have the manpower."

"Late night use of fireworks outside of legal hours happen frequently, and in public spaces (such as on a mini roundabout in a housing estate). [...] None of the laws related to fireworks are being enforced."

"I have called the police to report the use of fireworks until the early hours of the morning, when a festival is not in place. I have been told that it is not against the law and that if I have an issue I should call environmental health regarding this. I feel I was fobbed off just so the local police force didn't have to bother with it."

Fireworks set off in the street; injuries

There were numerous reports of fireworks being set off in the street, particularly by young people. There was an assumption that shops were flouting the rules by selling fireworks to young people. There was a perception that the problem had become worse in recent years. Again, there was a strong perception that the police lack the resources to deal with the problem.

"People have set off fireworks at all times of day and night, often very late at night in the streets around where I live. Often it's young people who like to scare and annoy people who they know live alone or are scared as I hear them talking and laughing about doing this."

“Increasingly I see more people under the age of 18 (and older) using fireworks in an anti-social way. Definitely not just on the four festival dates but even recently during the evening or night. I think this is because there is no one to stop them from throwing them. I am presuming they are also buying them illegally.”

“Kids are letting them off aiming them at cars, and there is nothing the police can do to help, they can’t be everywhere at once on these nights. By the next morning the smoke still hasn’t cleared, and the neighbourhood is littered with the remnants of used fireworks.”

“A gang of teenagers set off a firework in my direction in the street on Bonfire Night around 8 years ago. It missed me thankfully but it was terrifying.”

There were some, but relatively few, reports of injuries. For example:

“My Fiancé was hit by a firework deliberately last Halloween. She had to have X-rays, and needed 9 inner and 8 outer stitches on her calf muscle.”

“I had one thrown directly into my face, causing a burnt forehead and hair.”

“I received a glancing blow from a small firework during my school lunch break. I was aged sixteen but vividly remember the, fortunately, brief sense of searing heat as the firework passed my lower leg. It had been thrown by a boy from a different school. A fine layer of my skin was burnt in a straight line and my tights had a gaping hole. I shall never forget my shock and realisation that I could have been nastily injured.”

“My best friend was struck by a firework that young people were setting off on school grounds (they were deliberately aiming for people). She needed surgery in hospital and suffered from such strong PTSD that she could never come into school for the whole month of November after the incident. Nobody was ever caught or punished for it.”

5. Emergency services workers and medical professionals

676 respondents (2%) identified themselves as current or ex-emergency services workers or medical professionals. Of those, the largest group (276 respondents) identified as current or ex-medical professionals. The next largest group were current or ex-police officers (207). 61 current or ex-firefighters and 58 current or ex-ambulance crew responded to the survey.

When asked whether they had dealt with, or been affected by, ASB involving fireworks, 81% of current or ex-emergency services or medical professional said they had.

Summary of free text comments by respondents who identified as being current or ex-emergency services workers or medical professionals

468 current or ex-emergency services or medical professionals used free-text comments to describe their experiences. Common themes were:

- **a wide range of ASB, typically committed by young people, from nuisance to arson, and reports that police lacked the resources to deal with incidents effectively**, including this comment from a serving police officer:

“Fireworks are a massive antisocial behaviour issue. They create multiple issues for the local communities and ultimately result in higher demand for service which is already stretched exceptionally thin. This is more apparent at peak times known as ‘mischievous week’ around Halloween and Bonfire night. The issues are always related to ‘groups of youths’ setting off fireworks or neighbour disputes. It’s not uncommon for the fireworks to aimed towards officers attending the scene.”

- **some emergency services respondents, however, reported that attendance at incidents involving fireworks was rare;**
- accidental fires caused by fireworks
- **some reports of emergency services being attacked with fireworks.**

“Every year fireworks are used as weapons against me and my colleagues across all emergency services. The Police are stretched enough but bonfire night for example we are having to have our days off cancelled to keep the fire service safe. I am bored of ducking fireworks that are fired at us.”

“It was Mischief night, when I got called to a fire near an electrical substation. It was in a car park next to a block of small flats with a cut through to a cul-de-sac and a road to the left. 15 males, approx 13–19 surrounded both sides and proceeded to set off fireworks directly at myself and my colleague. We proceeded to push through the crowd and run through the cut through. However, I had suffered temporary blindness and hearing loss and had suffered heat rash burns.”

- numerous reports of facial burns and eye injuries and **reports of A&E resources being stretched** by fireworks accidents

“In A&E on and around bonfire night we deal with patients suffering from multiple severe injuries including loss of sight and permanent damage to limbs. Treating patients at this time and at new year can take up to 50% of the department’s resources.”

“With an already strained NHS fireworks significantly increase the attendances in A&E departments. From minor to major treatments. There is a lot of antisocial behaviour around fireworks & extremely difficult to monitor. Incidents increase every year, and this could be prevented by having arranged displays only.”

6. Fireworks professionals

180 respondents identified themselves as fireworks professionals, either pyrotechnicians or event organisers (132 respondents) or involved in insurance, trading standards, a local

authority or health and safety (48 respondents). We asked these respondents whether there were additional fireworks restrictions they would like to see. 132 respondents used free-text comments to share their views.

There was a diverse range of views. There was significant support for a ban on the sale of fireworks to the general public. There was also support for a new licencing or permit regime for displays and stricter rules about the type of retailers permitted to sell fireworks. For example:

“They should only be available for sale to people hosting display events where you need to apply to the council for a license, this license (even if it is a fee free application) needs to be produced before fireworks from specific retailers can be sold. [...] No local shops or supermarkets should be able to sell them, no ‘joe public’ should be able to just walk into a shop and buy them.”

There was some support for raising the minimum age at which people were permitted to buy fireworks (to 21 or 25 years) and support for further restricting the decibel level and other specifications of fireworks available to the general public to buy.

However, **many fireworks professionals believed the main problem was with enforcement of the current laws.**

“I think to start with the current laws need to be enforced, this applies to misuse and also people selling either legal fireworks illegally i.e. on Facebook and other sites or other distributors in mainland Europe that allow people in the UK to buy and get delivered (sometimes by air mail packaged as something else) fireworks that are illegal here. The age limit could possibly be increased but I am not sure this will still stop the people that misuse them from getting them illegally.”

7. People who don't believe fireworks are a problem

891 people told us they did not believe fireworks were a problem. We asked this group which of these statements best described their opinion:

- I believe any problems are rare
- I think that fireworks are risky, but that's ok

688 (74%) of respondents said they believed any problems associated with fireworks were rare; 196 (22%) chose “fireworks are risky, but that's ok”.

We asked respondents who told us they did not believe fireworks were a problem to choose a category which best described them:

- Fireworks are an important part of my cultural traditions—for example, bonfire night or Chinese New Year
- Fireworks are part of my family's traditions—for example, birthday or wedding celebrations

- Fireworks play an important part in my religious celebrations

The largest group (471 respondents, 55%) were those who said fireworks were culturally important to them; the next largest group (215, 25%) was those who said fireworks were part of family tradition; only 11 respondents (1% of those who did not believe fireworks were a problem) said that fireworks were an important part of their religious celebrations.

Annex B: Summary of public engagement event with military veterans, 21 May

In our online survey of fireworks petitioners, dozens of veterans of military conflicts and their families described fireworks triggering panic attacks or symptoms of Post-traumatic Stress Disorder (PTSD). We invited veterans who completed the survey and had given consent to be contacted to a deliberative workshop in Westminster. The first part of the workshop was intended to provide a fuller understanding of the experiences of veterans affected by fireworks; in part two the group discussed the case for a ban on public sale and use of fireworks and several compromise solutions.

The discussion was chaired by our Committee Member, Martyn Day MP, and facilitated by House of Commons staff.

Six members of the public took part:

- Three military veterans who found fireworks very problematic, one of whom had been diagnosed with combat PTSD and attended the workshop with his partner;
- The partner of a military veteran with combat PTSD who felt unable to attend in person and talk about his experiences; and
- A clinical psychotherapist and Chairman of a national veterans' mental health charity who also had over 30 years' military service as an Army Officer.

Part one: experiences

The veterans explained that they were generally fine through the year until the main fireworks season began in October. For some, anxiety began to build as fireworks season approached.

Organised public firework displays caused relatively few problems, because it was generally known when and where they would be held, and they could prepare for them. The problems came mostly from private displays in domestic gardens and fireworks set off in other public areas, when they didn't know they were coming and could not prepare.

All the veterans described problems associated with the "randomness" of fireworks; it was impossible to use the usual "avoiding behaviours" to mitigate the effects of sudden loud noises when you didn't know when a firework might be set off.

Veterans described the problems caused by fireworks of different colours. For example, green fireworks brought on recollections of gunfire. Other colours brought on different memories. For example, for one veteran some fireworks brought on flashbacks of being in an ambush, which caused him to "cower in a corner, a quivering wreck", shaking and crying. This veteran said, "it takes you straight back to Afghanistan". He argued very strongly that veterans needed much more support, including much greater control of fireworks.

A veteran explained that, when fireworks season came around, he tended to finish work, come home and go straight upstairs. He would put headphones on to drown out any noise

from fireworks. He described disturbed sleep from October/November until the new year, every year. The problem had affected his family life, including his two-year-old daughter; on one occasion an explosion from a firework had caused him to react to take cover with his daughter.

All the veterans talked about fireworks causing this kind of “hyper-vigilance”, in which military training “instinctively kicked in”. This included those whose symptoms stopped short of a combat PTSD diagnosis but who were still badly affected. A veteran in this situation described sudden, unexpected loud noises such as fireworks causing him to shake and re-live military experiences in much the same way as those with PTSD. Another said that he had, “come out of [the armed forces] pretty unscathed, but for those three weeks around fireworks night it’s horrendous”.

The group agreed that it only took one loud unexpected bang to trigger bad reactions. The partner of a veteran described how a single bang from a firework had almost caused her husband to crash while driving his car. A single firework could trigger a reaction which made it impossible to sleep that night.

A partner of a veteran described the fireworks season’s effects on family life. Her partner would “not talk for three weeks”. It was a really difficult time every year, particularly because the fireworks season coincided with Remembrance Day, which provoked strong memories and emotions. It was a “horrible” time for the whole family. She described the frustration of not being able to do anything to prevent the problems occurring every year. She said the fireworks season seemed to be “getting longer every year”; she described last year’s season as “the most prolonged and random season ever”.

Part two: solutions

There was strong support for a ban on the sale and use of fireworks by the general public. Veterans and their partners argued strongly that use of fireworks by the general public could and should be better controlled. It was mentioned several times that fireworks were essentially explosives. Veterans and their partners felt strongly that they should be handled and used by professionals only. One participant couldn’t understand “why they can’t be controlled like weapons with licences and safe storage”.

From a clinical psychotherapy perspective, however, it was noted that loud, unexpected bangs could never be eliminated from life and that there were treatments available for those affected. It was important that such treatments were made more widely available.

The group discussed four main alternatives to a total ban on public sale and use:

1. Quieter fireworks

There was little support for making fireworks quieter. The group was sceptical that they would be effective for them. It was noted that “a bang is a bang and will trigger a reaction”. It was not just the bang of a firework that was problematic, it was also the sound as they were set off and ascending. Making fireworks quieter could not entirely solve the problem in any case, because the noise of fireworks was not the only trigger for veterans’ reactions; they were also affected by the differently coloured flashing lights, as discussed above. The group felt that it would be impossible to control the level of sound, type of sound and

the flashing lights of fireworks. The partner of a veteran felt that laser light shows could reproduce much of the spectacle of a fireworks display without the problems associated with noise.

2. Greater restrictions on sale and use

Veterans and their partners did not believe that fireworks should be banned altogether but felt strongly that they should only be used by professionals in a more organised and structured way. One participant praised the organisation of large, professional fireworks events, such as the National Fireworks Championships.

There was a strong view that if fireworks were to remain on sale to the public, the age restriction of 18 should be raised. There was also some scepticism, however, that age restrictions on sales were properly enforced.

Veterans argued that if the public were to be allowed to buy and use fireworks, they should be required to get a permit—probably from the local authority (County Council level)—which stated when and where they intended to use them. Dates and times of displays could then be made public. Participants believed a local event permit system could lead to more organised, public displays, and, if an entry fee were charged, raise more revenue to offset some of the public costs of fireworks, such as resource costs for emergency services. It was believed the system could tie-in with existing HSE guidelines.

3. Greater enforcement and harsher penalties for fireworks misuse

The group believed current rules, such as the 11pm–7am curfew, were very difficult to enforce. There was also a strong view that the police did not have enough resources to enforce the rules. There was scepticism that stiffer penalties would deter misuse and scepticism they would be any more effectively enforced than current penalties.

4. Community-based solutions (e.g. awareness raising and promoting greater consideration for neighbours)

A partner of a veteran felt that local awareness campaigns “couldn’t hurt” but was doubtful that they could “make a huge difference”. She said she hadn’t told her neighbours about the effects of fireworks on her partner, and so couldn’t say whether raising their awareness would change their behaviour. She didn’t feel it was appropriate to disclose her partner’s problems because it was a private matter. One participant didn’t believe that a “self-policed” local system could work. A veteran argued that **politicians needed to do more to help raise awareness, in Parliament and in the media, of the effects of fireworks on veterans. It was felt that high profile interventions such as this could make a difference.** It was noted that the public were very aware of the effects of fireworks on animals, but much less so about the effects on veterans. There was a feeling that no one in the public eye was standing up for veterans on this issue.

Other options

- The group discussed the possibility of “pricing fireworks out of the market” but it was felt that people would find a way around this, and that fireworks might be sold illegally.

- One veteran believed illegal sales were already common in his area, for example from small stores and pop-up shops. He felt sales should be restricted to larger retailers, perhaps supermarkets, only.
- The partner of a veteran argued that the government should create a fund to help veterans pay for better, sound-proofed windows.

Ranking of solutions in order of preference

The clear preferred option throughout the workshop was a ban on the public sale and use of fireworks.

Of the other options, the clear favourite was some form of greater control on public sale and use—with the clearest option with the greatest support being a local-authority controlled permit licensing.

Community-based, or high-profile national, awareness-raising also received some support, but there was much less certainty that this would be effective.

No one in the group believed making fireworks quieter or stiffer penalties for misuse would be effective.

Annex C: Summary of public engagement event with people with disabilities and health conditions, 2 July

In our online survey of fireworks petitioners, people with a very wide range of health conditions and disabilities told us that fireworks caused them problems.

We invited survey respondents and others, including those representing organisations which support people with health conditions and disabilities, to a deliberative workshop in Westminster.

The discussion was Chaired by our Chair, Helen Jones MP, and facilitated by House of Commons staff.

Eight members of the public took part, in two groups:

1. People with learning disabilities and their support workers;
2. Representatives of Anxiety UK, the British Tinnitus Association and a paediatric doctor specialising in audiology.

The first part of the workshop was intended to provide a fuller understanding of the experiences of people adversely affected by fireworks; in part two the groups discussed the case for a ban on public sale and use of fireworks and several compromise solutions, including quieter fireworks, greater restrictions on who could use them or when they could be used, stricter penalties for fireworks misuse and awareness-raising.

Part one: experiences

Group 1

The group was **not against fireworks per se and did not want to “spoil people’s fun”**. The group was, however, generally concerned about the effects of fireworks on people, animals and property. They were concerned about how late at night they were set off and how often they were set off throughout the year.

While they liked the concept of fireworks, **the main problem was they were just too loud**.

There was a belief that children aged 13–16 were buying and using fireworks. They were concerned about local misuse of fireworks, including close to residential properties, with **“kids letting them off randomly”**. It was worst in the summer and around bonfire night. Fireworks made them jumpy and they found it difficult to sleep when there were fireworks. One person knew of someone for whom fireworks noise caused seizures.

Group 2

People in group 2 noted that noise phobia was a recognised condition, and that sudden, **unexpected noise was problematic for people with a range of noise phobias, hearing problems, anxiety disorders and Post-traumatic Stress Disorder (PTSD). Panic attacks instigated by fireworks noise were a common experience for these people.**

PTSD was often associated in public consciousness with military service, but it was in fact much more widely diagnosed in the general population in relation to a diverse range of traumatic experiences.

The effects of fireworks could be severe for people with hyperacusis (heightened sensitivity to sound, which affected about 1 in 20 people and was more prevalent among children with autistic spectrum disorders).

While people expected fireworks noise in November and could often take actions to prepare for it, **unexpected fireworks noise at other times of the year was more difficult to cope with.**

The effects of fireworks noise were often **doubly difficult for people with support pets, which could also be adversely affected.** It was noted that guide dogs could often be affected not only by the noise but also by the smell of fireworks.

The coping strategies deployed by people affected by fireworks often **exacerbated pre-existing feelings of isolation.** People would often stay in the house, wearing ear defenders or playing loud music. Others would travel to remote areas to get away from the noise. This could **magnify loneliness and a sense of “not being part of the fun”.**

Sometimes the effects were exacerbated by a lack of family support or understanding. Family life could be impinged on, as affected people could become moody and depressed.

The group discussed some technical aspects of the effects of fireworks noise on audiology. **The group was uncertain about how “safe distances” for decibel levels were calculated and there was a feeling they did not sufficiently take into account potential effects on people’s hearing.** It was noted that the effects from anti-social use of fireworks, closer to people than the recommended safe distances, could be very damaging to hearing.

The group was **concerned that the marketing approach for fireworks sold on the internet seemed to promote the loudness of fireworks.** The paediatric doctor in the group thought this was unacceptable. The group agreed there **needed to be a public health approach to marketing, advertising and packaging, with prominent health warnings about the potential effects on hearing.** There needed to be much greater awareness of the safe distances required for domestic garden fireworks. It was noted that many gardens were much too small for safe use.

It was not always volume that was the problem. Often effects were exacerbated by the prolonged period of time over which fireworks now tended to be set off—in many places from October to January.

Part two: solutions

Group 1

Some in the group didn't support a ban on public sales and use. They believed people would find a way of buying them anyway. Others, while supporting a ban, acknowledged it might be difficult to enforce and therefore might not be effective.

The group liked the idea of quieter fireworks and wanted them to be more widely available.

There was **some support for raising the age restriction for buying fireworks to 21**, although there was some scepticism about how effectively this could be enforced.

The group discussed curfew restrictions. There was a view that 11pm was reasonable, though some doubt about this on "school nights" and, again, scepticism about enforceability.

There was support for restricting fireworks use to special occasions such as Diwali, Bonfire Night and New Year's Eve. Some in the group believed fireworks should only be used on the weekends either side of 5 November. One person felt they should be restricted to 5 November only.

The group discussed penalties for fireworks misuse. They felt that the **finest in place were appropriate and would be sufficient to deter people, if only they were properly enforced**.

There was **strong support for public awareness-raising**. The group wanted to see more "public service announcements" about potential dangers of fireworks and the adverse effects on some groups of people. There was uncertainty about whether fireworks awareness public information films were still made; the group felt that they should be brought back. They believed there should be widespread campaigns like the anti-drinking-driving campaigns around Christmas. They believed young people should be made aware in schools and youth centres. Communities should run "tell your neighbours" campaigns, to encourage people to inform others when they were planning fireworks displays.

The group felt that packaging of fireworks should be looked at. Fireworks were packaged to "look fun". There was support for plain packaging of fireworks.

There was also **support for a licensing/permit approach for all displays, including small garden displays**, with training available on how to set fireworks off safely and support for better training of fireworks retailers. The group could not reach a consensus on whether sales should be restricted to specially licensed retailers.

Group 2

In group two there was some support for quieter fireworks, though it was noted this was unlikely to provide the whole solution and there were, in any case, technical limitations to how quiet fireworks could be. There was, however, **a perception that fireworks had got louder in recent years, so the group believed there would be value in making fireworks quieter**.

There was **strong support for "revenue-neutral" local authority permit schemes**, in which people wishing to set off fireworks would be required to purchase a permit. Permit

fees would be on a sliding scale depending on the size of the fireworks event. Retailers would be prevented from selling fireworks to anyone without a permit. Dates and times of displayed would be published by the local authority.

There was more qualified support for stricter penalties for fireworks misuse, particularly where the misuse caused real harm to people. But it was noted that fireworks offences and penalties were generally difficult to enforce.

The group believed **more could be done to raise awareness about the potentially damaging effects of fireworks on some groups of people. A campaign needed to somehow build “peer-pressure” that misuse and anti-social behaviour with fireworks was as socially unacceptable as drink-driving had become in recent decades.**

Annex D: Roundtable meeting with community groups and explosives industry, 3 September

We received written evidence from several community groups, for example schools, sports clubs and Sussex bonfire societies. These groups were concerned about our inquiry and the potential consequences for them of recommendations for more stringent regulation of fireworks. All were vehemently opposed to a ban on public sales and use of fireworks.

These groups told us they used fireworks displays to raise funds, to help with their own running costs and/or for other local good causes. They argued that local displays, which tended to be organised by competent but non-professional local volunteers, brought their communities closer together. Members of Sussex bonfire societies argued that fireworks were an important and historic part of Sussex's identity and culture.

The Committee invited representatives of some of these groups, and experts from the CBI's Explosives Industry Group (EIG), which represents most of the professional display companies in the UK and also produces guides for people organising non-professional fireworks displays, to a roundtable discussion in Westminster.

The discussion was Chaired by Helen Jones MP and attended by Committee Members Martyn Day MP, Mike Hill MP and Paul Scully MP. The meeting included a representative of a Surrey school, a Devon grassroots football club, two senior representatives of Sussex bonfire societies and the Chairman and General Secretary of the EIG.

The EIG argued that there was **nothing inherently wrong with fireworks as a product. The problem lay in misuse of fireworks in communities**, for example anti-social behaviour (ASB) in the streets or use of fireworks in inappropriately small domestic gardens, without informing neighbours. **"Illegal fireworks" i.e. fireworks that did not meet safety standards or had been purchased illegally, were rare.**

All of the invited participants argued that volunteer-run community events were not part of any problem with fireworks.

EIG's view was that problems could be overcome by ensuring people used **"the right fireworks, in the right place, at the right time"**. EIG emphasised that there was almost always the right type of product for the right situation; for example, its members had been involved in displays at the Special Olympics, with appropriate fireworks selected for an audience including people with intellectual and developmental disabilities, including learning disabilities and autism.

The group did not believe more stringent regulation was the answer, particularly in relation to Category F3 display fireworks. They argued it would be a shame if the irresponsible actions of a minority curtailed the enjoyment of the many people who enjoyed local community fireworks displays. Broadly, **the existing Regulations were thought to be adequate, if only there were effective processes in place for reporting problems and enforcing the rules.**

Three key points were made about the likely effects of more stringent regulation of public sales and use of fireworks: that it could be **detrimental to community fundraising efforts and community cohesion**, as described above; that there were an **insufficient number of professional display companies to meet demand**; and that evidence from overseas suggested **stricter rules may not be effective**. The EIG noted that places where bans were in place throughout almost the entire year, tended to have more injuries when fireworks were permitted. Berlin, for example, had a poor safety record on New Year's Eve, the only night of the year when public use of fireworks was permitted.

All the community groups acknowledged that fireworks could be problematic, for example noise affecting animals, people with a range of health conditions and disabilities and veterans suffering with PTSD. **All reported that they took steps to inform the local community when their events were happening**, so that people who might be adversely affected could take steps to prepare. The bonfire societies noted they were at an advantage in this regard, as their events had been running for so long and were very well known locally.

The community groups reported **few, if any, complaints**. The Surrey school, for example, reported that its display, which raised around £2,500 towards the school's running costs, had run for six years without a single complaint. Representatives of bonfire societies reported that they had altered their programme of events in response to feedback from local people, but that complaints were rare.

The EIG believed that information and education were key to addressing problems associated with fireworks. It was noted that there used to be national awareness campaigns about safe and appropriate use of fireworks, but it was not clear the extent to which the Government, local authorities or others still did this education work. The group agreed **education of event organisers and neighbours was vital to ensure that those who wished to enjoy fireworks could do so appropriately and safety and those who might be adversely affected could take steps to mitigate adverse effects**.

Annex E: Survey of school students, July 2019

We asked colleagues in Parliament's Education Service to conduct surveys of school students aged between 10 and 18 years. The survey was completed in July 2019. In all, 388 school students took part. We have summarised the results below.

We asked the following questions:

1. What do you think about fireworks?

	Responses	
	Percent	Count
I love them	40.12%	134
I quite like them	36.23%	121
I'm not that keen on them	11.68%	39
I don't like them at all	6.29%	21
I don't know	5.69%	19
Totals	100%	334

2. Where do you enjoy seeing fireworks?

	Responses	
	Percent	Count
At a big display with lots of other people	33.39%	203
With a group of people I know, like at a school, religious institution or sports club event	20.89%	127
At home in the garden with my family and friends	25.66%	156
I don't like seeing them anywhere	7.24%	44
Other	8.22%	50
I don't know	4.61%	28
Totals	100%	608

3. Are fireworks ever kept in your home or garden shed/garage etc.?

Responses		
	Percent	Count
Yes	20.58%	71
No	61.74%	213
I don't know	11.88%	41
Prefer not to say	5.80%	20
Totals	100%	345

4. Fireworks can be very dangerous and should only be used by adults. Have you ever used, played with or carried a firework without an adult?

Responses		
	Percent	Count
Yes	27.62%	87
No	63.17%	199
I don't know	4.76%	15
Prefer not to say	4.44%	14
Totals	100%	315

5. If there are fireworks in your home or garden shed/garage, are they locked away?

Responses		
	Percent	Count
Yes	20.12%	66
No	15.55%	51
I don't know	7.32%	24
I don't think we ever keep fireworks at home	48.78%	160
Prefer not to say	8.23%	27
Totals	100%	328

6. If you have used, played with or carried a firework without an adult, where did you get it from?

	Responses	
	Percent	Count
I bought it	10.89%	33
I found it at home	4.29%	13
I found it somewhere other than at home	3.63%	11
Someone gave it to me	10.56%	32
I don't know	3.63%	11
I have never used, played with or carried fireworks without an adult around	57.10%	173
Other	3.96%	12
Prefer not to say	5.94%	18
Totals	100%	303

Formal minutes

Tuesday 29 October 2019

Members present:

Helen Jones, in the Chair

Martyn Day Mike Hill

Draft Report (*Fireworks*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 81 read and agreed to.

Summary agreed to.

Annexes agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 5 November at 2:00pm]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 11 June 2019

Sue Kerr, petitioner

[Q1–38](#)

Tuesday 25 June 2019

Steve Raper, Vice Chairman, British Firework Association, **Fraser Stevenson**, Director, Absolute Fireworks

[Q39–88](#)

Tuesday 2 July 2019

Dr Paul Logan, Director, Chemicals, Explosives and Biological Hazards Division, Health and Safety Executive, **Rachel Hallam**, Chair of Fireworks Enforcement Liaison Group and Petroleum & Safety Officer, Trading Standards Service, Worcestershire County Council, **Edward Woodall**, Head of Policy and Public Affairs, Association of Convenience Stores, **Liz Vann**, Chartered Environmental Health Officer, Chartered Institute of Environmental Health

[Q89–154](#)

Tuesday 9 July 2019

Claire McParland, Government Relations Manager, RSPCA, **Assistant Chief Constable Andy Prophet**, lead for Anti-Social Behaviour, National Police Chiefs Council, **Chris Kemp**, lead for Petroleum, Explosives and Fireworks, National Fire Chiefs Council

[Q155–205](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

FWS numbers are generated by the evidence processing system and so may not be complete.

- 1 AF Pyro Ltd ([FWS0179](#))
- 2 Allen, Frank ([FWS0164](#))
- 3 Allen, Mrs Magda ([FWS0260](#))
- 4 Anderson, Mr Guy ([FWS0004](#))
- 5 Ankers, Mr Shaun ([FWS0005](#))
- 6 Aresta, Dr Rita ([FWS0274](#))
- 7 Argrave, Sarah ([FWS0046](#))
- 8 Armstrong, Miss Nicola ([FWS0196](#))
- 9 Arnold, Mrs Julie ([FWS0203](#))
- 10 Association of Convenience Stores ([FWS0347](#))
- 11 Association of Convenience Stores ([FWS0363](#))
- 12 Atkin, Mrs Kristine ([FWS0222](#))
- 13 Atkinson, Mr Timothy ([FWS0276](#))
- 14 Auerbach, Irene ([FWS0023](#))
- 15 Austin, H ([FWS0301](#))
- 16 Austin, Ms Anne ([FWS0292](#))
- 17 Awty, Mr John ([FWS0093](#))
- 18 Baldwin, Mrs Sally ([FWS0206](#))
- 19 Ballard, Mrs Glen ([FWS0152](#))
- 20 Balletta, Mrs Ulla ([FWS0257](#))
- 21 Barber, Mrs Elizabeth ([FWS0304](#))
- 22 Barcombe Bonfire Society Limited ([FWS0325](#))
- 23 Bateman, Rachel ([FWS0027](#))
- 24 Battersea Dogs & Cats Home ([FWS0248](#))
- 25 Benedict, Mr Peter ([FWS0083](#))
- 26 Benson, Mrs Anita ([FWS0070](#))
- 27 The Big Firework Shop ([FWS0349](#))
- 28 Black, Black Cat Fireworks Ltd Lawrence ([FWS0322](#))
- 29 Blunt, Catherine ([FWS0157](#))
- 30 Blyther, Mrs Cecily ([FWS0087](#))
- 31 Bogard, Mark ([FWS0081](#))
- 32 Bogstrup, Mr Roy ([FWS0049](#))
- 33 Bonneville, Thomas ([FWS0272](#))

- 34 Booth, Graham ([FWS0101](#))
- 35 Booth, Mr Craig ([FWS0082](#))
- 36 Booth, Mrs Lisa ([FWS0352](#))
- 37 Bostock, Vic ([FWS0188](#))
- 38 Bosworth, Ms Lesley ([FWS0116](#))
- 39 Boughton, Miss Hilary ([FWS0266](#))
- 40 Bowcock, David ([FWS0193](#))
- 41 Bowden, Mr Henry ([FWS0092](#))
- 42 Bowen, Anthony ([FWS0057](#))
- 43 Bowes, Mrs Dawn ([FWS0078](#))
- 44 Bowler, Mrs Catherine ([FWS0034](#))
- 45 Bowskill, Mrs Lyn ([FWS0234](#))
- 46 Bradbrook, Mr Nik ([FWS0117](#))
- 47 Bradley, Mrs Denise ([FWS0177](#))
- 48 Brash, Graham ([FWS0211](#))
- 49 Brewster, Dr Bernice ([FWS0037](#))
- 50 Bright Star Fireworks ([FWS0250](#))
- 51 British Horse Society ([FWS0150](#))
- 52 British Veterinary Association ([FWS0323](#))
- 53 Buckland Athletic Football Club ([FWS0303](#))
- 54 Bullen, Mrs Denise ([FWS0063](#))
- 55 Bunker, Mrs Rose ([FWS0226](#))
- 56 Bunting, Mr Carl ([FWS0251](#))
- 57 Burden, Miss Gemma ([FWS0277](#))
- 58 Burgess, Mrs Jemma ([FWS0071](#))
- 59 Burns, Mrs Rhoda ([FWS0123](#))
- 60 Cairns, Louise ([FWS0280](#))
- 61 Cameron, Miss Jenny ([FWS0171](#))
- 62 Carlton, Mr John ([FWS0279](#))
- 63 Carter, Shaun ([FWS0066](#))
- 64 Cashion, Miss Phillippa ([FWS0058](#))
- 65 Cats Protection ([FWS0309](#))
- 66 Cernuschi, Mr Clive ([FWS0283](#))
- 67 Chamberlain, Janet ([FWS0169](#))
- 68 Chapman, Kimberly ([FWS0229](#))
- 69 Charles, Chris ([FWS0072](#))
- 70 Chilvers, Mr Keith ([FWS0142](#))
- 71 Chinese SSA ([FWS0302](#))

- 72 Chorlton, Pamela ([FWS0053](#))
- 73 Christiensen, Ms Lynda ([FWS0199](#))
- 74 Clarke, Jane ([FWS0120](#))
- 75 Clarke, Lesley ([FWS0097](#))
- 76 Clarke, Ms Penny ([FWS0205](#))
- 77 Closeside Ltd T/A Bestbuys ([FWS0103](#))
- 78 Coles, Mrs Anna ([FWS0130](#))
- 79 Collins, Mr William ([FWS0045](#))
- 80 Combe, Miss Donna ([FWS0217](#))
- 81 Companion Animal Behavioural Services ([FWS0044](#))
- 82 Cooper, Mrs Claire ([FWS0290](#))
- 83 Corker, Mrs Virginia ([FWS0186](#))
- 84 Coulter, Sue ([FWS0178](#))
- 85 Cox, Miss Anne-Marie ([FWS0090](#))
- 86 Coyle, Mr William ([FWS0074](#))
- 87 Crawford, Mrs Emma ([FWS0089](#))
- 88 Cullen, Ms Yvonne ([FWS0227](#))
- 89 Dando, Miss Lisa ([FWS0256](#))
- 90 Danielson, Veronika ([FWS0067](#))
- 91 Davison, David ([FWS0059](#))
- 92 Dewar, Mrs Pamela ([FWS0136](#))
- 93 Dixon, Mr Chris ([FWS0088](#))
- 94 Dixon, Mrs Gill ([FWS0307](#))
- 95 Dixon, Mrs Sue ([FWS0167](#))
- 96 Dodd, Mr Richard ([FWS0223](#))
- 97 Doorne, Julie ([FWS0145](#))
- 98 Doughty, Tracy ([FWS0273](#))
- 99 Drakeley, Ms Julie ([FWS0287](#))
- 100 Dunne, Miss Katherine ([FWS0324](#))
- 101 Durham, Mrs Samantha ([FWS0354](#))
- 102 Durrant, Lucy ([FWS0215](#))
- 103 E&FHRA ([FWS0102](#))
- 104 Eccles, Mr David ([FWS0029](#))
- 105 Edmondson, Rodney ([FWS0127](#))
- 106 Everett, D ([FWS0316](#))
- 107 Fairbairn, Mr David ([FWS0042](#))
- 108 Farr, Claire ([FWS0224](#))
- 109 Fensome, Mrs Lydia ([FWS0270](#))

- 110 Ferguson, Neil ([FWS0252](#))
- 111 Firework Crazy Limited ([FWS0357](#))
- 112 Fleming, Trudy ([FWS0108](#))
- 113 Fletcher, Mrs Sally ([FWS0112](#))
- 114 Ford, Peter ([FWS0109](#))
- 115 Fox, Mr Michael ([FWS0149](#))
- 116 Frenkel, Dr Heather ([FWS0096](#))
- 117 Friends Of Baxter Animal Care ([FWS0326](#))
- 118 Friends of Burchetts Green School ([FWS0253](#))
- 119 Friendship, Mrs Sally ([FWS0176](#))
- 120 Galvin, Chris ([FWS0001](#))
- 121 Gambles, Mr David ([FWS0041](#))
- 122 Gardner, Ms Anne ([FWS0190](#))
- 123 Gaynor, Louise ([FWS0317](#))
- 124 Gledhill, Mr Anthony ([FWS0017](#))
- 125 Glew, Mrs Sophie ([FWS0271](#))
- 126 Golding, Mrs Helen ([FWS0208](#))
- 127 Grady, Mrs Jessica ([FWS0094](#))
- 128 Gray, Martin ([FWS0187](#))
- 129 Gregg, Mr David ([FWS0104](#))
- 130 Guest-Naharnowicz, Mrs Maria ([FWS0338](#))
- 131 Guiney, Ella ([FWS0061](#))
- 132 Guiney, Mrs Ella ([FWS0155](#))
- 133 Gulliver, Mr Jason ([FWS0237](#))
- 134 Gulliver, Mr Jason ([FWS0314](#))
- 135 Hall, Caroline ([FWS0038](#))
- 136 Hall, Mr David ([FWS0332](#))
- 137 Hallett, Mrs Joy ([FWS0098](#))
- 138 Hamid, Dr Fozia ([FWS0333](#))
- 139 Hanton, Ms Mandy ([FWS0184](#))
- 140 Harding, Mr Simon ([FWS0068](#))
- 141 Harris, Mrs Janet ([FWS0269](#))
- 142 Harrison, Lindsay ([FWS0183](#))
- 143 Hartley, Miss Estelle ([FWS0225](#))
- 144 Hawthorne, Mrs Tracy ([FWS0293](#))
- 145 Health and Safety Executive (HSE) ([FWS0315](#))
- 146 Health and Safety Executive (HSE) ([FWS0361](#))
- 147 Herriott, Mrs Karen ([FWS0154](#))

- 148 Hershaw, Mrs Catherine ([FWS0165](#))
- 149 Hillage, James ([FWS0121](#))
- 150 Hobson, Mr Michael ([FWS0255](#))
- 151 Holdsworth, Mrs Hayley ([FWS0350](#))
- 152 Holmes, Mrs Deborah ([FWS0175](#))
- 153 Horner, Miss Lindsay ([FWS0003](#))
- 154 Houghton, C. ([FWS0249](#))
- 155 Hubble, Andy ([FWS0289](#))
- 156 Hunt, Mr Tony ([FWS0254](#))
- 157 Hunt, Mrs Trudy ([FWS0241](#))
- 158 Hurley, Mr Phil ([FWS0080](#))
- 159 Huxley, Mr Martin ([FWS0022](#))
- 160 Ingham, Rosie ([FWS0162](#))
- 161 Ingleheart, Mrs Rachel ([FWS0051](#))
- 162 Ingram, Mrs Estelle ([FWS0243](#))
- 163 Jennings, Sam ([FWS0310](#))
- 164 Jirotko, Marina ([FWS0182](#))
- 165 Johnson, Mr Brian ([FWS0355](#))
- 166 Jonathan's Fireworks Ltd ([FWS0230](#))
- 167 Jones, Miss Linzi ([FWS0295](#))
- 168 Jones, Mr Adrian ([FWS0258](#))
- 169 Jones, Mrs Vivienne ([FWS0284](#))
- 170 Jones, Natalie ([FWS0238](#))
- 171 Jubilee Fireworks ([FWS0311](#))
- 172 Judson, Miss Emma ([FWS0132](#))
- 173 Kearey, Mr Michael ([FWS0161](#))
- 174 Kelly, Ms Jane ([FWS0163](#))
- 175 Kerr, Susan ([FWS0014](#))
- 176 Kerslake, Karen ([FWS0018](#))
- 177 Ketley, Miss Debbie ([FWS0342](#))
- 178 King, Leanne ([FWS0024](#))
- 179 Kuribara, Chieko ([FWS0281](#))
- 180 Laing, Susan ([FWS0306](#))
- 181 Larner, Ms Caroline ([FWS0207](#))
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- 186 Lindsay, Mr Kevin ([FWS0015](#))
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- 189 Longbottom, Hannah ([FWS0011](#))
- 190 Lord, Vanessa ([FWS0173](#))
- 191 Luck, William ([FWS0086](#))
- 192 MacLeod, Ms Valerie ([FWS0020](#))
- 193 MacMillan, Mrs Brigitta ([FWS0192](#))
- 194 Malby, Ms Penelope ([FWS0119](#))
- 195 Mannion, Mr Michael ([FWS0010](#))
- 196 Marshall, Mrs Mary ([FWS0035](#))
- 197 Marshall, Ms Jan ([FWS0172](#))
- 198 McGrail, Ms Marcia ([FWS0040](#))
- 199 McNally, Mrs Susan ([FWS0056](#))
- 200 McTaggart, Andrew ([FWS0091](#))
- 201 Melville, Mr Iain ([FWS0195](#))
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- 204 Moneta, Mrs Luigia ([FWS0308](#))
- 205 Moorby, Mr Simon ([FWS0319](#))
- 206 Morgan, Marisa ([FWS0320](#))
- 207 Morgan, Mr Iain ([FWS0204](#))
- 208 Murphy, Mr Thomas ([FWS0148](#))
- 209 Murphy, Mrs Amanda ([FWS0185](#))
- 210 Murphy, Samantha ([FWS0228](#))
- 211 National Centre for Atmospheric Science ([FWS0348](#))
- 212 National Fire Chiefs Council ([FWS0358](#))
- 213 Norman, Miss Nikita ([FWS0265](#))
- 214 Nuttall, Mrs Denise ([FWS0128](#))
- 215 O'Neill, Mr John ([FWS0106](#))
- 216 Over, Mrs Kate ([FWS0244](#))
- 217 Owen, David ([FWS0245](#))
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- 219 Page, Ms Michelle ([FWS0134](#))
- 220 Page, Ms Michelle ([FWS0158](#))
- 221 Palmer, Mr Mark ([FWS0231](#))
- 222 Parslow, Miss Bridget ([FWS0262](#))
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- 224 PDSA ([FWS0351](#))
- 225 Pearce, Mr Christopher ([FWS0298](#))
- 226 Pearson, Mr Glen ([FWS0321](#))
- 227 Pentelow, James ([FWS0235](#))
- 228 Phillipson, Mr Frank ([FWS0191](#))
- 229 POB's Pyro Ltd. ([FWS0278](#))
- 230 Porter, Ms Rosalind ([FWS0359](#))
- 231 Povall, Michael ([FWS0286](#))
- 232 Presteigne and Norton Town Council ([FWS0141](#))
- 233 Price, Mr Michael ([FWS0019](#))
- 234 Price, Ms C ([FWS0168](#))
- 235 Prince, Mrs Sue ([FWS0025](#))
- 236 Procter, Ian ([FWS0111](#))
- 237 Pryce, Ms Lois ([FWS0021](#))
- 238 Ragan, F ([FWS0105](#))
- 239 Read, Mr Paul ([FWS0159](#))
- 240 Redwings Horse Sanctuary ([FWS0337](#))
- 241 Reed, L.C. ([FWS0339](#))
- 242 Reeves, Mrs Hannah ([FWS0202](#))
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- 244 Remy, Mrs Catherine ([FWS0210](#))
- 245 Reynolds, Mrs Zoe ([FWS0329](#))
- 246 Rickett, Ms Linda ([FWS0065](#))
- 247 Roberts, Mrs Marion ([FWS0135](#))
- 248 Robertson, Anne ([FWS0050](#))
- 249 Robertson, Mr Robert ([FWS0052](#))
- 250 Rook, Mrs Debbie ([FWS0261](#))
- 251 Ros, Will ([FWS0318](#))
- 252 Rothermel, Anita ([FWS0239](#))
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- 254 RSPCA ([FWS0362](#))
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- 256 Ryan, Diane ([FWS0267](#))
- 257 Salyers, Mrs Sara ([FWS0033](#))
- 258 Sanderson, Miss Lauren ([FWS0174](#))
- 259 Sargent, Imogen ([FWS0002](#))
- 260 Scales, Mr Ernie ([FWS0013](#))
- 261 Scott, Mrs Vivienne ([FWS0047](#))

- 262 Shepherdson, Mr Mark ([FWS0107](#))
- 263 Sillence, Ms Jennifer ([FWS0233](#))
- 264 Silverstone, Ms Desiree ([FWS0209](#))
- 265 Sinclair, Miss Nicola ([FWS0153](#))
- 266 Skinner, Sue ([FWS0305](#))
- 267 Slack, Miss Alison ([FWS0115](#))
- 268 Smith, Adam ([FWS0076](#))
- 269 Smith, Mrs Berenice ([FWS0129](#))
- 270 Smith, Mrs Jan ([FWS0043](#))
- 271 Smith, Mrs Jane ([FWS0189](#))
- 272 Smith, Mrs Leonora ([FWS0232](#))
- 273 Smith, Mrs Michelle ([FWS0247](#))
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- 276 Spong, Keith ([FWS0028](#))
- 277 Starley-Grainger, Jill ([FWS0007](#))
- 278 Stuart, Mrs Shirley ([FWS0166](#))
- 279 Sunderland, Dr Michael ([FWS0331](#))
- 280 Sunderland, Mrs Hefina ([FWS0330](#))
- 281 Swaine, Miss Lisa Maxine ([FWS0197](#))
- 282 Taggart, Mrs Susanne ([FWS0031](#))
- 283 Tammy's Dog Training ([FWS0125](#))
- 284 Taylor, Claudine ([FWS0143](#))
- 285 Tebbs, Dr Caroline ([FWS0054](#))
- 286 Thomas, Mrs Christine ([FWS0221](#))
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- 289 Thompson, Mr Justin ([FWS0026](#))
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- 294 Trollope, Patrick ([FWS0032](#))
- 295 Vance, Dr Amanda ([FWS0356](#))
- 296 Waddup, Jane ([FWS0296](#))
- 297 Wadeson, Mr Dieter ([FWS0299](#))
- 298 Walker, James ([FWS0016](#))
- 299 Wallace, Laurina ([FWS0085](#))

- 300 Walsh, Stuart ([FWS0198](#))
- 301 Walton, Miss Rachel ([FWS0220](#))
- 302 Walton, Mr Lawrence ([FWS0236](#))
- 303 Wells, Dr Daniel ([FWS0219](#))
- 304 Wells, Vivienne ([FWS0036](#))
- 305 Wenger, Roland ([FWS0343](#))
- 306 Wenzerul, Mrs Rosemary ([FWS0201](#))
- 307 West Somerset Local Group ([FWS0039](#))
- 308 West, Jonathan ([FWS0242](#))
- 309 Weston, Miss Sarah ([FWS0069](#))
- 310 Weston, Mrs Rosalind ([FWS0282](#))
- 311 Wheway, Mr Simon ([FWS0212](#))
- 312 Whitby, PJ ([FWS0313](#))
- 313 White, Mr Paul ([FWS0346](#))
- 314 Wilkins, Mrs Susan ([FWS0240](#))
- 315 Wilkins, Richard ([FWS0139](#))
- 316 Williams, John Hywel ([FWS0294](#))
- 317 Williams, Miss Nicky ([FWS0170](#))
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- 319 Williams, Ms Jan ([FWS0009](#))
- 320 Williams, Ms Rita ([FWS0218](#))
- 321 Willmot, Mr Stuart ([FWS0140](#))
- 322 Willmot, Mrs Debbie ([FWS0124](#))
- 323 Winfield, Mr Frank ([FWS0268](#))
- 324 Wood Green, The Animals Charity ([FWS0327](#))
- 325 Wood, Dr Brian ([FWS0160](#))
- 326 Wood, Miss Helen ([FWS0328](#))
- 327 Wood, Mrs Claire ([FWS0156](#))
- 328 Woolven, Fay ([FWS0216](#))
- 329 World Horse Welfare on behalf of the British Horse Council ([FWS0335](#))
- 330 Wright, Gabrielle ([FWS0200](#))
- 331 Wright, Mr Carl ([FWS0133](#))
- 332 Young, Mrs Jackie ([FWS0118](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2017–19

First Report	Online abuse and the experience of disabled people	HC 759
First Special Report	Online abuse and the experience of disabled people: draft recommendations for consultation	HC 1459
Second Special Report	Online abuse and the experience of disabled people: Government response to the Committee's First Report	HC 2122

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Subject:	Update: Notice of Motion regarding Domestic Violence
Date:	Friday 24 th January 2020
Reporting Officer:	Nigel Grimshaw, Strategic Director of City & Neighbourhood Services John Tully, Director of City and Organisational Development
Contact Officer:	Alison Allen, Neighbourhood Manager, City & Neighbourhood Services Catherine Christy, Human Resources Manager, City and Organisational Development

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	<p>At the meeting of the Strategic Policy and Resources Committee on 23rd August 2019, a Motion regarding Domestic Violence was passed. The Motion noted:</p> <p>“This Council is saddened at the levels of domestic violence in Belfast and recognises that this manifests in many different forms, including emotional and economic abuse.</p> <p>Belfast needs to become a city that has zero tolerance towards domestic violence or abuse – a “Safe City” which is proactive in supporting victims of domestic violence and</p>

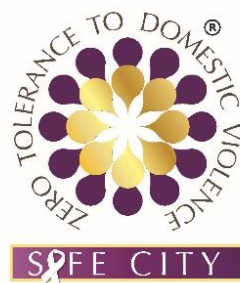
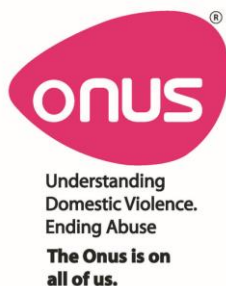
1.2	<p>challenging perpetrators. A Safe City recognises that domestic violence impacts upon many residents, regardless of age, religion, ethnic or cultural background.</p> <p>This Council pledges to build on the work already achieved by engaging with relevant partners to support victims of domestic abuse and challenge perpetrators and to update the Belfast City Council Domestic Violence Strategy.”</p> <p>This report outlines action being taken by the Council and its partners to support victims of domestic violence and identifies the next steps in Belfast being designated as a Safe Borough / City, for Members consideration.</p>
2.0	Recommendations
2.1	<p>The committee is asked to:</p> <ul style="list-style-type: none"> • Note the content of the report; • Agree to the Council progressing action to attain the Safe Borough / City accreditation; and • Agree to support the White Pledge Charter, as set out within the requirements for a Safe City / Borough Accreditation – see Appendix 1.
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>Domestic Violence and Abuse in the Workplace Policy</p> <p>Members approved a revised policy on Domestic Violence and Abuse in the Workplace at the meeting of the Strategic Policy and Resources Committee on 23rd August 2019 and this was ratified by the Council on 2nd September 2019.</p> <p>The Domestic Violence and Abuse in the Workplace policy applies to all Council employees (including casual and temporary staff) with the aim to support and assist employees experiencing domestic violence and abuse as well as providing guidance on managing situations where employees are perpetrators of domestic violence and abuse.</p> <p>Following the revision to the Domestic Violence and Abuse in the Workplace policy, an additional 16 employees and 1 elected member have attended training with a further 7 employees completing the Trusted Colleague training, taking the total number of Trusted Colleagues within Council to 35. Further communication and awareness raising is planned</p>

	to ensure all staff are fully aware of the Domestic Violence and Abuse in the Workplace policy.
3.4	<p>The revised policy and subsequent rollout of related communication and training were key to Council's re-accreditation of the ONUS (a social enterprise organisation offering best practice advice and specialist training on domestic violence and abuse) Workplace Charter (Safe Place) at Platinum level. Accreditation for the ONUS Workplace Charter is on an annual basis with Council first being awarded at Platinum level in 2018. In October 2019, Council was successfully re-accredited at Platinum level.</p> <p>Safe Borough / City Accreditation</p>
3.5	<p>Additional to the Workplace Charter, officers have engaged with ONUS regarding the requirements for Belfast to be designated as a Safe Borough / City, which is defined by ONUS as a Borough / City that:</p> <ul style="list-style-type: none"> • promotes zero tolerance to domestic violence or abuse; • recognises that domestic violence or abuse impacts upon many people living or working there, regardless of age, religion, disability, ethnic or cultural background and while the majority of victims are female, domestic violence or abuse can be experienced by men and by people in same sex relationships; and • aims to provide an inclusive means of providing information on the range of organisations available to help anyone affected by domestic violence or abuse.
3.6	<p>Safe Borough / City accreditation is linked to Council's Workplace Charter (Safe Place) accreditation at a Platinum level. It requires the Council to be an advocate for the message to never condone or stay silent about domestic violence and to work in partnership with ONUS and others to extend the message of Safe Place, raise awareness of anyone experiencing domestic violence and develop new means of rolling out 'participation pathways' to create safer workplaces, churches and communities.</p> <p>The full list of requirements for Safe Borough / City accreditation can be found within Appendix 1.</p>

	Progress towards Belfast being recognised as a Safe Borough / City
3.7	Through engagement with ONUS and the Policing and Community Safety Partnership (PSCP), the need for, and opportunity to collaborate on the roll out of an extensive programme of Safe Churches training was identified and agreed. The roll out will see the delivery of two Safe Churches training sessions in each quarter of the city and will be supported and promoted through a range of partners including the Police Service of Northern Ireland (PSNI).
3.8	Safe Churches is a bespoke pathway that enables Churches to recognise and respond to anyone affected by domestic violence or abuse. Once accredited, the Churches can offer information on the wide range of support services available to anyone affected by domestic violence or abuse and they possess a range of Safe Place resources to signpost individuals to the appropriate assistance. Further information on Safe Churches can be found in Appendix 2.
3.9	Additionally, within the requirements for Safe City / Borough accreditation, is an action that 'Council management and elected members have signed and will display the White Ribbon Charter: a personal pledge to never commit, condone or stay silent about domestic violence'. The White Ribbon Charter is part of the largest male-led Global campaign to end men's violence against women, with a presence in over 60 countries.
3.10	Annually the White Ribbon Campaign is marked with 16 Days of Action, which run between the International Day for the Elimination of Violence Against Women (25 th November) until Human Rights Day (10 th December). Council have in previous years supported the White Ribbon Campaign by facilitating the display of a White Ribbon on the cobbled area in front of City Hall, on 25 th November. Subject to approval from elected members, officers will undertake to include all associated actions with supporting the White Ribbon Campaign within Council's internal plan for Safe Place Platinum re-accreditation.
3.11	Members are asked to agree that annually the Lord Mayor will reaffirm Council's commitment to Belfast being recognised as a Safe Borough / City, by signing the White Ribbon Charter. Ongoing promotion of this initiative will further assist with awareness raising of Domestic Violence and Abuse, both internally and externally.

	Further requirements for a Safe Borough / City
3.12	<p>Parallel to advancing work listed above, the Council through the PCSP, continues to support a range of work linked to the Belfast Area Domestic and Sexual Violence and Abuse Partnership, including work to raise awareness of domestic violence and services available for those experiencing domestic violence; such as the series of 'Domestic Violence Raising Awareness Sessions', which took place throughout January in each quarter of the city. Council officers will continue to engage with partners and build on this work as part of our commitment to Belfast being recognised as a Safe Borough / City. It is envisaged that Safe Borough / City status can be achieved by Autumn 2020, as part of the annual re-accreditation of Council's Workplace Charter (Safe Place) at Platinum level.</p>
	<u>Financial & Resource Implications</u>
3.13	<p>There are no Financial or Resource implications to the recommendations outlined above.</p>
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.14	<p>The work to raise awareness of Domestic Violence and Abuse, and support available, has been progressed through the Women's Steering Group as part of the Council's Gender Action Plan. The revision and development of the Council's Domestic Violence and Abuse in the Workplace policy was undertaken with engagement and support from a number of Section 75 groups and supports the Council's wider equality agenda.</p>
4.0	Appendices – Documents Attached
	<p>Appendix 1: Safe City / Borough Accreditation Checklist</p> <p>Appendix 2: Safe Churches Leaflet</p>

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Safe City/Borough:

Safe City/Borough is a partnership initiative lead by Safe Place Advocates and supported by Onus.

A Safe City/Borough project undertakes to ensure individuals who have experienced domestic abuse can access the right support whenever it is needed and acknowledges that domestic abuse can affect anyone, regardless of age, gender, sexual orientation, ethnicity, religious or cultural background.

Councils are the lead partners in Safe City/Borough initiative.

Criteria to be fulfilled under the project are as follows:

Safe City/Borough Accreditation Checklist:	Achieved:
1: Council has attained Platinum Workplace Charter Status	
2: Council Management and elected representatives have signed and will display the White Ribbon Charter: a personal pledge to never commit, condone or stay silent about domestic violence	
3: Council is demonstrating civic leadership through Safe Place Advocacy	
4: Council is committed to working in partnership to develop new means of extending Safe Place message	
5: Council is committed to working in partnership with Onus to develop new means of rolling out the various Pathways for Participation to create safer workplaces, churches and communities	
6: Consideration to be given to how awareness of services for anyone experiencing domestic abuse is prevalent in education, housing and health services	

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Tel: 028 2568 9450
Email: info@onustraining.co.uk

DOMESTIC VIOLENCE. THE ONUS IS ON ALL OF US.

Specialist training and consultancy
to professional services dealing
with domestic violence and abuse.



ONUS was established as a social enterprise by Women's Aid Antrim, Ballymena, Carrickfergus, Larne and Newtownabbey (ABCLN) in 2007 and offers specialist training and consultancy services on domestic violence or abuse.

In 2010 we launched our Workplace Charter on Domestic Violence, a bespoke accreditation scheme, to enable organisations, businesses, churches and communities, to be recognised for their support to anyone affected by domestic violence or abuse. Our range of supported pathways, empower communities to recognise and respond to anyone affected by domestic or sexual violence or abuse.

We believe that in order to create a society that has zero tolerance towards domestic violence or abuse, prevention and early intervention work is crucial.

We don't provide direct support services to anyone living with domestic abuse, we aim to raise awareness and build capacity, to ensure anyone affected by domestic abuse is directed to support services, hence the name of our range of initiatives 'Pathways for Participation'.


Our range of pathways enable everyone to play their part and we work with a wide range of organisations, including employers, community groups and Churches, to provide training and resources in recognising and responding to domestic abuse and referring on to appropriate services.

Any organisation making an application will be offered the necessary advice, guidance and training to assist it in developing its systems in order to gain recognition.

For further details on The Workplace Charter visit: www.onustraining.co.uk

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Understanding
Domestic Violence.
Ending Abuse
The Onus is on
all of us.



SAFE CHURCH

What is a Safe Church?

The Safe Church Initiative was developed by Onus to empower churches to recognise and respond to Domestic Violence and Abuse both within the church and wider community context. As a Cinnamon Recognised Project, Safe Church offers churches a best practice, tested methodology for helping people in their community. This helps local church based projects to both start faster and succeed sooner.

Achieving the Safe Church Award

To achieve the Safe Church Award, Churches must attend two mandatory tiers of CPD certified training, primarily aimed at clergy and those with a responsibility for safeguarding within the church.

Tier 1 - Domestic Violence & Abuse Awareness Raising

Tier 2 - A Church response to Domestic Violence & Abuse

On completion, Churches will be issued with a supply of Safe Place resources to display.

Tier 3 - Domestic Violence Champions

Clergy will be encouraged to appoint a Lead Champion to attend this session to provide a dedicated response to Domestic Violence and Abuse and lead the way in addressing Domestic Violence and Abuse within the local community.

Safe Church Commitments:

1. We will support the Safe Place Campaign Pledge: never to commit, condone or stay silent about Domestic Violence and Abuse.
2. We will acknowledge Domestic Violence and Abuse is a problem that impacts on all of us as a society, and will be prepared to play our part in supporting anyone affected.
3. We will provide a Safe Place for anyone affected by Domestic Violence and Abuse to confidentially access information.
4. We will effectively respond to disclosures of abuse and support anyone affected to access support.
5. We will raise awareness within the Church that there are no excuses for acts of Domestic Violence and Abuse.
6. We will commit to raising awareness about the support available for anyone affected by Domestic Violence and Abuse and work in partnership with other organisations to ensure best practice.

For more information on Safe Church or to book training sessions, please contact Onus:



Subject:	Update on Motion: Soft Opt Out Organ Donation
Date:	24th January, 2020
Reporting Officer:	John Walsh, City Solicitor
Contact Officer:	Jim Hanna, Senior Democratic Services Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report/Summary of Main Issues
1.1	To consider a response which has been received from Mr. Richard Pengelly, Permanent Secretary, Department of Health, in relation to the Council's motion on Soft Opt Out Organ Donation.
2.0	Recommendation
2.1	The Committee is asked to note the response and take any such action as may be determined.
3.0	Main Report
	<u>Key Issues</u>
3.1	The Council, at its meeting on 2nd September, passed the following motion on Soft Opt Out Organ Donation, which had been proposed by Councillor Donnelly and seconded by Councillor Hargey:

	<p>“This Council will support the introduction of soft opt-out organ donation legislation here in the North which will follow the example led by the introduction of the same legislation in Wales (2015), Scotland and England (2020) and the calls from the Minister of Health in the South of Ireland, Simon Harris TD, for the same to be introduced there.”</p> <p>A letter was forwarded to Mr. R. Pengelly, Permanent Secretary of the Department of Health, in relation to the motion.</p>
3.2	A response has now been received from Mr. Pengelly, a copy of which is attached.
3.3	Mr. Pengelly advises that, following a detailed examination of all aspects of opt out systems, the Northern Ireland Assembly decided, in 2016, not to proceed with specific legislation to introduce an opt out system. He explains that, however, the Assembly, in recognition of the importance of promoting organ donation, passed legislation that placed a statutory duty on the Department of Health to promote transplantation and to increase awareness about transplantation and the donation of human organs.
3.4	The legislation also requires that the Department would provide an annual report about transplantation each year, and every five years the report must include the Department's opinion, as to whether the legislation had been effective in promoting transplantation and any recommendations that it considered appropriate in amending the law so as to further promote transplantation.
3.5	In December 2018, the Department had also launched a Policy Statement giving effect to the requirement to promote organ donation and transplantation.
3.6	He reports that work on implementing the Policy Statement had recently gotten underway, with the establishment of an Organ Donation Steering Group to oversee its implementation, with arrangements also being made to recruit a Regional Organ Donation Promotion Manager/Co-Ordinator, whose role would include working with local Councils and to establish a sub-group for charities to further help to implement the Policy Statement.
	<u>Financial and Resource Implications</u>
3.7	None
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.8	None

4.0	Appendices - Documents Attached
	Appendix 1 - Response from the Permanent Secretary, Department of Health.

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**From the Permanent Secretary
and HSC Chief Executive**



Mrs Louise McLornan
Democratic Services Officer
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Tel: 02890520559
Fax: 02890520573

Email: richard.pengelly@health-ni.gov.uk

Your ref: LM/MO

Our ref: RP5067
SCORR-0891-2109

Date: 23 December 2019

Dear Mrs McLornan

SOFT OPT OUT ORGAN DONATION LEGISLATION

Thank you for your letter dated 12 September 2019, regarding a motion passed at a Belfast City Council meeting on 2 September supporting the introduction of soft opt out organ donation legislation. Although your letter was sent to the Executive Office, as policy responsibility for organ donation falls to the Department of Health, it was passed to me for response.

As you may be aware, following a detailed examination of all aspects of opt out systems, the Northern Ireland (NI) Assembly decided in 2016 not to proceed with specific legislation to introduce an opt out system as a possible means of increasing levels of organ donation in Northern Ireland. However, the Assembly, in recognition of the importance of promoting organ donation, passed legislation that places a statutory duty on the Department of Health to:

- promote transplantation; and
- increase awareness about transplantation and the donation of human organs.

The legislation also requires the Department to lay before the Assembly an annual report about transplantation in that year. The report must include every five years the opinion of the Department as to whether the legislation has been effective in promoting transplantation and any recommendations the Department considers appropriate for amending the law so as to further promote transplantation. This therefore provides the Assembly with the opportunity to review the policy at appropriate intervals. A

Commencement Order is required to enact the statutory duty and this is currently under consideration; however, this has not delayed work progressing in this area.

In December 2018 the Department also launched a Policy Statement giving effect to the requirement to promote organ donation and transplantation.

Work on implementing the Policy Statement recently got underway with the establishment of an Organ Donation Steering Group to oversee its implementation. Arrangements are also being made to recruit a Regional Organ Donation Promotion Manager/Co-Ordinator, whose role will include working with local Councils, and to establish a sub-group for charities to further help to implement the Policy Statement.

Whilst there are currently no plans to introduce opt out legislation in Northern Ireland, I trust this letter assures you that work is ongoing to achieve higher rates of donation and transplantation to ensure that more people are able to receive the gift of an organ.

Yours sincerely



RICHARD PENGELLY



Subject:	Delivering a Smart Belfast
Date:	24 January 2020
Reporting Officer:	Ronan Cregan, Deputy Chief Executive and Director of Finance and Resources
Contact Officer:	Deborah Colville, City Innovation Manager Mark McCann, City Innovation Programme Lead Andrea Thornbury, City Innovation - Data Specialist Gareth Downey, Researcher, Strategic Hub

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	The Smart Belfast programme established by the Council in 2017 fosters collaborative innovation between our universities, industry and the public sector. In doing so the Council seeks to develop innovative solutions to urban challenges, while at the same time supporting local business to prepare for the disruption that new technologies are expected to make across our economy.

1.2	The approach has informed the Digital Pillar of the Belfast Region City Deal and has been an important factor in securing these investments for the city.
1.3	In order to maximise the opportunities that digital investments represent, and to continue to grow Belfast's reputation as a globally significant location for technological innovation, Smart Belfast has identified a number of critical foundations that the city needs to have in place going forward. This report seeks Members approval to proceed on these strands of work.
2.0	Recommendations
2.1	<p>The Committee is asked:</p> <ol style="list-style-type: none"> 1. To approve the development of an urban data framework for Belfast City Council which would be informed by an initial internal Data Maturity exercise, the recommendations from which would be presented to Members later in 2020. 2. To approve a contribution to support a doctoral student to work with Belfast City Council and its partners on the ethical and legal implications of a data-driven Smart Belfast. 3. To approve the commissioning of expert support for digital infrastructure 'barrier-busting'.
3.0	Main report
3.1	The 'Smart Belfast' framework fosters the conditions in which city partners can work together to exploit leading-edge technologies (such as AI, robotics, wireless networks, data science and industrial service design practices) to address urban challenges in more innovative ways. These conditions also provide a rich environment in which researchers, start-ups, business, and public sector agencies, can innovate in the development of new products and services.
3.2	The value of the 'smart cities' market is estimated to be worth over £2 trillion within the next five years and Belfast is well-placed to position itself as a global location for digital innovation. The city has already begun to prove the value of the approach – successfully attracting co-investments and delivering joint projects with our universities and industry. The proposed £350 million of digital innovation pillar investments from the Belfast Region City Deal will be an important element in accelerating this success.
3.3	Each place has its own unique approach; however, there are a number of common foundations that a successful smart city needs to have in place and which Belfast's partners need to focus on:

3.4	<p>A data-enabled city</p> <p>Data lies at the core of most modern urban services, whether public or private. This is a trend that is only likely to accelerate over the coming decade as technology continues to permeate most aspects of city life. This has implications for Belfast City Council not only as an organisation that designs and delivers its own data-driven services, but also in terms of our role and responsibilities as the civic leader of a ‘smart city’. It is important that the Council continues to build its capabilities in this area and learns from the experience of other places.</p>
3.5	<p>Having a well-planned approach to urban data will also help make us a more attractive location for investing in innovation while at the same time making sure that our approach is citizen focused.</p>
3.6	<p>Other local authorities are already addressing their data challenges, improving their data maturity and implementing radical changes in their services and programmes. For example, Smart Cambridge (ie, a partnership of local councils, technology businesses, the University of Cambridge and other partner organisations) has built the council’s own capabilities in this area; established data partnerships; and set up a ‘data trust’ to address key city challenges.</p>
3.7	<p>With this in mind it is proposed that the Council initiate the development of an urban data framework that will (i) seek to enhance the Council’s own approach to generating and managing its data in relation to the delivery of its services and (ii) develop the organisation’s capabilities as the lead partner in a data-driven Smart Belfast. The programme would begin with a Data Maturity exercise that would establish the organisation’s current baseline and help to identify action that would inform the design and delivery of a full data framework programme. These recommendations would be presented at a committee meeting later in 2020.</p>
3.8	<p>Complementing this approach, the Council has been engaging with Professor Daithí Mac Síthigh at the School of Law at Queen’s University to develop an opportunity for a Phd researcher to support the Council to explore the legal and ethical implications of a data-driven Smart Belfast.</p>
3.9	<p>Prof MacSíthigh has applied for funding to the Collaborative Doctoral Awards scheme for a full time studentship and, if successful, is seeking a financial contribution from Belfast City Council of £2,000 pa for three years to support the work. If awarded this researcher would be</p>

	able to draw on emerging thinking on these issues to assist Belfast City Council and its partners in the development of an ethical data model.
3.10	The City Innovation team has also been asked to contribute to the new Law & Technology Masters degree (LLM) which is being launched by Queen's University in September 2020. This Masters examines the legal work and practice on technological innovation and introduces students to the interplay of and interfaces between technology and law.
3.11	<p>Digital infrastructure</p> <p>Alongside data, a digital innovation economy is also dependent on state-of-the-art digital connectivity. Much of the planned investment under the Digital Pillar of the Belfast Region City Deal is focused on ensuring Belfast and the region has the latest wireless and fibre connectivity to ensure that the city is capable of supporting the data-intensive services of the future (such as autonomous vehicles, remote bio-medical monitoring, energy management, etc.) Belfast City Council has also been successful in attracting substantial funding for Local Full Fibre deployment across its estate.</p>
3.12	Members may also be aware that the national mobile telecoms operators (including EE, Vodafone, O2 and Three) have also pledged that Belfast will be at the forefront of future wireless investment.
3.13	These infrastructure investment projects are complex and have the potential to be disruptive if not well co-ordinated. Other places, such as Glasgow, Manchester, Dublin, Birmingham, etc, have established small 'barrier-busting' groups that brings together planners, regeneration and digital staff to ensure the positive impact of such infrastructure investments for the city. They also seek to ensure that other capital urban regeneration projects (eg) road improvements, new builds, have digital embedded in their plans.
3.14	<p>Drawing on advice from other cities, it is proposed that Belfast City Council establish a small infrastructure group that, with cooperation from relevant Government Departments and agencies, would work to ensure that a city level approach to digital infrastructure is adopted. In support of this ambition it is proposed that the group seek expert support in the following areas over a six month period:</p> <ul style="list-style-type: none"> - Assisting our planning services to identify efficiencies in working with the mobile network operators (MNOs) and smaller companies re planning application process. - Support for the development of the city level 'barrier-busting' resource.

	<ul style="list-style-type: none"> - Support for policy engagement at UK and Northern Ireland levels (eg, in terms of understanding how regional and national infrastructure policies will support the city's Digital Innovation objectives.) - Specific support in developing a wireless infrastructure model that supports local innovation at the proposed smart district level. This might include some form of shared infrastructure model.
3.15	In support of this ambition Members are asked to approve the commissioning of this expert support.
	Financial & Resource Implications
3.16	The initial Data Maturity exercise will cost approximately £5,000 (excluding VAT) with an additional £8,400 (excluding VAT) at a later stage to provide training workshops with a cross section of staff from different functions for shared learning and to support the roll out of recommendations from the data maturity exercise. This has been identified within existing departmental budgets.
3.17	If the application to the Collaborative Doctoral Awards scheme is successful Belfast City Council would contribute £2,000 pa to a full-time Law and Technology Phd student working with Smart Belfast for three years. The council would also provide in-kind contributions (eg) access to staff; meetings; hot-desking facilities. The financial contribution for 2020/2021 has been identified within existing departmental budgets.
3.18	The commissioning of strategic support for digital infrastructure barrier busting is approximately £75,000. This has been identified within existing departmental budgets.
	Equality or Good Relations Implications / Rural Needs Assessment
3.19	None.
4.0	Appendices – Documents Attached
	None.

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Subject:	Customer Focus Programme Update
Date:	24 January 2020
Reporting Officer:	Suzanne Wylie, Chief Executive Ronan Cregan, Deputy Chief Executive, Director of Finance & Resources
Contact Officer:	Rose Crozier, Customer Focus Programme Director

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	Members are reminded that in March 2019 the Committee considered proposals for the Customer Focus Programme following the Discovery phase and agreed the implementation approach, key milestones of the implementation plan, the programme workstreams and the resource requirements necessary to successfully take forward the programme of work.
1.2	Since March 2019 the programme team has worked with our Strategic Delivery Partner, PA Consulting, progressing through Discover and Develop phases of the programme, conducting a number of workshops with elected members and staff to develop a future blueprint for a customer hub and improved delivery of council services.
1.3	The Discover and Develop phases have endorsed our initial outline business case and draft blueprint approved in March 2019 which explained the need to improve our service to all our

	customers. This report provides an update on activity during the Develop phase providing an overview of the future blueprint for customer service and high level implementation plan for delivery.
2.0	Recommendations
2.1	<p>The Committee is asked to:</p> <ol style="list-style-type: none"> 1. Note the Service design approach adopted as outlined at Appendix 1. 2. Note progress to date and the draft future blueprint at Appendix 2 and high level implementation plan attached at Appendix 3. 3. Note the update on services for Elected Members which have been progressed to outline design stage as part of the future blueprint. 4. Note that staff and Trade Unions have been engaged as part of the service design approach undertaken and will continue to be consulted as we move to delivery phase.
3.0	Main report
3.1	<p><u>Service design approach</u></p> <p>Since March 2019 a new service design approach for service reviews has been developed comprising 3 phases – Discover, Develop and Deliver. This approach has been used as the service design framework for the Customer Focus programme and has been adopted as the Council’s approach to service design. The approach is outlined in more detail at Appendix 1.</p> <p>The Discover and Develop phases included staff, resident and member engagement to understand current customer relationships and to highlight areas for improvement. The activity included ride-alongs with waste collection teams, shadowing calls, and focussed workshops with elected members and staff.</p> <p>This new approach will ensure that we deliver:</p> <ul style="list-style-type: none"> • Optimised customer contact – professionalising resources and providing modern digital and telephony systems with access to real time data on contact performance • Channel shift – moving where possible to digitally enabled self-serve solutions • Customer centricity – designing our services around the needs of our customers.
3.2	<p><u>Future Blueprint – what it will look like</u></p> <p>The diagram attached at Appendix 2 sets outs the draft future blueprint for the Customer hub. The blueprint puts our customers at the heart of everything we do and will ensure we provide a consistent and professional service affording our customers choice and convenience. This means improving and aligning all our access to service channels – telephone, face to face, website, social media. Furthermore it will clarify roles and</p>

	<p>responsibilities and improve relationships between the 'front and back' of the organisation building strong links between the customer hub, council services and continuous improvement. This will also result in increased capability through improved training and development and professionalisation of our customer function. A presentation will be provided at the meeting to take Members through the key elements of the new customer function.</p>
3.3	<p>Deliverables:</p> <p>Given the complexity of the customer programme it will not be possible to implement all its elements at one time. It is anticipated that by September 2020 we will have the following in place.</p>
3.3.1	<p>Customer Hub</p> <p>This new function will deal with customer contact for all departments and services, across all channels (online, mobile, telephone, face-to-face, email, and social media). Initially the hub will manage all customer contact for cleansing/waste and calls currently through the main switchboard and corporate complaints numbers. There is further work planned to co-design processes including the handoff to services in other departments.</p> <p>We expect the customer hub team to comprise approximately 20 staff, coming from across the Council, who will facilitate all customer contact channels, provide customer support for digital channels and build capability in service performance and analysis working with departments and the Continuous Improvement team to inform and shape service improvement.</p> <p>There will be improvements to our telephony system and a Customer Relationship Management system which will manage and track customer contact to resolution.</p> <p>Discussions on the location of the customer hub are at an early stage however it is anticipated that it will be in the Cecil Ward Building. Work has begun to look at the feasibility of options and, as part of the Physical Programme update report, members are being asked to agree to add the creation of a new Customer Hub as a Stage 1 Emerging project, under the Capital Programme.</p>
3.3.2	<p>Website</p> <p>We will launch an improved website from May/June 2020. We are currently engaging with departments on refreshing content. This will improve how customers access information on services reducing unnecessary contact.</p>

<p>3.3.3</p> <p>3.3.4</p> <p>3.3.5</p> <p>3.3.6</p> <p>3.4</p>	<p>Elected Members</p> <p>As part of the Develop phase a Task and Finish Working Group has been established with elected members who have participated in 3 workshops to date to identify and design solutions to support elected members in their constituency work.</p> <p>We plan to have a dedicated contact channel for elected members within the Customer Hub. Additionally we will provide members with real time information on service delivery so they can be informed of issues earlier, enabling them to be responsive to constituents' queries. Members will also have the ability to track issues they have raised and will have visibility of issues emerging in their areas.</p> <p>Bulky Waste</p> <p>We will commence a specific service design project on improving our bulky waste service. This will be digitally enabled so that customers can book online. The service design will include addressing current problems with types of collections, timescales etc. and will result in better information to customers and improved use of our resources.</p> <p>Missed Bins</p> <p>Aligned to the overall Resources and Fleet transition and improvement programme, we will seek to address the issue of missed bin collections. We will focus specific resource on how we can address these issues including information flows between elected members, customers, staff and managers. An element of this project will centre on business intelligence and improved understanding of the cause of service failures and identifying interventions to improve service.</p> <p><u>The plan for implementation and how we will do this</u></p> <p>Attached at Appendix 3 is a high level plan setting out the key milestones for new Web services to be implemented in May/June 2020 and the Customer Hub which will be live from September 2020. Staff and customers have been involved in the programme to date and this will continue throughout the Deliver phase.</p> <p>Integral to the overall delivery is the inclusion of staff and Trade Unions in understanding the impact of these changes on current posts and post holders and the transition to the new Customer Hub.</p>
	<p><u>Financial & Resource Implications</u></p>
<p>3.5</p>	<p>SP&R agreed in November 2017 that a budget of £500k be set aside for the customer focus project.</p>

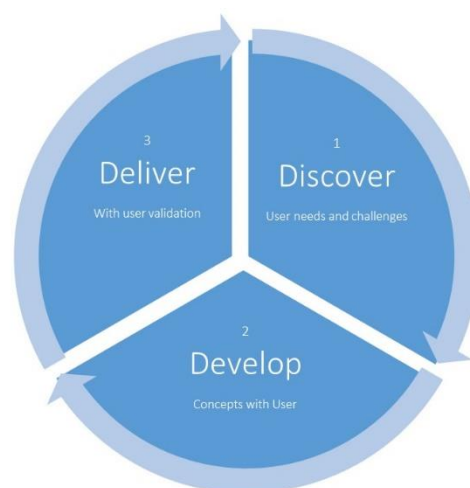
	Staff and Trade Unions have been engaged throughout the programme. As we move to Delivery, with Trade Union agreement we are establishing a sub group of JNCC to facilitate further engagement and consultation on staff implications of the programme in line with agreed HR policies and procedures.
	<u>Equality or Good Relations Implications</u>
3.6	Work on the EQIA for the Customer Focus Programme is in progress. Our <i>Putting you First</i> vision is live on our website for public consultation and a schedule of drop-in sessions are taking place to engage with customers and to gather feedback on our vision. The consultation period closes on 2 February 2020 and the information gathered will be used to complete the EQIA screening.
4.0	Appendices – Documents Attached
	Appendix 1 – Approach to Service Design Appendix 2 – Customer Focus Draft Future Blueprint Appendix 3 – High level plan showing Key Milestones for implementation

Appendix 1 Approach to Service Design

A Service Design approach has been developed during 2019 as a new and effective way to create services that really work for our customers, staff & our organisation. It is the activity of planning and organising people, infrastructure, communications and material components of a service in order to improve its quality and the interaction between the service provider and its customers.

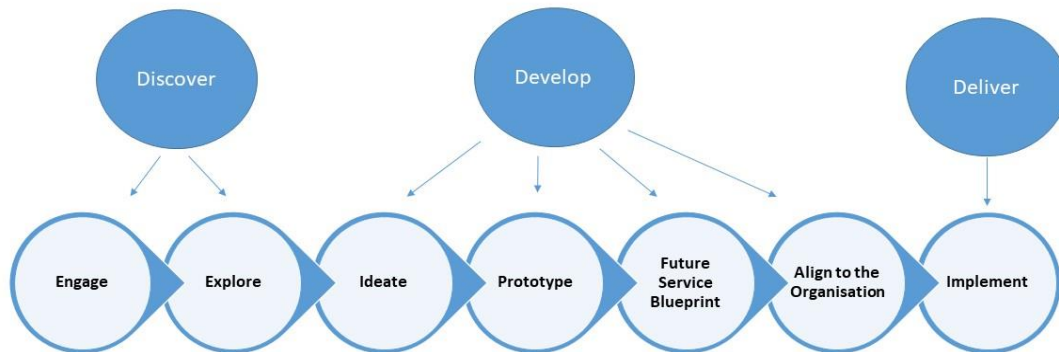
Service design is guided by five key principles	
User-centred.	Services are designed from the customer's perspective, focusing on outcomes not features
Co-created.	People representing all the different types of users are involved in designing the service
Sequenced.	The service is made up of a complete set of inter-related activities from start to finish
Evidenced.	The service uses physical elements to make the intangible service visible, memorable and simple to use
Holistic.	The service solves the whole problem for the customer & aligns the whole organisation to support the service

The Service design model that has been developed for Belfast City Council, in line with the Customer Focus Programme is:



The process for this approach has been developed as follows:

Service Design Process



DISCOVER – We need to understand our customer needs and challenges so that we can best deliver to their needs. That means engaging with them, staff, partners, elected members and any other key stakeholders.

DEVELOP – We need to develop the solutions and services to meet the needs of the customer **WITH** the customer and other stakeholders so we provide the best possible solution for them, taking into account what is possible within Council resources and potential partner resources. We also need to test out solution or service options before deciding on what works best as the final solution.

DELIVER – We then implement the co-created solution or service, which may include how we organised ourselves within Council to deliver it - processes, systems, people and infrastructure.

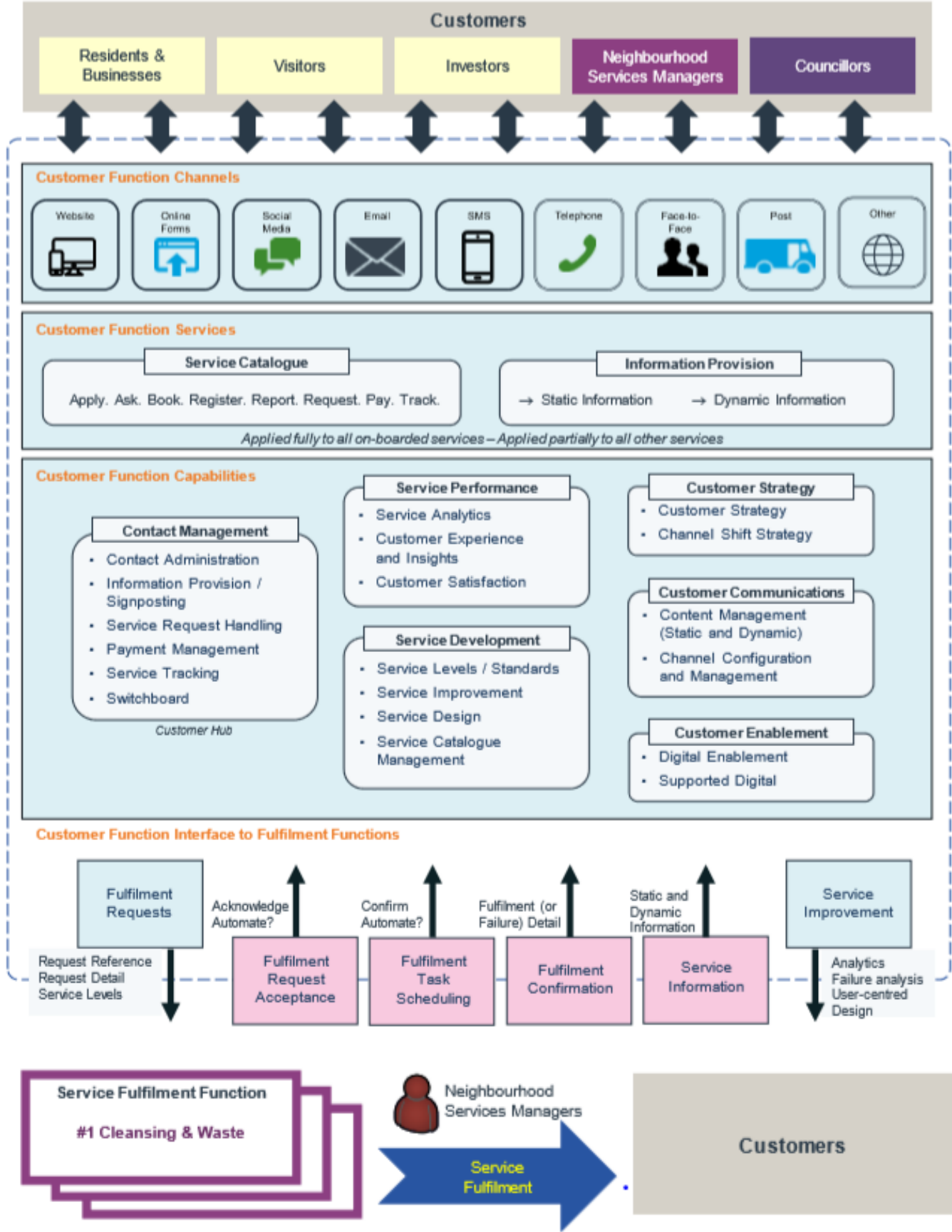
SERVICE DESIGN TOOLKITS

Service design Toolkits to support the process at each stage have been developed and will continue to be developed. This includes a range of engagement methods, research methods, customer journey mapping, ideation techniques, service blueprint templates and prototype approaches.

GETTING THE BALANCE RIGHT

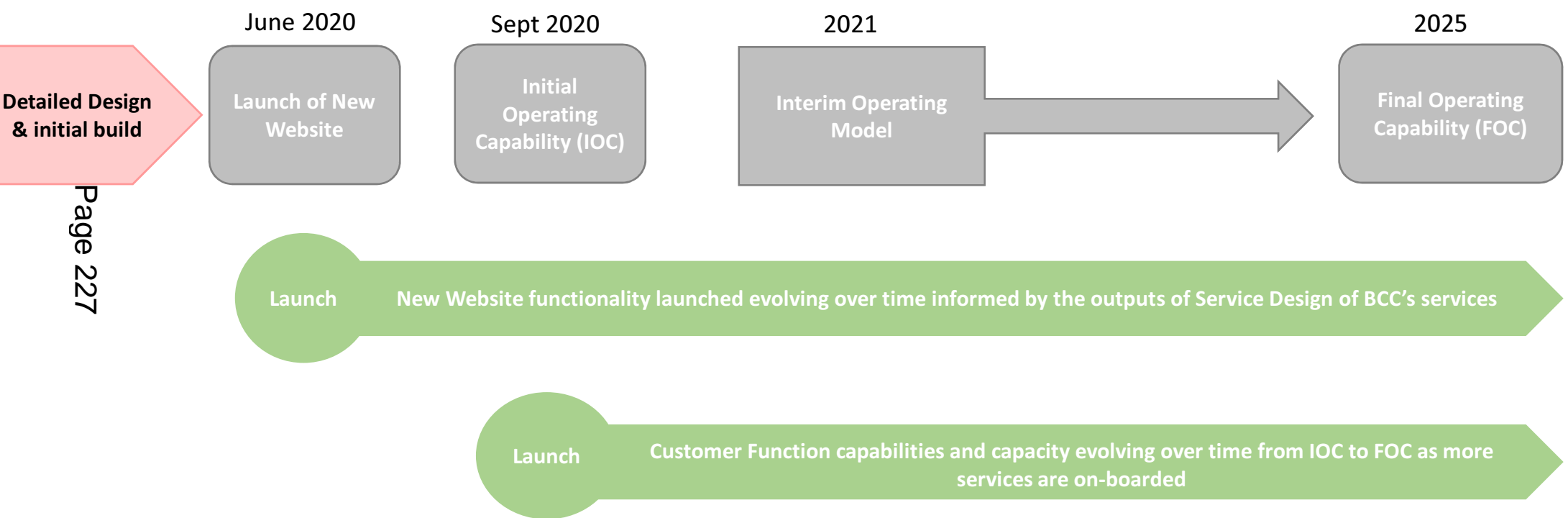
We need to create a service that works for customers, staff and the organisation. We will always have to consider the 'desirability', 'technical feasibility' and 'viability' of any service design with a focus on choose options that balance all these needs, avoiding high-tech solutions that deliver little value.

Appendix 2 Draft Blueprint for the new Customer Function



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High Level Implementation Roadmap



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Subject:	Area Working Groups
Date:	24 January 2020
Reporting Officer:	Nigel Grimshaw, Strategic Director of City & Neighbourhoods Services Department
Contact Officer:	Ryan Black, Director, City & Neighbourhoods Services Department

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report
1.1	The purpose of the report is to update the Committee on the proposed agendas for the forthcoming Area Working Groups, which will primarily focus on the development of Belfast City Council's approach to neighbourhood regeneration.
2.0	Recommendations
2.1	The Committee is asked to <ul style="list-style-type: none"> Note the report.
3.0	Main report
3.1	Area Working Group Terms of Reference At the September meeting of the Strategic Policy and Resources Committee, Members agreed the updated the Terms of Reference for the Area Working Groups (Appendix 2), and further agreed the following dates for the first meetings of the Area Working Groups:

3.2	<table border="1"> <tr> <td data-bbox="276 203 874 353"> <u>North</u> Wednesday 29 January 5.00pm </td><td data-bbox="874 203 1473 353"> <u>South</u> Monday 27 January 5.00pm </td></tr> <tr> <td data-bbox="276 353 874 510"> <u>East</u> Thursday 6 February 5.00pm </td><td data-bbox="874 353 1473 510"> <u>West</u> Thursday 30 January 4.30pm </td></tr> </table>	<u>North</u> Wednesday 29 January 5.00pm	<u>South</u> Monday 27 January 5.00pm	<u>East</u> Thursday 6 February 5.00pm	<u>West</u> Thursday 30 January 4.30pm
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<u>East</u> Thursday 6 February 5.00pm	<u>West</u> Thursday 30 January 4.30pm				
3.3	Some of the key points included in the new Terms of Reference include the following:				
3.4	The purpose of the Area Working Group is :				
3.5	<i>To enable and ensure that the socio-economic conditions and needs of local people, areas and communities are given due consideration with respect to the delivery of our plans, services and projects.</i>				
3.6	<i>To act as “place shapers” and local area advocates in order to identify and prioritise issues and opportunities to address local needs, with the aim of improving the quality of local people’s lives. They will also consider how the City Centre integrates with neighbourhoods and communities, and vice versa, to ensure growth is optimised and inclusive across</i>				
3.7	<p>With this in mind, it is important that we work with Members to begin to develop this approach with a view to delivering on the following:</p> <p>(i) Neighbourhood Regeneration Plans - We will focus on tailoring interventions within particular neighbourhoods where we believe there are opportunities to maximise synergies, identify and address gaps in provision and respond to opportunities</p> <p>(ii) Develop integrated services at a local level - In order to deliver neighbourhood regeneration we will develop a local area approach to the delivery of our services to ensure better coordination and integration of resources to solve local problems.</p> <p>For example progress is being made internally within the Council towards the delivery of:</p> <ul style="list-style-type: none"> - Regulatory Services; - Open Space and Street Scene; - Review of Community Provision; - Review of Resources and Fleet. 				

3.8	<p>Through the Area Working Groups, officers will work with Members to help shape the concept of neighbourhood regeneration and how it will be implemented.</p> <p><u>Neighbourhood Regeneration Roadmap for Area Working Groups January – August 2020</u></p> <p>The following provides a proposed overview of how we will work with Members via the Area Working Groups in the coming months.</p> <table border="1" data-bbox="276 607 1465 1518"> <thead> <tr> <th data-bbox="276 607 435 707">Date</th><th data-bbox="435 607 1465 707">Proposed overview of AWG Meetings</th></tr> </thead> <tbody> <tr> <td data-bbox="276 707 435 1010">January</td><td data-bbox="435 707 1465 1010"> <p>Introduction – set the context for future format of the area working groups, focusing on the development of our approach to Neighbourhood Regeneration.</p> <p>Members will receive a presentation and accompanying documents outlining the major pieces of work capital and revenue projects and opportunities in their area.</p> </td></tr> <tr> <td data-bbox="276 1010 435 1312">April</td><td data-bbox="435 1010 1465 1312"> <p>Progressing from the first AWG, a facilitated workshop will take place for each area, this will start the process of identifying key issues at a wider area level, N,S,E,W. Members will be provided with further developed area profiles to support their participation and how we can take a focused approach in specific geographical areas to improve outcomes.</p> </td></tr> <tr> <td data-bbox="276 1312 435 1518">August</td><td data-bbox="435 1312 1465 1518"> <p>Subject to member consideration of the benefits of focussing our efforts in the specific geographical areas this meeting will explore in further detail with specific consideration of how we take a more integrated approach to “turn the curve” on specific issues.</p> </td></tr> </tbody> </table>	Date	Proposed overview of AWG Meetings	January	<p>Introduction – set the context for future format of the area working groups, focusing on the development of our approach to Neighbourhood Regeneration.</p> <p>Members will receive a presentation and accompanying documents outlining the major pieces of work capital and revenue projects and opportunities in their area.</p>	April	<p>Progressing from the first AWG, a facilitated workshop will take place for each area, this will start the process of identifying key issues at a wider area level, N,S,E,W. Members will be provided with further developed area profiles to support their participation and how we can take a focused approach in specific geographical areas to improve outcomes.</p>	August	<p>Subject to member consideration of the benefits of focussing our efforts in the specific geographical areas this meeting will explore in further detail with specific consideration of how we take a more integrated approach to “turn the curve” on specific issues.</p>
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August	<p>Subject to member consideration of the benefits of focussing our efforts in the specific geographical areas this meeting will explore in further detail with specific consideration of how we take a more integrated approach to “turn the curve” on specific issues.</p>								
3.9	<p>January AWG Agendas</p> <p>The draft agenda items for each Area Working Group are included as an appendix to this report, it is worth noting that agendas will include standard and recurring item as required e.g. area specific issues and capital funding streams update.</p>								
4.0	Appendices –Documents Attached								
	<p>Appendix 1: Draft Agenda</p> <p>Appendix 2: Area Working Groups Terms of Reference</p>								

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JANUARY AWG PROPOSED AGENDA ITEMS

	Item	Outline / What is required	Lead officer at AWG
1	Welcome / Introductions	N/A	Nigel Grimshaw
2	Terms of Reference	Set the context of the AWGS re new TOR, outlining how we want to work with the members to start to take a more integrated approach to how we deliver services.	Nigel Grimshaw
3	Neighbourhood Regeneration	<p>For each AWG there will be an area presentation to set the scene for members in terms of what we want to achieve. Members will receive a presentation and accompanying documents.</p> <p>Some of the proposed information contained within the presentations may include;</p> <ul style="list-style-type: none"> - Data / Evidence – For each area, N,S,E,W an overall high level profile aligned to the Belfast Agenda. - Integrated Service Delivery – An outline of the key transformational pieces of work being undertaken to integrate service delivery at an area level - Capital Development – Maps showing the current and plan capital schemes across N, S, E & W - LDP – An outline of the role of the LDP in terms of supporting neighbourhood Regeneration at an area level - City Centre –Outline of major work being undertaken in the City Centre which can have a positive impact on surrounding / wider communities. - Economic Development – Examples of how we can align revenue programmes in a area setting. 	Nigel Grimshaw / Ryan Black
5	Area Specific issues	<p>At each AWG meeting area specific items will be presented to members in the form of a composite report (other issues may arise and require consideration)</p> <p>-</p>	Neighbourhood Services Managers
5	Area Working - capital funding streams update	Physical Projects - consideration of some local capital programme decisions.	Sinead Grimes

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Area Working Groups

Terms of Reference

2019

Version 1.4

Contents

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5. Accountability and reporting relationships	3
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1. Purpose of the Area Working Groups

1.1. Neighbourhood regeneration is a key priority for the council. We aim to create integrated and sustainable improvements to neighbourhoods where everyone benefits from inclusive growth and their quality of life is improved. Working with members, we will seek to influence the effective use of resources to build community capacity with and across local neighbourhoods to support the delivery of our Corporate Plan, aligned to the implementation of the Belfast Agenda.

1.2. The purpose of the Area Working Group is therefore:

To enable and ensure that the socio-economic conditions and needs of local people, areas and communities are given due consideration with respect to the delivery of our plans, services and projects.

2. Roles and responsibilities

2.1. The overarching role of the Area Working Groups is to act as “place shapers” and local area advocates in order to identify and prioritise issues and opportunities to address local needs, with the aim of improving the quality of local people’s lives. They will also consider how the City Centre integrates with neighbourhoods and

communities, and vice versa, to ensure growth is optimised and inclusive across the City.

- 2.2. It will be our aim to engage with, influence and support partnership working, both geographically and thematically. Through the identification and engagement of relevant partners, the Area Working Group will seek to gain support to work together to develop and implement collaborative interventions.
- 2.3. The Area Working Groups will consult, engage and advocate on behalf of their respective quadrant to:
 - Collectively identify and prioritise local needs, as well as support and enhance effective area-based regeneration;
 - Take an evidence-based approach to providing advice to inform and enhance the delivery of services, projects and plans;
 - Consider the local dimension of key strategic plans and projects such as the Belfast Agenda, leisure transformation, cultural strategy, tourism etc;
 - Consider area-based issues as referred by relevant Council committees;
 - Participate in and facilitate community engagement and communications activities associated with their catchment area;
 - Act as community advocates to identify and address local needs and support effective 'place-shaping'
 - Promote local area knowledge and understanding;
 - Build trust and strengthen relationships with external agencies, residents, community representatives, partnerships and the wider communities to deliver improved Council services.

3. Members

- 3.1. The Area Working Groups are convened by Belfast City Council to which all Councillors elected to the following district electoral areas are invited.

Area Working Group	District Electoral Areas
North	Castle and Oldpark
South	Balmoral and Botanic
East	Lisnasharragh, Ormiston and Titanic
West	Blackmountain, Collin and Court



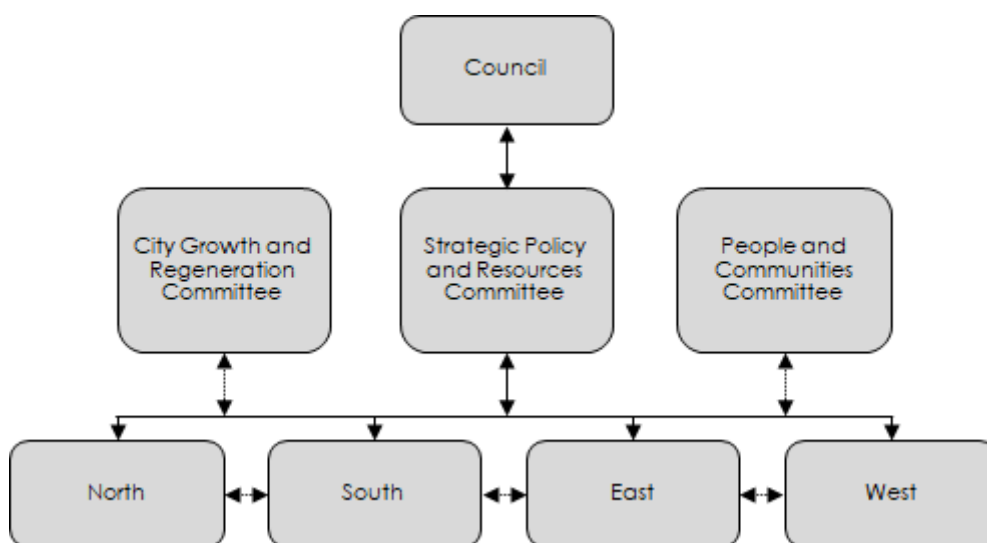
4. Role of the Chairperson

- 4.1. In line with the Strategic Policy and Resources Committee decision on 19th August 2016, the Chairperson will be appointed on an annual basis. This item of business will be placed on the agenda for the first meeting of each Working Group following the Annual Council meeting each year.
- 4.2. The chair of each AWG will undertake a number of roles in addition to those required of Group members. The chair will:
 - Facilitate the meetings, or nominate an appropriate delegate, to ensure the AWG operates efficiently within these Terms of Reference;
 - Collate, share and represent the comments and priorities of their respective AWG;
 - Liaise with a member of the Strategy, Policy and Partnership team to agree the agenda in advance of a meeting.

5. Accountability and reporting relationships

- 5.1. With respect to Council matters, decisions of the Area Working Groups are advisory and as such they are not binding on the Council. The business at Area Working Groups will be guided by existing council Standing Orders and the NI Local Government Code of Conduct for Councillors.
- 5.2. In keeping with its advisory role, the Area Working Groups will provide recommendations to committees on relevant items which have a specific local area remit. Unless specifically sought from a specific committee, recommendations made by Area Working Groups will be subject to ratification by the SP&R Committee.

- 5.3. The relationship between committees and Area Working Groups will be two-way to reflect items which may be referred from committee for the consideration of an Area Working Group; and conversely Area Working Groups in exercising their role may wish to make a recommendation to a standing committee.



6. Meeting structures and administration

- 6.1. Meetings of each of the AWGs will be held (at least) quarterly. However, depending on the individual requirements they can be facilitated more frequently.
- 6.2. A quorum shall consist of one-quarter of the AWG elected members, as set out in the table below. If the meeting is not quorate, the meeting can proceed but recommendations cannot be made to any committee.

Area Working Group	Total Number of Members	Quorum
East	19	5
North	12	3
South	10	3
West	19	5

- 6.3. CNS will act as the lead department in terms of agenda setting and facilitation of the meetings. A member of Democratic Services will provide secretariat support with the Strategy, Policy and Partnership unit providing support as required.
- 6.4. The Senior Responsible Officer will be the Strategic Director of City and Neighbourhood Services.
- 6.5. Formal minutes will be kept of all meetings and will be brought to next the Strategic Policy and Resources committee for approval. In accordance with the council's decision of 01 February 2018 meetings will also be audio recorded and made publically available on the council website once they have been approved and ratified by council.
- 6.6. To ensure coherence across the city and some form of homogeneity is maintained across the four Area Working Groups, there will be standing items within each agenda that will be common across all areas.



Subject:	Belfast Policing and Council Service Delivery Coordinator
Date:	24 January 2020
Reporting Officer:	Nigel Grimshaw, Strategic Director of City & Neighbourhood Services Department
Contact Officer:	Nigel Grimshaw, Strategic Director of City & Neighbourhood Services Department

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	The purpose of this report is to seek approval to progress the secondment of a senior Police Officer (Chief Inspector level) to work alongside City & Neighbourhood Services Department.
1.2	The post holder will be aligned with the work of City and Neighbourhood Services, and contribute to more effective joint planning and working across a range of operational and community safety issues affecting the city. The post holder will also enhance representation on a range of relevant partnership forums, including for example, Community Planning, Shared City Partnership, City Centre 'Clean, Green and Safe' partnership, as well as attending relevant committees as an observer.
1.3	

	It is believed this secondment will help to develop a greater understanding across both organisations of the key issues affecting local communities in Belfast, improve communication between BCC and PSNI, and contribute to more effective joint problem solving.
2.0	Recommendations
2.1	<p>The Committee is asked to</p> <ul style="list-style-type: none"> • Approve the secondment of a senior police officer (Chief Inspector) to Belfast City Council, to be positioned within City & Neighbourhood Services Department, and subject to review at six monthly intervals.
3.0	Main report
	<u>Key Issues</u>
3.1	Following engagement between the Chief Executive, Strategic Director of City & Neighbourhood Services and the Chief Constable, a proposal was put forward by PSNI for the secondment of a senior Police Officer (Chief Inspector level) to work alongside City & Neighbourhood Services Department.
3.2	The post holder will be aligned with the work of City and Neighbourhood Services, and contribute to more effective joint planning and working across a range of operational and community safety issues affecting the city. The post holder will also enhance representation on a range of relevant partnership forums, including for example, Community Planning, Shared City Partnership, City Centre 'Clean, Green and Safe' partnership, as well as attending relevant committees as an observer.
3.3	It is believed this secondment will help to develop a greater understanding across both organisations of the key issues affecting local communities in Belfast, improve communication between BCC and PSNI, and contribute to more effective joint problem solving.
3.4	<p>The following list is not exhaustive but it is hoped will provide significant opportunity for greater collaboration and more effective ways of working:</p> <ul style="list-style-type: none"> • Informing strategic direction of City wide service provision. • Development of a hybrid guardianship patrol model (a type of enhanced wardens' model) for trial in Belfast in 2020/21.

	<ul style="list-style-type: none"> • Focusing service provision on agreed joint priorities, vulnerability and risk. • Building effective relationships between PSNI, BCC and other stakeholders. • Review existing partnership structures. • Contribute to city wide forums. • Provide an effective and responsive service to community needs. • Report, share information, and garner support regarding progress, performance and a safer city.
3.5	<p>The role will have a clear emphasis on collaboration with stakeholders to effectively meet demand, such as:</p> <ul style="list-style-type: none"> • ASB • Begging and related offences and vulnerability • Crime Prevention • Drugs and Alcohol • Homelessness • Mental Health
3.6	<p><u>Financial & Resource Implications</u></p> <p>There are no financial implications for BCC, other than minor logistical arrangements e.g. provision of desk space, access to relevant IT.</p>
3.7	<p><u>Equality or Good Relations Implications /Rural Needs Assessments</u></p> <p>None</p>
4.0	Appendices – Documents Attached
	None

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Subject:	Proposal for civic visit to Nashville
Date:	24 January 2020
Reporting Officer:	John Greer, Director of Economic Development
Contact Officer:	Laura Leonard, EU & International Relations Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of Main Issues
1.1	The purpose of this report is to seek Committee approval for the Deputy Lord Mayor to undertake a civic mission to Nashville from 13-17 March 2020, at the invitation of the Mayor of Nashville, Councillor John Cooper.
2.0	Recommendations
2.1	<p>The Committee is requested to:</p> <ul style="list-style-type: none"> Approve participation of the Deputy Lord Mayor and the Director of Economic Development or nominee on a civic mission to Nashville from 13-17 March 2020.
3.0	Main Report
3.1	In March 2019, the City Growth and Regeneration Committee approved the International Relations Plan for the financial year 2019/2020. A key element of this activity involves the development of jointly-agreed work programmes for each of our Sister Cities (Boston, Nashville and Shenyang), focusing on areas of shared interest.

3.2	As part of our working relationship with Nashville, the Lord Mayor of Belfast has recently received an official invitation from the newly-appointed Mayor of Nashville, Councillor John Cooper, to travel to Nashville to attend the Music City Irish Festival which takes place from 15-17 March 2020. The Lord Mayor is unavailable to travel at this time and consequently the deputy Lord Mayor has agreed to travel on behalf of the city, pending Committee approval.
3.3	This year marks the 25 th anniversary of the signing of the Belfast-Nashville Sister Cities agreement. This is the inaugural year of a new event for Nashville – the Music City Irish Festival – and the city council was keen to ensure Belfast's involvement in the event, given the long-running ties between the cities and the importance of music as a common area of interest.
3.4	In addition to musical performances on each of the three days (15-17 March), Belfast has been asked to consider providing promotional materials for display at the event. We are currently working with Visit Belfast to secure relevant materials. The event has a number of music-related sponsors and it is understood that Tourism Ireland are also considering involvement in the event.
3.5	While in Nashville, the Deputy Lord Mayor will undertake a programme of meetings with both universities, Vanderbilt and Belmont (linked to QUB and Ulster University), youth organisations linked to the council's Youth Forum and business organisations including Invest NI, Nashville Chamber and the Nashville Healthcare Council. The conversations with the business organisations will focus on scoping out in further detail the plans for the proposed Belfast City Council/Invest NI business mission to Nashville in August 2020.
3.6	<u>Financial & Resource Implications</u> The cost of the proposed visit to Nashville will not exceed £6,000 and is contained within the agreed 2019 / 2020 International Relations budget.
3.7	<u>Equality or Good Relations Implications/Rural Needs Assessment</u> There are no equality or good relations implications/rural needs attached to this report.
4.0	Appendices – Documents Attached
	None



Subject:	Physical Programme Update
Date:	24 th January, 2020
Reporting Officer:	Sinead Grimes, Director of Physical Programmes Ronan Cregan, Deputy Chief Executive
Contact Officer:	Michelle Bagnall, Programme Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of Main Issues
1.1	The Council's Capital programme is a rolling programme of investment which either improves the existing Council facilities or provides new Council facilities. This seek approval to move projects to the next stage of project development process, as provides an update on other projects on the capital programme.
2.0	Recommendations
2.1	The Committee is requested to – Movements under the Capital Programme

	<ul style="list-style-type: none">• <i>Customer Focus Programme – Customer Hub location</i>: agree to add the creation of a new Customer Hub as a Stage 1 Emerging project, under the Capital Programme.• <i>City Hall Statues Project</i> – agree to add the creation of new statues within the grounds of City Hall as a Stage 1 Emerging project, under the Capital Programme. <p>Further consideration and updates</p> <ul style="list-style-type: none">• <i>Lord Mayor’s Car</i> - note the outcome of further consideration of the replacement of the current car with a new hybrid model.• <i>Leisure Transformation Programme</i> - note key visitor and membership figures for Lisnasharragh and Brook now they have been formally opened.									
3.0	Main report									
3.1	<p>Proposed Movements – Capital Programme</p> <p>Members have previously agreed that all capital projects must go through a 3 Stage process where decisions on which projects progress are taken by SP&R. This provides assurance as to the level of financial control and will allow Members to properly consider the opportunity costs of approving one capital project over another capital project. Members are asked to agree to the following additions on the Capital Programme:</p>									
3.2	<table><tr><th>Project</th><th>Overview</th><th>Stage</th></tr><tr><td>City Hall Statues</td><td>New statues within grounds of City Hall arising from the EQIA on Memorabilia within the City Hall</td><td>Add as a Stage 1 – Emerging project</td></tr><tr><td>Customer Focus Programme – Customer Hub location</td><td>Create a new Customer Hub location (Cecil Ward Building) which has emerged as part of the Customer Focus Programme which has already been agreed by Members</td><td>Add as a Stage 1 – Emerging project</td></tr></table> <p>A Strategic Outline Caste (SOC) will now be worked up for both of above mentioned projects, and presented back through internal governance and Committee approval process.</p> <p><i>Fleet Replacement Programme - Replacement of the Lord Mayor’s Car</i></p>	Project	Overview	Stage	City Hall Statues	New statues within grounds of City Hall arising from the EQIA on Memorabilia within the City Hall	Add as a Stage 1 – Emerging project	Customer Focus Programme – Customer Hub location	Create a new Customer Hub location (Cecil Ward Building) which has emerged as part of the Customer Focus Programme which has already been agreed by Members	Add as a Stage 1 – Emerging project
Project	Overview	Stage								
City Hall Statues	New statues within grounds of City Hall arising from the EQIA on Memorabilia within the City Hall	Add as a Stage 1 – Emerging project								
Customer Focus Programme – Customer Hub location	Create a new Customer Hub location (Cecil Ward Building) which has emerged as part of the Customer Focus Programme which has already been agreed by Members	Add as a Stage 1 – Emerging project								
3.3	<p>At SP&R Committee 17th December, members were advised that the current lease for the Lord Mayor’s vehicle was due to expire in February 2020 and that the replacement car - a hybrid model similar to size a model of current vehicle but with a combined 99mpg, and cleaner lower emission CO2 levels – would be sought under a 4 year lease arrangement. Following discussion it was agreed that further options including looking at sponsorship, other forms of transport and a full electric model and would be considered and brought back to Committee.</p>									

3.4	<p>The key issue remains around acquiring a replacement vehicle that achieves value for money, offers reliability and fulfils the function of a civic vehicle for high profile Office (security of both Lord Mayor and Chain; wide ranging travel needs from short to long distance journeys), while balancing sustainable/green priorities for the Council. In looking at the options available the Fleet Unit engaged closely with the Lord Mayor's Unit to ensure that the requirements, duties and obligations of the Office of the Lord Mayor were taken into consideration and Members are asked to note the following -</p> <ol style="list-style-type: none"> 1. The option to acquire a sponsored or subsidised vehicle - this option has been investigated previously which highlighted significant challenges of finding appropriate sponsorship proposition given the neutrality of the Lord Mayor Office and political sensitives 2. The option of non-vehicle means of travel (eg push bike) - the Lord Mayor requires the Lord Mayor's Chain on all public occasions; other means of safely and securely transportation of the Chain to any event will still need to be in place, thereby reducing any green sustainable credentials this option is seen to achieve. Climatic conditions and longer travel distances also make this option prohibitive. 3. The option to purchase or lease a full electric vehicle – the purchase of a full electric vehicle is deemed not to represent value for money given the current high purchase costs of vehicles coupled with the current time and deliverability implications. A exercise was also undertaken in relation to analysing the current mileage of the Lord Mayor's Car and while the usage profile is mainly around the city there is a reasonably regular requirement for longer trips and as such one of the key requirements continues to be for a long wheel based format which will allow for comfort on longer journeys.
3.5	<p>Given the above it is considered that the lease option of a similar, replacement model – with improved fuel efficiency and cleaner lower emissions of a hybrid vehicle – remains at present, the preferred option. This will provide continuity in terms of the standard of vehicle required balancing the requirements of duties of the Lord Mayor Office while reflecting a change and recognition of more sustainable approach to travel. In addition, in the event of any problems with the vehicle, the reliability and quality of the after care service provided by the service provider is particularly important, an issue that has also been taken into consideration.</p> <p>Members will however be aware that technological advancements are taking place quickly particularly in the car industry and that while the capital implications of a full electric vehicle are currently high that it is likely that these will reduce over the coming period of time. Members will</p>

	<p>also be aware that the Council is looking at options for the electrification of its wider fleet. Given this we have committed to looking breaks in the lease arrangements, to allow for arrangements for an all-electric vehicle, should the capital / costs implications become more favourable. In addition and in the interim, steps will be taken to look at the installation of a charging point within the grounds of the City Hall.</p>
3.6	<p><i>Leisure Transformation Programme – Lisnasharragh and Brook brief update</i></p> <p>Lisnasharragh and Brook Leisure Centres were formally opened by the Lord Mayor on 8th and 17th January respectively, with these new facilities being met with a very positive response from GLL, key stakeholders and users.</p> <p>In the first six weeks of operation both centres have seen unprecedented user numbers. To date the Lisnasharragh has had over 18,000 people through the doors and over 1,800 individuals have taken out new memberships. This membership figure, combined with the 1,000 members that transferred from Avoniel, means Lisnasharragh’s current membership of 2,800 already represents the largest membership of any centre across the city. In the same period Brook has had over 3,000 people use the facility, and over 1,000 pre-paid memberships have now been sold, greatly exceeding pre-opening targets.</p>
3.7	<p>Employment- The creation of the three new leisure facilities will create up to 75 new permanent jobs and up to 100 casual positions for the city. To date GLL have recruited 64 permanent posts and 27 casual roles for Lisnasharragh and Brook. Three Leisure Academies have now been delivered in life-guarding and fitness training, and of the 28 individuals completing the accredited training 26 have accepted positions with GLL (93%).</p> <p>In addition, the recruitment campaign for Andersonstown was launched in December at the Leisure Academy Graduation Event. To date all the management posts have been filled and the process for recruiting the remaining staff is currently underway, with:</p> <ul style="list-style-type: none"> - A further three Leisure Employment Academies being delivered between January and March; - Recruitment team and Service Managers for Andersonstown attending Andersonstown Jobs and Benefits Office on Tuesday 21st January to signpost re jobs and Academies. - 4 employment roadshows being held at various venues across the city during January.
3.8	<p><u>Financial & Resource Implications</u></p> <p><i>Financial –</i></p> <ul style="list-style-type: none"> • City Hall Statues and Customer Focus Hub – costs to be worked up • Fleet Replacement Programme – Lease of the Lord Mayor’s Car – these costs are covered under the Fleet Replacement Programme

	<i>Resources</i> – Officer time as required.
3.9	<u>Equality or Good Relations Implications/ Rural Needs Assessment</u> All capital projects are screened as part of the stage approval process.
4.0	Appendices – Documents Attached
	None

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Subject:	I. Ormeau Golf Club – Lease Renewal II. Ballymacarrett Walkway III. The Entries – Environmental Improvement Project
Date:	24 January 2020
Reporting Officer:	Sinead Grimes, Director of Physical Programmes
Contact Officer:	Pamela Davison, Estates Team Leader

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

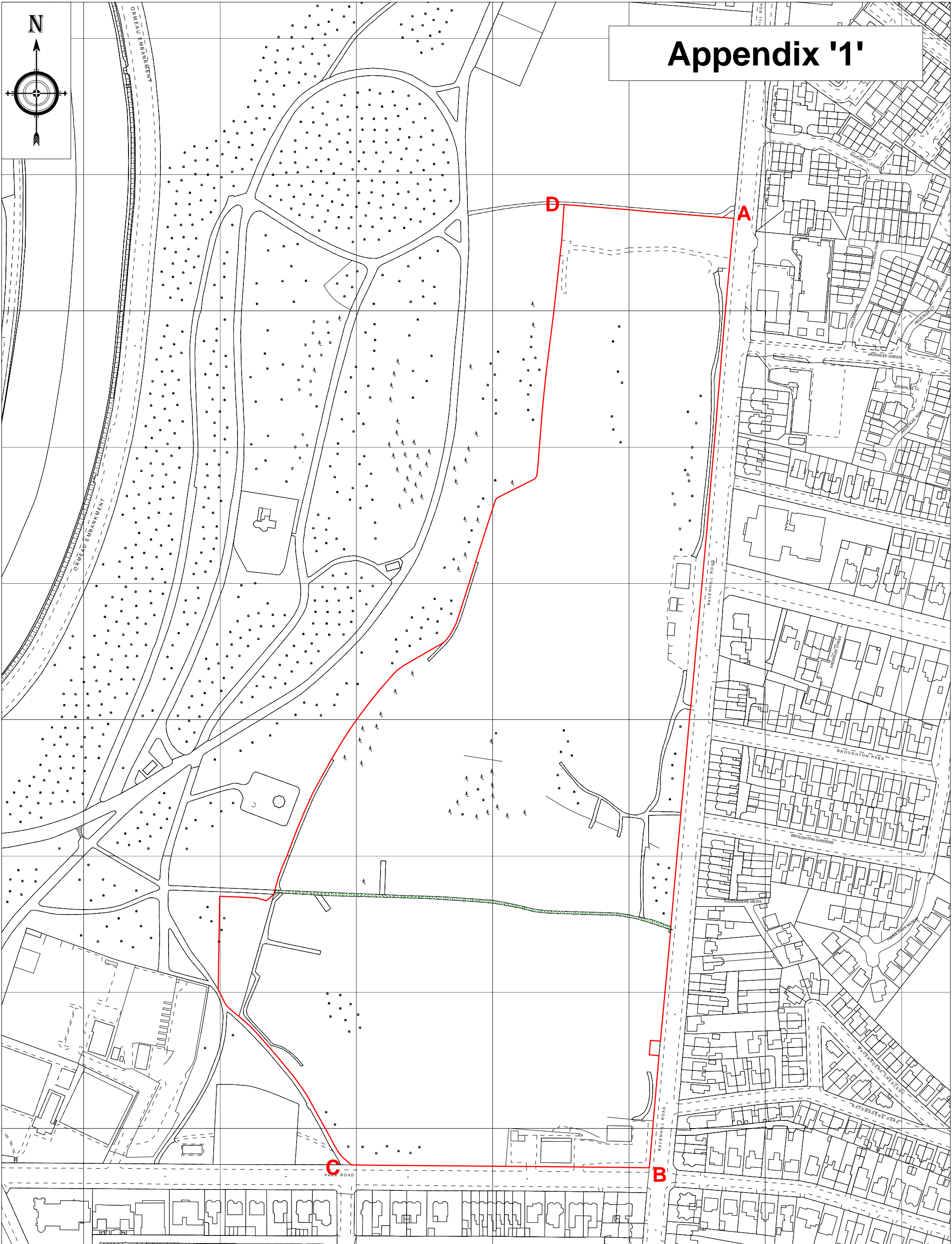
Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	The purpose of this report is to seek approval from Members to asset related disposal, acquisition and estates matters.
2.0	Recommendations
2.1	Members are asked to approve - I. Ormeau Golf Club, Ormeau Park, Park Road – Lease Renewal – the renewal of the lease of c. 137 acres of land at Park Road to the Trustees of Ormeau Golf Club for a term of 25 years from 1 July 2020 at a rent of £14,500 per annum with rent reviews every 5 years

	<p>II. Ballymacarrett Walkway</p> <ul style="list-style-type: none"> – the acquisition for a nominal sum and to enter into licence agreements to carry out works on following strips of land which are currently owned by Connswater Homes Ltd to facilitate the Ballymacarrett Walkway project on terms to be agreed by the Estates Unit and Legal Services; <ul style="list-style-type: none"> – Land to the rear of 11-29 Severn Street (shown in yellow on Appendix 2) – Land to the rear of 37-65 Severn Street (shown in red on Appendix 2) – Land to the rear of 67-89 Severn Street (shown in green on Appendix 2) – approve the completion of a Deed of Dedication to Urban Villages in respect of the works to be carried out as part of the Ballymacarrett Walkway project. <p>III. The Entries – Environmental Improvement Project</p> <ul style="list-style-type: none"> – agreements to be entered into between the Council and property owners within the Entries Environmental Improvement project area in the city centre for the purpose of erecting lighting, artwork and painting walls with terms to be agreed by the Estates Unit and Legal Services.
3.0	Main report
3.1	<p>I. Ormeau Golf Club, Park Road – Lease Renewal</p> <p><u>Key Issues</u></p> <p>Trustees of Ormeau Golf Club currently lease the land shown outlined red on the plan attached at Appendix 1 by way of a Lease dated 8 August 1990 for a term of 30 years from 1 July 1990. The current lease is due to expire on 1 July 2020 with the current rental being £14,500 per annum as agreed 1 July 2018. The current lease provides the Trustees of Ormeau Golf Club with the option to renew the lease for a further term of 25 years. Following a meeting with the Treasurer and the Hon Secretary of Ormeau Golf Club it is proposed to renew the lease on the following terms:</p> <ul style="list-style-type: none"> • Term - 25 years from 1 July 2020 • Rent - £14,500 per annum • Rent Review - every 5 years. • Option to renew – Trustees of Ormeau Golf Club to have the option to renew the lease for a further 25 years from 1 July 2045. • Other terms to be as per the current lease <p><u>Financial & Resource Implications</u></p> <p>Rent proposed to continue at the current level of £14,500 per annum as agreed by LPS in July 2018.</p>

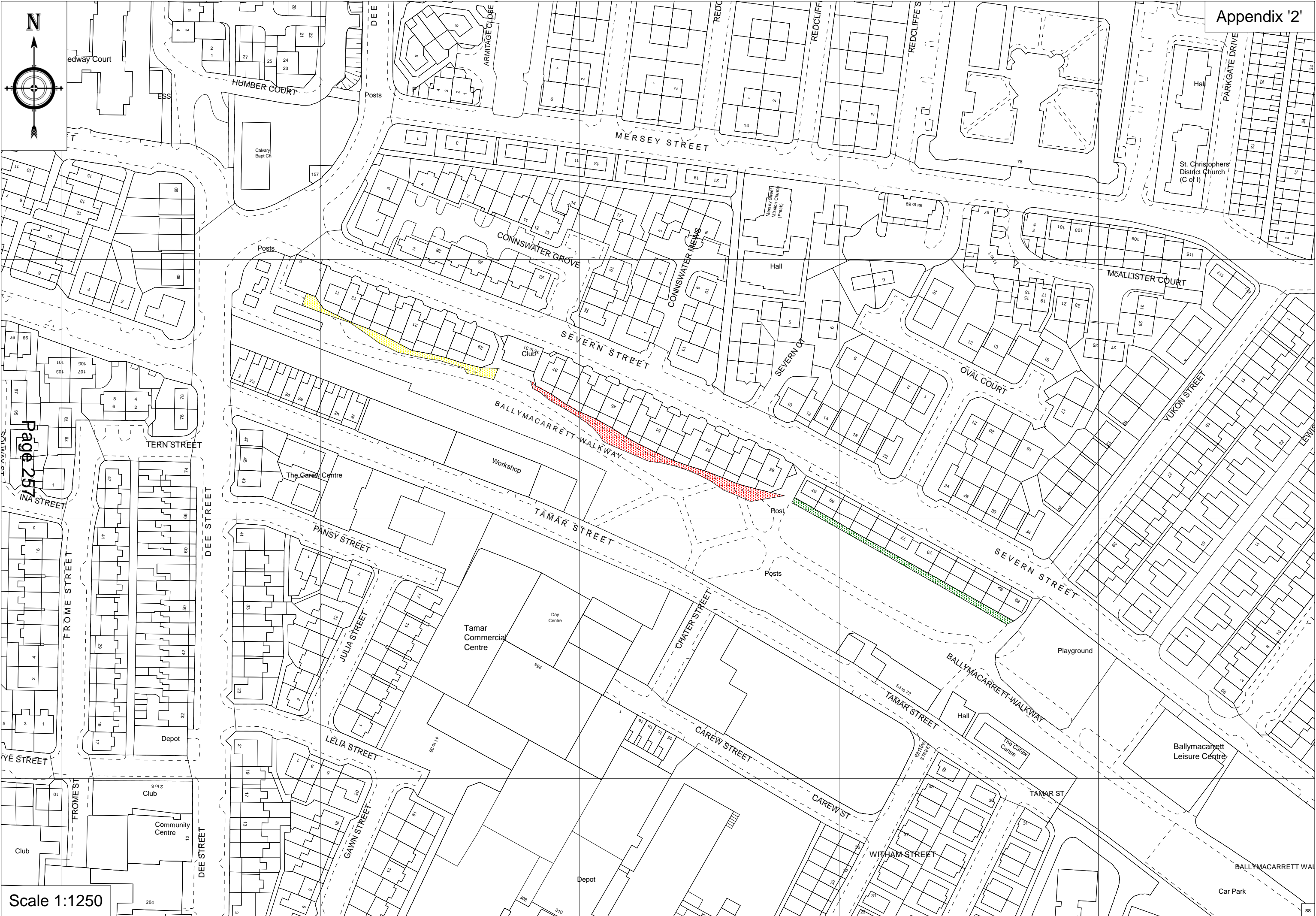
	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None</p>
3.2	<p>II. Ballymacarrett Walkway</p> <p><u>Key Issues</u></p> <p>Officers have been working in partnership with Urban Villages to carry out extensive works at Ballymacarrett Walkway located between Dee Street and Connswater Street/ Severn Street, as part of the Urban Villages Programme. These works will include new pathways, landscaping, lighting and park furniture. Three strips of land which are currently owned by Connswater Homes Limited are required for the Ballymacarrett Walkway works -</p> <ul style="list-style-type: none"> – Land to the rear of 11-29 Severn Street (shown in yellow on Appendix 2) – Land to the rear of 37-65 Severn Street (shown in red on Appendix 2) – Land to the rear of 67-89 Severn Street (shown in green on Appendix 2) <p>The Council will therefore need to acquire these lands for a nominal sum and enter into a licence agreement to enable the works to be carried out. The Letter of Offer from Urban Villages in respect to the works at Ballymacarrett Walkway will require the Council to enter into a Deed of Dedication to use the land for the project for 25 years.</p> <p><u>Financial & Resource Implications</u></p> <p>Resources from the Estates Unit and Legal Services will be required to complete the acquisition, licence and Deed of Dedication.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None</p>
3.3	<p>III. The Entries – Environmental Improvement Project</p> <p><u>Key Issues</u></p> <p>The SP&R Committee, at its meeting on 22nd February 2019, approved the Entries Environmental Improvement Project as a key strand within Phase 2 of the City Revitalisation Programme. The improvement works aim to enhance permeability through creative place-making and create vibrant spaces that are safe, welcoming and imaginative. The Entries included within the project are Castle Arcade, Winecellar Entry, Crown Entry, Wilson’s Court, Joy’s Entry, Pottinger’s Entry and Cole’s Alley (see Site Map attached in Appendix 3).</p> <p>Design development is well advanced with plans being developed for surface repairs, painting, enhanced lighting, de-cluttering, and wayfinding features. Procurement is underway</p>

	<p>to appoint the main contractors but in advance of works commencing the Council must enter into legal agreements with property owners to undertake the works. These legal agreements will permit the Council to install and maintain lighting and artwork and carry out painting work on private property. The terms of the agreements are yet to be agreed with the property owners. Approval from Committee is sought to delegate authority to the Estates Management Unit and Legal Services to agree the terms of the legal agreements with the property owners.</p> <p><u>Financial & Resource Implications</u></p> <p>Any financial implications will be covered from within approved City Regeneration and Development project budgets (approved by SP&R Committee on 22nd February 2019).</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None</p>
4.0	Appendices – Documents Attached
	<p><i>Appendix 1 – Ormeau Golf Club</i> - Lease Map showing the c. 137 acres of land at Park Road to be leased to Ormeau Golf Club outlined in red. Pedestrian Public Right of Way shown on the pathway shown coloured green.</p> <p><i>Appendix 2 – Ballymacarrett Walkway</i> - Site Map showing</p> <ul style="list-style-type: none"> - Land to the rear of 11-29 Severn Street coloured in yellow - Land to the rear of 37-65 Severn Street coloured in red - Land to the rear of 67-89 Severn Street coloured in green <p><i>Appendix 3 – The Entries</i> - Site Map showing extent of the Entries Environmental Improvement Project.</p>



Appendix '1'

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Subject:	Contracts Update
Date:	24th January 2020
Reporting Officer:	Ronan Cregan, Deputy Chief Executive and Director of Finance and Resources
Contact Officer:	Noleen Bohill, Head of Commercial and Procurement Services

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	<p>The purpose of this report is to:</p> <ul style="list-style-type: none"> • seek approval from members for tenders and STAs over £30,000 • seek approval from members for expenditure related to specific exclusions for service contracts set out in the Public Contract Regulations 2015¹ "PCRs" to cover financial year 20/21
2.0	Recommendations
2.1	<p>The Committee is asked to:</p> <ul style="list-style-type: none"> • Approve the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 (Table 1). • Approve the award of STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (Table 2).

¹ Public Contract Regulations 2015; 10 Specific Exclusions for Service Contracts

	<ul style="list-style-type: none"> • Approve the estimated expenditure of permitted excluded contracts as detailed in Financial Regulations K11 Appendix 1 (Table 3)
3.0	Main report
3.1	<p><u>Publically Advertised Tenders</u></p> <p>Section 2.5 of the Scheme of Delegation states Chief Officers have delegated authority to authorise a contract for the procurement of goods, services or works over the statutory limit of £30,000 following a tender exercise where the council has approved the invitation to tender</p> <p>Standing Order 60(a) states any contract that exceeds the statutory amount (currently £30,000) shall be made under the Corporate Seal. Under Standing Order 51(b) the Corporate Seal can only be affixed when there is a resolution of the Council.</p> <p>Standing Order 54 states that every contract shall comply with the relevant requirements of national and European legislation.</p>
3.2	<p><u>Single Tender Actions (STAs)</u></p> <p>The Council's Digital Services team is contracted to provide ICT services to the Northern Ireland Housing Executive (NIHE). These services include the hosting and support of the 'iWorld' Housing Benefit System.</p> <p>Northgate have proprietary rights for the iWorld' Housing Benefit System.</p> <p>The Department for Communities has given approval for the NIHE to proceed with preparations for developing the Discretionary Housing Payments Solution (DHPS) as an option for the continuation of mitigation for housing benefit claimants impacted by Social Sector Size Criteria aka 'bedroom tax' and Benefit Cap for 1 year from 1st April 2020.</p> <p>Should the Assembly decide to drop the DHPS, work will cease on all development works and the Council and NIHE will only be responsible for costs incurred to that date.</p>

3.3	<p><u>PCRs 2015 specific exclusions for service contracts</u></p> <p>Section 10 of the PCRs sets out specific exclusions for service contracts meaning that the types of services listed are excluded from the obligations of the PCRs.</p> <p>Table 3 sets out the suppliers, type of service and estimated expenditure for financial year 20/21 and covers the services as set out section 10(b) of the PCRs which excludes:</p> <p><i>(i)the acquisition, development, production or co-production of programme material intended for audiovisual media services or radio media services, that are awarded by audiovisual or radio media service providers, or (ii)broadcasting time or programme provision that are awarded to audiovisual or radio media service providers;</i></p> <p><u>Financial & Resource Implications</u></p>
3.4	<p>The financial resources for these contracts are within approved corporate or departmental budgets</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p>
3.5	None
4.0	Appendices – Documents Attached
	<p>Appendix 1</p> <p>Table 1 Publically Advertised Tenders</p> <p>Table 2 Single Tender Actions (STA)</p> <p>Table 3 Excluded Service Contracts</p>

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Table 1 – Publically Advertised Tenders

Title of Tender	Senior Responsible Officer	Proposed contract duration
(T2008) Provision of Office Supplies	Ronan Cregan	Up to 4 years
(T2045) Market Research Framework	John Walsh	Up to 4 years
(T2046) Brand Services Framework	John Walsh	Up to 4 years
(T2043) Provision of Specialist Property & Financial Advice	Alistair Reid	Up to 1 year
(T2050) Removal Storage and Retrieval of Office Records	John Walsh	Up to 10 years
(T2047) Video Production Framework	John Walsh	Up to 4 years
(T2049) Tender for Supply & Delivery of Tyres & Tubes	Nigel Grimshaw	Up to 5 years
(T2048) Tender for Hire of vehicles up to and over 7.5T & Glass Collection vehicles	Nigel Grimshaw	Up to 5 years
(T2037) Tender for the Collection & Recovery of Vehicles & Plant	Nigel Grimshaw	Up to 5 years
(T1978) Tender for the Supply & Delivery of Mechanical Sweeper Brushes	Nigel Grimshaw	Up to 5 years
(T2044) Tender for ambient air quality assessment within the Council boundary for PM2.5 and NO2 ambient pollutants.	Nigel Grimshaw	Up to 2 years
(T2041) Tender for the provision of temporary agency workers	John Tully	Up to 4 years

Table 2 - Direct Award Contracts (Single Tender Action)

Title of tender	Supplier	Annual estimate
Development of the DHPS as an option for the continuation of mitigations for Housing Benefit claimants impacted by SSSC and Benefit Cap.	Northgate	£97,750 (£77,750 implementation and £20,000 licences).

Table 3 – Excluded Service Contracts

Supplier *	Type of Service	Estimated expenditure FY 20/21
Sound House	Production of radio commercials	Circa £11k

Appendix 1

Belfast Telegraph	Online advertisements	Circa £15k
Daily Mirror/ Belfast Live	Online advertisements	Circa £15k
ITV	Video on demand	Circa £3k
Cool FM	Radio commercials	Circa £66k
Northern Media Group	Radio commercials	Circa £47k
U105	Radio commercials	Circa £46k

* Supplier used may change depending on availability and business need.



Subject:	Minutes of Shared City Partnership Meeting on 13 th January 2020
Date:	24 th January 2020
Reporting Officer:	Nigel Grimshaw, Strategic Director of City & Neighbourhood Services
Contact Officer:	Nicola Lane, Good Relations Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	The purpose of this report is to report to committee on the key issues discussed at the Shared City Partnership meeting held on 13 th January 2020.
2.0	Recommendations
2.1	That the Strategic Policy & Resources Committee approve the minutes and the recommendations from the Shared City Partnership Meeting held on 13 th January 2020
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>The Shared City Partnership is a Working Group of the Strategic Policy and Resources Committee which consists of Elected members and representatives from various sectors across the city. The minutes from the Partnership are brought before the Committee for approval on a monthly basis.</p>

3.2	<p>The key issues on the agenda at the January meeting were:</p> <ul style="list-style-type: none"> • PEACE IV <ul style="list-style-type: none"> ➤ Update on PEACE IV Secretariat ➤ Update on PEACE IV CYP ➤ Update on PEACE IV SSS ➤ Update on PEACE IV BPR • Update on PEACE PLUS • Update on Good Relations Audit 7 District Council Good Relations Action Plan 20/21 • Forthcoming Events
3.3	<p>More details regarding the above issues and recommendations are included in the minutes of the meeting attached in appendix 1.</p>
3.4	<p><u>Financial & Resource Implications</u></p> <p>All financial implications are covered through existing budgets</p>
3.5	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>The recommendations of the Partnership promote the work of the Council in promoting good relations and will enhance equality and good relations impacts.</p>
4.0	<p>Appendices – Documents Attached</p>
	<p>Appendix 1 - Copy of the minutes of the Shared City Partnership of 13th January 2020.</p>

SHARED CITY PARTNERSHIP

MONDAY 13th JANUARY, 2020

MEETING OF SHARED CITY PARTNERSHIP

Members present: Councillor Smyth (Deputy Chairperson);
Alderman Rodgers; and Councillors M. Kelly and
Magennis.

External Members: Mrs. B. Arthurs, Community and Voluntary Sector;
Mrs. O. Barron, Belfast Health and Social Care Trust;
Mr. J. Currie, Community and Voluntary Sector;
Mrs. J. Hawthorne, Northern Ireland Housing Executive; and
Superintendent K. McMillan, Police Service of Northern
Ireland.

In attendance: Ms. N. Lane, Good Relations Manager;
Mrs. M. Higgins, Senior Good Relations Officer;
Ms. D. McKinney, Programme Manager, Peace IV; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported on behalf of the Chairperson, Councillor Kyle, and from Mr. S. Dallas, Mr. J. Donnelly, Ms. G. Duggan, Ms. H. McClay, Mr. S. Hamilton, M. Y. Hanore, Ms. J. Irwin, Mr. A. Cole, Mr. M. O'Donnell and Ms. A. M. White.

Minutes

The minutes of the meeting of 2nd December were taken as read and signed as correct.

Declarations of Interest

Ms. B. Arthurs and Mr. J. Currie declared an interest in item 3d, namely Building Positive Relations, in that they worked on projects under the BPR theme of Peace IV. They did not take part in any decision making in relation to the item.

Presentations

Peace IV - Building Positive Relations 4 – Belfast and the World – Corrymeela

The Deputy Chairperson welcomed Mr. S. Pettis and Mr. H. Abernethy from Corrymeela to the meeting.

Together they provided the Partnership with an overview of their Programme “Belfast and the World, 1918 – 1921: Marking the Decade of Centenaries” which was operating until 2021. They explained that it was a community led programme and that their aim was to engage with 200 people for over 33 hours. In terms of the progress made so far, they explained that 66 people had already completed the compulsory hours.

They explained that the programme sought to promote greater understanding amongst participants, encourage critical thinking in terms of controversial issues, making

connections on a cross community basis and encouraging participants to visit other parts of the City.

The Members were advised that the participants had come from across the City but that the majority were from North and West Belfast.

During discussion, it was clarified that the groups were required to be cross community in nature, as it had been stipulated by SEUPB.

In response to Members' questions, they encouraged the Members to speak to them about the possibility of interested cross-community groups from the East and the Collin areas of the City to participate.

The Deputy Chairperson thanked them for their presentation and they retired from the meeting.

Peace IV - Children and Young People 3 – On the Right Track – Personal Change - Extern

The Deputy Chairperson welcomed Ms. C. Clifford, Extern, to the meeting.

Ms. Clifford provided the Partnership with an overview of the "On the Right Track" Personal Change Programme which Extern ran. She explained that it was a three year programme which sought to engage 13 – 16 year olds who had been engaged with sectarian/interface issues and providing them with support in changing their behaviour. The Members were advised that the programme focused on one-to-one mentoring, non-traditional sports, the development of interpersonal skills and attitudes, residentials and group visits.

She explained that the programme aimed to improve self-awareness, understanding and tolerance of the participants by changing negative behaviour and encouragement to build positive relationships with those from a difference community background.

She explained that Extern had found some challenges initially from the agencies in referring people to the programme. However, she explained that it had been able to source its own referrals. The Members were also advised that the programme had been delayed in starting which had meant that they had to deliver it within seven months. However, they had taken account of the lessons learnt and applied this proactively in their second stage of recruitment.

After discussion, the Deputy Chairperson thanked Ms. Clifford for her presentation and she retired from the meeting.

Update on PEACE IV

PEACE IV Secretariat

The Programme Manager provided the Partnership with the progress which had been made in respect of the PEACE IV Local Action Plan.

The Partnership was provided with the PEACE IV Programme Dashboard which illustrated project implementation to date. She explained that further information would be presented to members in February 2020.

She explained that the underspend proposals for the SSS and the BPR themes had been submitted to SEUPB for its consideration. The Members were advised that

preliminary points of clarification had been discussed and were to be submitted to SEUPB in advance of its Steering Committee in January 2020.

The Partnership noted that Claims, Monitoring & Verification, totalling £396,864.18, and monitoring reports for Period 20 (August – October 2019) had been submitted to SEUPB for reimbursement. She advised that the breakdown of spend per theme was as follows: Children and Young People (CYP) (including NIHE) £142,180.30; Building Positive Relations (BPR) £174,352.15; and Shared Spaces and Services (SSS) £ 69,756.12.

The Members were advised that all expenditure submitted to SEUPB for all 3 themes, up to and including claim period 19 (May – July 2019), had been fully reimbursed with a total value of £1,279,062.97.

The Partnership also noted that it was anticipated that a PEACE IV Programme Support Assistant would take up post at the end of January 2020.

The Partnership recommended that the Strategic Policy and Resources Committee would note the contents of the report.

PEACE IV Children and Young People (CYP)

The Partnership considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

To provide the Shared City Partnership (SCP) with a progress report in respect of the Children and Young People's (CYP) theme of the PEACE IV Local Action Plan.

2.0 Recommendations

The Partnership is requested to recommend to the Strategic Policy & Resources Committee that they note the contents of the report and agree to:

1. The next steps in relation to CYP1 Tech Connect; and
2. Delegate authority to the Strategic Director of City and Neighbourhood Services to approve the re-scope the CYP1 Tech Connects, in consultation with the Chairperson and the Deputy Chairperson of the Partnership and the Special European Union Programmes Body

3.0 Main report

Key Issues

- 3.1 Implementation of projects within the Children and Young People theme is continuing and the new CYP Thematic Manager, took up her post in early December 2019.

3.2 CYP 1 – Tech Connects

As previously advised, there have been a number of issues affecting delivery of this project.

Following agreement by SEUPB of the revised contact hours, a request for an updated budget breakdown to justify the 10% increase was made to the delivery agent. As part of this process, the delivery agent reconsidered their position and advised they are no longer able to continue with the contracted delivery of Tech Connects. This is due to

- (i) budgetary constraints, as with the 10% uplift in budget, there is a £24K shortfall
- (ii) the time lapse since the proposed changes has resulted in resources being allocated to other programmes
- (iii) staff recruitment has been challenging

3.3 All options to keep the project on track and the delivery agent on board have now been exhausted and therefore, the proposed next steps are to

- (i) terminate the contract with the current delivery agent in a satisfactory manner for all parties involved
- (ii) liaise with SEUPB to re-scope and reshape the project, retaining the original context of the project
- (iii) initiate procurement approvals and processes
- (iv) commence pre market engagement regarding this opportunity

3.4 The withdrawal of the delivery partner at this stage is disappointing as it presents a high risk to Council regarding the non achievement of targets. This may ultimately result in the de-commitment of funding by SEUPB. In addition, assets purchased for the delivery of this project will have to be returned to Council, although it is hoped these assets can be utilised in the re-scoped project.

The challenging targets associated with this project, (1,152 participants) have been continually highlighted to SEUPB since December 2017. However measures to reduce the targets have not been permitted to date. The delivery agent has reported achievement of 256 participants, which leaves a balance of 896 participants to be achieved by December 2021.

3.5 In re-scoping the project it is proposed the following key factors are considered and included:

- reduction in the duration and
- reduced contact hours of the project,
- potential of breaking project into 3 distinct lots for different project elements
- increased budget (utilising some of the CYP1 equipment budget and CYP underspend monies)

In addition, a reduction in targets will also be explored with SEUPB.

Pre market engagement with other potential delivery agents is scheduled for early January and will help shape the re-scoped project.

- 3.6 The proposed timeframe for the re-scoping of the CYP1 TechConnects project is as follows:

Re-scoped Project agreed and approved - end January 2020
Invitation to Tender advertised - February 2020
Award of contract - end of March 2020
Start of contract / participation - April 2020

- 3.7 To accelerate these steps and progress future delivery of the project, it is requested that members agree to the steps outlined above and provide

- delegated authority to the Strategic Director of City and Neighbourhood Services to re-scope the project, in consultation with the Chairperson and the Deputy Chairperson of the Partnership and the Special European Union Programmes Body.

- 3.8 CYP 5 – NIHE Local Area Network Partner Delivery

A revised implementation plan outlining increased delivery has been submitted and is being closely monitored. New project staff are to commence in February 2020.

- 3.9 CYP 2, 3 and 4

CYP2 Playing our Part, CYP3 – On the Right Track – Sports and Personal Change elements and CYP4 are proceeding as previously reported, with no current issues.

As a reminder to members, all delivery agents are reimbursed on the achievement of targets and where appropriate, addendums to contracts and payment schedules reflecting any revisions to implementation plans as agreed by the SCP will be issued to delivery agents.

- 3.10 Financial and Resource Implications

PEACE IV costs are recoverable from SEUPB, as the funding body, subject to eligibility of expenditure.

All costs submitted for the CYP theme to date, totalling £460,723.43 have been fully reimbursed to Council.

Expenditure for CYP Claim 20 (Aug-Oct 19) totalling £142,180.30 has been submitted and is currently being verified by SEUPB.

- 3.11 Equality or Good Relations Implications/Rural Needs Assessment

The draft plan has been equality screened and discussed at the Equality Consultative Forum on 13 May 2015.”

The Partnership adopted the recommendations.

PEACE IV Shared Spaces and Services (SSS)

The Programme Manager provided the Partnership with an update on the implementation of both the Shared Space and Services (SSS) capital and programming elements, which she explained were continuing on a phased basis. The current focus was on Sections 2 and 3 located at Springfield Dam, Springfield Park, Paisley Park and INI sites.

She explained that the feedback from the Partnership had been discussed with the branding consultants, and that it had been acknowledged and accepted. The Members were advised that a new creative team would be assigned to the project to further develop the branding concept to date, with a view to provision of new brand names.

The Partnership noted the proposed timeframe was as follows:

- Early January 2020 – meetings with local Historical Groups and Heritage officers;
- Early February 2020 – some focus groups with local community representatives/groups to test options;
- Early February 2020 – feedback to BCC Officers; and
- 10 February 2020 – presentation of options to Shared City Partnership

The Programme Manager advised that the contractor for works at Springfield Dam would likely be on site in early February 2020.

She explained that discussions with third party land owners had been largely positive, with issues regarding maintenance and liability to be agreed and finalised. She added that procurement of the main contractor for PEACE IV elements was being progressed.

The Partnership was advised that the Youth Civic Engagement project, having engaged 27 young people on a cross community basis, would be drawing to a close at the end of January. The Programme Manager explained that the challenges and lessons learnt from the pilot project would aid the development of the larger project. She provided the Members with an overview of some programming ideas which had gained some momentum.

The Partnership noted that all costs associated with the theme to date, £409,202.87, had been fully reimbursed, while the total expenditure for SSS Claim period 20, totalling £69,756.12, was currently being verified by SEUPB.

The Partnership recommended that the Strategic Policy and Resources Committee would note the contents of the report.

PEACE IV Building Positive Relations (BPR)

The Partnership considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

To provide the Shared City Partnership (SCP) with a progress report in respect of the Building Positive Relations (BPR) theme of the PEACE IV Local Action Plan.

2.0 Recommendations

The Partnership is requested to recommend to the Strategic Policy & Resources committee to note the contents of the report and agree to

- (i) BPR2 - Extend the Colin / Dumurry cluster to include Suffolk and incorporate thematic groups where appropriate
- (ii) BPR4 – Meet Year 2 (2019) participant shortfall (20 ppl) in Year 3 (2020)
- (iii) BPR5 – LINC – delegate authority for any proposed amendment to the Strategic Director of City and Neighbourhood Services, in consultation with the Chairperson and the Deputy Chairperson of the Partnership and the Special European Union Programmes Body

3.0 Main report

Key Issues

3.1 Implementation of projects within the Building Positive Relations theme is continuing with 4 key projects now mobilised.

3.2 BPR1 – Cross Community Area Networks

An implementation meeting is being arranged to confirm deliverables, timeframes and progress reporting on the project.

3.3 BPR2 – Creative Communities Project

The project has been engaging widely with groups in the target area although securing participation has been gradual. Interest in participating in the project has been expressed by groups in Suffolk and also from groups interested in participating on a thematic, cross community basis.

As such, the SCP is requested to approve extending the cluster Colin / Dunmurry to include Suffolk and also agree that, where appropriate, thematic groups can be established in consultation and agreement with the PEACE IV Secretariat and chair of the BPR Thematic Steering Group.

3.4 BPR3 – Transform for Change Project

The 2019 clusters, comprising of 97 participants, have completed the formal training aspect and are progressing to developing local action plans and joint community projects.

There has been significant interest in participating in the project with 100 Expressions of Interest received for courses in 2020. It is anticipated that 9 courses will be delivered between Jan- May 2020. Securing participation from Council staff, statutory and political sectors is a key focus.

3.5 BPR4 – Belfast and the World (BATW)

As one group delayed participation in the project until January 2020, the project has reported challenges in achieving Year 2 (2019) targets, achieving 30 / 50 participants. As such approval is sought to address the Year 2 participant shortfall in 2020 (Year 3).

Following approval by the SCP in December, recruitment and selection of participants for the EU Study visits has commenced, with 50 EOIs received. Subsequent assessment has taken place with 40 applications issued to eligible participants.

3.6 BPR5 – Supporting Connected Communities - LINCS Projects

The Project Co-Ordinator employed by Alternatives has left the post and the organisation has put interim staffing arrangements in place. The project has submitted an amendment of engagement for the project and further discussions are ongoing with the delivery agent.

In line with the PEACE IV Governance structure, any amendments will be considered by the BPR Thematic Steering Group and the PEACE IV Programme Board. Approval is also required by SEUPB and SCP and to accelerate amendments, it is requested that members provide delegated authority to the Strategic Director of City and Neighbourhood Services to amend the project, in consultation with the Chairperson and the Deputy Chairperson of the Partnership and the Special European Union Programmes Body.

3.7 BPR5 – Traveller and Roma elements of Supporting Connected Communities

As members are aware, rescope proposals, focussing on a direct delivery model by Council, with elements assigned via a Service Level Agreement, are being finalised for submission to SEUPB.

To ensure community involvement and buy in, engagement sessions on the rescope proposals will take place later this month

3.8 Financial and Resource Implications

PEACE IV costs are recoverable from SEUPB, as the funding body, subject to eligibility of expenditure. All costs associated with BPR spend to date, totalling £409,136.67 have been fully reimbursed to Council.

Expenditure for BPR Claim 20 totalling £174,352.15 has been submitted to SEUPB and is currently being verified.

3.9 Equality or Good Relations Implications/Rural Needs Assessment

The draft plan has been equality screened and discussed at the Equality Consultative Forum on 13 May 2015.”

The Partnership adopted the recommendations.

Update on PEACEPLUS

The Partnership considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

To advise the Shared City Partnership (SCP) on the upcoming consultation on the new PEACE Plus programme 2021-2027.

2.0 Recommendations

The Partnership is requested to note the contents of the report.

3.0 Main report

3.1 Stakeholder engagement

SEUPB has commenced formal stakeholder engagement on the new PEACE PLUS programme, with a range of events taking place as detailed in Appendix I.

3.2 The new PEACE PLUS Programme, will cover the 2021-2027 programming period and will include both PEACE and INTERREG activities, with an anticipated value of €553, based on the combined value of the current two programmes (€270 and €283 respectively)

3.3 The Programme will build on the work of the current PEACE and INTERREG Programmes by contributing to social, economic and regional stability in the regions concerned; in particular through actions to promote cohesion between communities.

Project initiatives will need to align with the draft EU policy objectives, as follows:

- 1. A smarter Europe, through innovation, digitisation, economic transformation and support to small a medium size businesses;**
- 2. A greener, carbon free Europe, implementing the Paris Agreement and investing in energy transition, renewables and the fight against climate change;**
- 3. A more connected Europe, with strategic transport and digital networks;**
- 4. A more social Europe, delivering on the European Pillar of Social Rights and supporting quality employment, education, skills, social inclusion and equal access to healthcare;**
- 5. A Europe closer to citizens, by supporting locally-led development strategies and sustainable urban development across the EU.**

- 3.4 It is anticipated that good relations activity will sit within policy objective 4. Relevant information on PEACE PLUS is outlined in Appendix II, Stakeholder Engagement Information
- 3.5 The PEACE Plus programme presents an opportunity for the Council to deliver on some of the high level actions outlined in Council strategies such as

Belfast Agenda	Cultural Strategy
Inclusive Growth	Local Development Plan
Open Spaces Strategy	Good Relations Strategy
Resilience Strategy	Leisure Transformation Programme

- 3.7 In addition, this may be an opportunity to align with and support Council work on the regeneration of neighbourhoods. The focus of any activities incorporated into the PEACE Plus programme must promote community cohesion (on a cross community basis) and should build on the current Peace IV programme.
- 3.8 The Council is hosting an event in conjunction with SEUPB on Wednesday 5 February 2020 in City Hall. Due to high demand two sessions will take place 2-4pm and 6-8pm. Members are encouraged to attend a stakeholder engagement event to find out more about the programme.

Members can also make a formal response to the consultation through the SEUPB survey available at:

www.surveymonkey.co.uk/r/PEACEPLUS

Further information relating to PEACE Plus is available on the SEUPB website at www.seupb.eu/peaceplus

3.9 **Financial and Resource Implications**

All PEACE IV costs are recoverable from SEUPB. Currently there is no cost or resources associated with the development of PEACE Plus.”

The Partnership noted the contents of the report.

Update on Audit and Action Plan 2020/2021 and 2021/2022

The Senior Good Relations Officer advised the Partnership of the timescales for the submission of the 2020/2021 District Council Good Relations Action Plan, by 14th February, 2020, and of the Action Plan Summary for 2021/2022, by 13th March, 2020. She explained that the 2020/2021 Action Plan was to include a section for each funded programme assessing the potential for the project to develop over the next funding cycle.

The Partnership was reminded that that annual action plans were informed by a Good Relations Audit which was carried out every 3 years. The Senior Good Relations Officer explained that, in order to ensure that the Action Plan was based on the most recent audit of good relations need in the city, officers would base the 2020/2021 Action Plan on the emerging audit.

The Partnership was advised that completion of the audit had been affected by delays in meeting all relevant stakeholders and, in order to meet the timescales communicated by The Executive Office (TEO), officers would bring the draft Good Relations Audit and draft 2020/2021 Action Plan to the February meeting of the Shared City Partnership for its consideration.

She highlighted to the Members that initial feedback from the audit had highlighted that the Shared City Partnership could play a greater role in developing strategic responses to Good Relations issues in the city and that an element of the DCGRP should support that work. She suggested that, in order to facilitate input from members, it was suggested that a Workshop for SCP members be held in early February to consider how the DCGRP could support strategic responses to Good Relations issues and to provide an opportunity for SCP Members to input into the Action Plan.

In addition, she advised that the Strategic Director of City and Neighbourhood Services was facilitating a strategic interagency interface workshop in February, including senior officers from DfC, DoJ, DfI, NIHE and TEO. She explained that it aimed to identify shared strategic priorities and key pieces of work which the Council could deliver at interface sites through the DCGRP and other programmes. The Partnership was advised that the detail emerging from that workshop would inform the Action Plan and the Good Relations Strategy.

The Partnership noted that the Plan would be submitted with the caveat that the Council's contribution for both financial years would be subject to the Council's annual budget setting exercise.

The Partnership:

- noted the update which had been provided; and
- agreed to hold a Workshop in early February to consider how the District Council Good Relations Programme could support strategic responses to Good Relations issues and to provide an opportunity for SCP Members to input into the Action Plan.

Forthcoming Events

The Good Relations Manager reminded the Partnership that the Unit delivered a large number of events and outlined the details of the following four events which they were welcome to attend:

- **Visit to the Belfast Jewish Synagogue** – 10am – 12, 23rd January;
- **Holocaust Memorial Day Commemoration, City Hall** – 7.00-9.30pm, 27th January;
- **Visit to Ballynafeigh Orange Hall** – 10am – 12. 13th February; and
- **Event involving Srebrenica representatives** – the morning of Tuesday, 3rd March.

Chairperson

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Subject:	Equality and Diversity: Extending the Sign Language Video Interpreting Service provision
Date:	24 January 2020
Reporting Officer:	John Walsh, City Solicitor / Director of Legal and Civic Services
Contact Officer:	Stella Gilmartin, Equality & Diversity Officer; Michael Johnston, Language Officer

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 ☐

1.0	Purpose of Report or Summary of main Issues
1.1	To provide Members with an update on a pilot for a remote Video Interpreting Service for Sign Language.
2.0	Recommendations
2.1	<p>The Committee is asked to:</p> <ul style="list-style-type: none"> Note the update on the SignVideo pilot and agree to continue to provide the SignVideo service through the Customer Focus Programme
3.0	Main report
3.1	A 12-month pilot using SignVideo, a remote video sign language interpreting service, was launched in May 2019. This service has been available on the Council's website, Cecil Ward Building, Belfast Zoo and Olympia Leisure Centre.

3.2	A request for funding from the Department for Communities was approved in December 2019 for providing the SignVideo service at a further fourteen council sites including Tropical Ravine, the City Hall and twelve leisure centres/community hubs. This funding will be used to purchase 14 iPads valued at £5,600 to support Sign Language users and front-line staff in accessing the SignVideo service.
3.3	Following an evaluation of the usage of the service during this period and the successful application for funding it is recommended that the service is continued and should become part of the Customer Focus Programme from May 2020.
3.4	<p><u>Financial & Resource Implications</u></p> <p>The service is provided on a pay as you go basis whereby a number of minutes is purchased up front per annum. On the basis of the pilot it is proposed that minutes to the value of £1,500 per annum are purchased and this will be funded from existing revenue budgets.</p> <p>There will be staff training required as the implementation expands to include additional sites. Training will be provided by Council staff at no additional cost.</p>
3.5	<p><u>Equality or Good Relations Implications</u></p> <p>The implementation of a Video Relay Service and Video Remote Interpreting Service is an action within the Council's Disability action plan. The service will enhance access to services for sign language users.</p>
4.0	Appendices – Documents Attached
	None



Belfast
City Council

Subject:	Requests for use of the City Hall and the provision of Hospitality
Date:	24 January 2020
Reporting Officer:	John Walsh, City Solicitor / Director of Legal & Civic Services
Contact Officer:	Aisling Milliken, Functions and Exhibition Manager

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

☐
☐
☐
☐

Call-in

Is the decision eligible for Call-in?

Yes ☒ No ☐

1.0	Purpose of Report
1.1	This paper, together with the attached appendix, contains the recommended approach in respect of each of the requests by external organisations for access to the City Hall function rooms received up to 13 January 2020 which appear to the Function Management Unit to comply with the criteria previously established by the Committee and are recommended for approval.
2.0	Recommendations
2.1	<p>The Committee is asked to:</p> <ul style="list-style-type: none"> approve the recommendations made in respect of applications received up to 13 January 2020 as set out in the attached appendix.

3.0	Main report
3.1	<u>Background Information</u>
3.1.1	Members will be aware that the Committee, at its meeting of 6th January 2017, agreed to modify the criteria governing access to the City Hall function rooms for external organisations.
3.1.2	The Committee also agreed to the implementation of room-hire charges for some categories of function, and also revised the approach to the provision of civic hospitality for functions on foot of the agreed efficiency programme. Some further modifications to this approach were agreed at the Committee's meetings of 24 th March 2017, 23 rd June 2017, 23 rd June 2019 and 25 th October 2019.
3.2	<u>Key Issues</u>
3.2.1	The existing revised criteria and scale of charges have been applied to the various requests received and the recommendations herein are offered to the Committee on this basis for approval.
3.2.2	The schedule attached at Appendix 1 covers a number of applications for functions, which are scheduled for 2020 and 2021 and are included in order to permit the organisers to commence their event planning and communications activity as early as possible.
3.2.3	The application of the once-in-three-years rule, which limits the use of the City Hall to once in a three-year period, is recommended for the Belfast Media Group's Best of the West Awards 2020. This rule limits functions which could avail of private sector facilities in the city and pay a full commercial rate. This rule was agreed at the meeting of the Strategic Policy and Resources Committee on 20 March 2015 and ratified by Council on 1 April 2015.
	<u>Financial & Resource Implications</u>
3.3	The implementation of charging for external functions has commenced, in line with the Committee's decisions in the matter.
	<u>Equality and Good Relations / Rural Needs Implications</u>
3.4	There are no direct good relations, equality or rural needs implications arising from this report.
4.0	Appendices – Documents Attached
	Appendix 1 - Schedule of Function requests received up to 13 January 2020.

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JANUARY 2020 CITY HALL FUNCTION APPLICATIONS

NAME OF ORGANISATION	FUNCTION DATE	FUNCTION DESCRIPTION	CRITERIA MET	ROOM CHARGE	HOSPITALITY OFFERED	CIVIC HQ RECOMMEND
2020 EVENTS						
North Belfast Interface Network	13 March 2020	Exploring Cultural Identities Celebration – Event to celebrate the end of cross community training event and present certificates to participants. Numbers attending - 100	C&D	No (Charity)	Yes, Wine reception	Approve No charge Wine Reception
Women's Tec	13 March 2020	2020 Women's Tec Gala Awards - event will be a celebration of education and learning and will recognize student achievement. Numbers attending – 100	C & D	No (Charity)	Yes, Tea, Coffee and Biscuits	Approve No charge Tea and Coffee Reception
Belfast Media Group	28 March 2020	Best of the West Awards 2020 – celebratory event for the services, businesses, products and people based in West Belfast and their contribution to West Belfast and the community. Numbers attending 400	B & C 1 in 3 rule	Yes - £825	No hospitality	Approve, 1 in 3 year basis Room charge No hospitality
Ulster University	10 September 2020	Collaborative European Research Conference Dinner – dinner linked to 3-day conference taking place in Belfast. Numbers attending –150 - 200	A & B	No <i>£300 waived due to links with Visit Belfast</i>	No Hospitality	Approve No charge No hospitality
Northern Ireland Electricity	3 or 10 September 2020	NIE Networks Social Club 50th Anniversary Dinner – celebration dinner to mark 50 th anniversary of the Society. Numbers attending – 100 - 150	C	Yes - £300	Yes, Wine Reception <i>(celebrating significant anniversary)</i>	Approve Room charge Wine Reception

JANUARY 2020 CITY HALL FUNCTION APPLICATIONS

Belfast Bible College	20 November 2020	Post-Graduation Reception – Reception event to make the graduation and achievements of the students at the college. Numbers attending – 250 - 300	C & D	No (Charity)	Yes, Tea, Coffee and Biscuits	Approve No charge, Tea and Coffee Reception
Common Purpose	7 December 2020	Meridian Award Ceremony – final day of the Meridian Programme to review progress made and present awards to participants of the course. Numbers attending – 40	C & D	No (Charity)	Yes – Tea, Coffee and Biscuits	Approve No charge, Tea and Coffee Reception
2021 EVENTS						
British Society of Animal Science	14 April 2021	BSAS Annual Conference Dinner – welcome dinner linked to 3 day conference taking place in Belfast. Numbers attending –175-215	A & B	No <i>£300 waived due to links with Visit Belfast</i>	No Hospitality	Approve No charge No hospitality



Subject:	Request for use of City Hall for Trans Pride NI Festival
Date:	24 January 2020
Reporting Officer:	John Walsh, City Solicitor and Director of Legal and Civic Services
Contact Officer:	Aisling Milliken, Functions and Exhibition Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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1.0	Purpose of Report or Summary of main Issues
1.1	To consider a request from Trans Pride NI for the use of City Hall grounds on 6 June 2020.
2.0	Recommendations
2.1	<p>The Committee is requested to:</p> <ol style="list-style-type: none"> 1. Authorise Trans Pride NI to use City Hall grounds on 6 June 2020 for activities programmed as part of Trans Pride NI Festival. 2. Authorise the festival in line with similar events previously approved by Council.
3.0	Main report
3.1	<p><u>Background Information</u></p> <p>Members will be aware that requests for the use of City Hall are normally dealt with under the authority delegated by the Committee to the Director of Legal and Civic Services using</p>

	criteria agreed for this purpose. Occasionally however, it is necessary to place such requests directly before the Committee, and the request set out below falls into this category.
3.2	The organisers are Trans Pride NI, a charity organisation which campaigns for Gender Equality in Northern Ireland, for transgender, intersex, non-binary, gender questioning and all other people.
3.3	<p><u>Trans Pride NI aims to:</u></p> <ul style="list-style-type: none"> • Benefit the public by changing attitudes towards all Trans people, including those with disabilities, in Northern Ireland. • Celebrate gender diversity and the achievements of all Trans people, including those with disabilities, in Northern Ireland. • Ensure gender equality for all Trans people, including those with disabilities, in Northern Ireland <p><u>Key Issues</u></p>
3.4	Trans Pride NI wish to hold their Trans Pride festival in City Hall grounds on 6 June 2020. The purpose of the festival is to celebrate gender diversity, raise awareness of transgender people and ensure gender equality.
3.5	The festival would be free to all participants and the organisers estimate up to 500 people attending majority LGB and T people, their families and friends and approximately 50% will be disabled.
3.6	The event will take place on the front lawns of City Hall from 3pm to 5pm although access would be required earlier and later in the day for set ups and strip downs. Activities would be concentrated on the front lawns consequently areas such as the Titanic Memorial Garden and Cenotaph would remain open to the public. Access to City Hall building for tours, visitor exhibition, Bobbin, function rooms would not be affected.
3.7	Activities at the festival will include a stage truck and sound system for rally and performers, inflatables, games, face painting, art exhibition and health fair stalls. Final details will be planned and approved by the City Hall Function Management Unit to ensure that the event runs smoothly.

3.8	Trans Pride NI will provide all security, stewarding/marshalling staff, cleaners, first aiders and would comply with the usual conditions including insurance, indemnities for damage and submission of a formal event-management plan for review and approval by the City Hall Function Management Unit.
3.9	<p><u>Financial & Resource Implications</u></p> <p>In terms of the main festival there would be no costs for the council as the organiser will bear any/all costs for stewarding/ equipment etc themselves.</p> <p>The utilities costs on the day are of a very minor nature. There are no concerns from an asset management point of view, although the organizers would be required to provide the usual insurances, indemnities and obligations.</p>
3.10	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>Equality and Diversity and HR have been consulted on this request and they feel this festival would align to the Council's aims to support and engage with LBG&T community and wider equality agenda.</p>
4.0	Appendices – Documents Attached
	Appendix 1 - Link to event and organiser: https://transprideni.com/

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Subject:	Council response to the Liquor Licensing Laws in Northern Ireland Consultation Document
Date:	24 January 2020
Reporting Officer:	John Walsh, City Solicitor / Director of Legal & Civic Services
Contact Officers:	Stephen Hewitt, Building Control Manager Nora Largey, Divisional Solicitor, Regulatory and Planning

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	The purpose of this report is to seek approval from the SP&R Committee to a Council response to the Department for Communities Consultation Document on "Liquor Licensing Laws in Northern Ireland".
2.0	Recommendations
2.1	It is recommended that Members: <ul style="list-style-type: none"> (i) note and review the attached draft response to the Liquor Licensing Laws in Northern Ireland Consultation Document at Appendix 1. (ii) approve the draft council response subject to any amendments.

3.0	Main report
3.1	<p data-bbox="272 253 432 286"><u>Background</u></p> <p data-bbox="272 320 1465 506">The Department for Communities has produced a consultation document entitled “Liquor Licensing Laws in Northern Ireland”. The Department is seeking views on the effectiveness of the <u>current</u> liquor licensing laws rather than putting forward any policy proposals.</p> <p data-bbox="272 539 1453 824">The last general review of Northern Ireland’s liquor licensing laws took place in 2012 resulting in the Licensing and Registration of Clubs (Amendment) Bill 2016. This Bill included measures aimed at contributing towards a reduction in alcohol related harm and making the licensed trade more sustainable and attractive to tourists. The Bill was making its way through the Assembly’s legislative process and when the Assembly collapsed in January 2017, it could no longer be progressed.</p> <p data-bbox="272 857 1461 1142">Given the passage of time since the last review, recent developments in other jurisdictions and growing public interest in licensing issues, the Department believes that it is appropriate to carry out a consultation on the current liquor licensing policy. The aim of the exercise is to determine public opinion on current licensing laws and views on whether changes could be made in future to ensure Northern Ireland has a more flexible and modern licensing framework to respond to changing expectations and lifestyles.</p>
3.2	<p data-bbox="272 1193 619 1227"><u>Draft Corporate Response</u></p> <p data-bbox="272 1261 1458 1447">The consultation document seeks the views of interested parties across a number of general policy positions and principles. The Committee are asked to review the suggested Council response to each of the policy positions contained in the draft response at Appendix 1. A summary of the council response to each of the issues is included below.</p> <p data-bbox="272 1480 571 1514">Categories of licence</p> <p data-bbox="272 1547 1465 1928">The Council agrees that local ‘Micro’ brewery type businesses should be allowed to sell their product directly to the public at markets or other special events. One solution would be to introduce a license to permit the brewery to sell at their own premises and also to sell for consumption off the main premises. Another would be to introduce an exemption scheme whereby such premises could apply for an exemption from the requirement to hold a license (restricted to those businesses which sell a certain amount of alcohol and only operating up to a certain time). A district council should be able to acquire a licence to host events showcasing local product permitting the sale of such product for consumption on or</p>

off the premises. Consideration should also be given to enable specific and streamlined licensing of tourist facilities and artisan markets owned or controlled by district councils.

Permitted hours

The Council believe that flexibility in opening hours is important in promoting tourism and the night time economy and welcomes the ability to apply for additional opening hours. However, the extension of 12 times per year does not go far enough to address the change in current demand and provide an alternative to home drinking and to visitors. This view is shared by the industry who consider that they should be able to have late extensions for the sale of alcohol until 2.00am twice a week. The Council agree that one hour, twice per week would be a moderate increase that would help deliver staggered closing and attract people out of home drinking and into licensed premises. This change could help facilitate a more gradual and steady dispersal of patrons, reducing the impact of 'spilling out' of customers en-masse from licensed premises.

Additional hours – small public houses

The Council agree that the number of occasions that police may authorise late opening hours in small pubs should be increased provided there is consideration given to location, other mixed-use services and infrastructure surrounding the business.

The Council strongly urge that provision is made within legislation that the police must consult with their local council prior to granting such occasional licences to ensure that no problems such as noise and nuisance behaviour have arisen, particularly in residential areas. In addition, a clear definition of what constitutes a small pub is required if the number of occasional licences are to be significantly increased. If not the implications are that some larger pubs will relinquish their article 44 licence, apply for occasional licences and not provide entertainment or substantial refreshment at all.

Easter opening

The Council recognises the significance of the Easter period for many people. However that has to be balanced against those people who would wish to see a relaxation of the restrictive Easter opening hours at a time when they are likely to be off work and wish to socialise during that period. There is frustration in both the tourism and licensing industry that licensed premises are effectively closed during what could be a positive trading period.

In addition to the restricted opening hours, there is no retail activity available on Easter Sunday. The Council is concerned that the combination of these factors leads to tourists either staying away or not enjoying their visit and therefore being unlikely to return or

recommend Belfast as a tourist destination. In light of all those considerations, it is the Council's view that the current hours are too restrictive.

Drinking up time

In 2016 the Council, on balance, welcomed the proposal for drinking up time being extended from 30mins to 1 hour. However there were some concerns that it might encourage binge and excessive drinking, as people will have more time to consume their last drink and may buy more than they would have previously. If successful and implemented responsibly by licensees, the extra 30 mins may facilitate a more gradual and steady dispersal of patrons, therefore reducing the impact of 'spilling out' of customers' en-masse from licensed premises.

Removal of off-sales

It is the Council's view that similar timings and conditions should exist for both the on and off trade for the sale of unopened alcohol to be taken off the premises. The Council would support the prohibition on being able to remove alcohol after 11.30pm as there is a risk that alcohol being purchased after that time could increase the likelihood of alcohol fuelled anti-social behaviour, noisy parties, etc.

Places of public entertainment

At the time liquor licensing legislation was enacted, betting at race tracks was not permitted on a Sunday. The Betting and Gaming (NI) Order 2004 permitted on-course Sunday betting, but with no corresponding changes to liquor licensing law, the sale of alcohol on a Sunday therefore remains illegal under a "Place of public entertainment" race track licence.

Following the conclusion of the 2012 consultation and during the early passage of the Bill, representations were made to amend the law to allow permitted hours on a licensed race track on a Sunday. The Council agrees that this anomaly should be rectified.

Major events

The Council consider that special arrangements or dispensations should be made for special events given their importance to the local economy and tourism. The current licensing laws caused difficulties in delivering the MTV Music awards and when the Council was assisting in preparing the UK and Ireland's bid for the Rugby World Cup. It is essential that the Department takes proactive steps to provide more flexibility for special events now so as to provide more confidence for statutory agencies bidding to bring international events to Northern Ireland.

As Northern Ireland, and in particular Belfast, seeks to establish itself on a global scale, it is important that there is flexibility for international events which are of regional economic significance. The legislation should be worded in such a way as to allow the decision to designate an event as a major event to be taken by either the Chief Constable or senior civil servants. Otherwise the requirement to enact legislation to make the decision may act as a hindrance to securing these events and/or delivering them. In particular, for street based events, special arrangements should provide for the sale and consumption of intoxicating liquor by establishing zones outside licensed premises in which this would be permitted. The same dispensation should apply within areas designated for events associated with festivals/carnivals within town and city centres. This would be subject to appropriate controls including stewarding of the areas in question.

Alignment of entertainment and liquor licences

The 2016 Bill proposed that entertainment cannot be provided any later than the permitted hours for the consumption of alcohol which, on the basis that drinking up time was extended, would be 1am on a Sunday and 2am the rest of the week. Entertainment until 3am would only be permitted 12 nights per year for certain licensees who have applied for a court order to sell intoxicating liquor until 2am.

To support the night-time economy and Belfast as a destination for tourism the Council believes the proposed limitation of 12 nights per year should be amended to permit these liquor licensing arrangements to 2am on two nights per week for certain licensees, subject to strict controls relating to patron dispersal and nuisance. Consideration should be given to giving district councils power to designate areas/zones in which these licences could be granted.

The Council believes the alignment of hours for liquor and entertainment licensing is not required and that flexibility should be permitted in respect of licensees who wish to provide entertainment going beyond the hours for which the sale and consumption of intoxicating liquor is permissible.

The Council remains of the view that district councils should be given powers to deal with both Liquor Licensing and Entertainments Licensing, as they are best placed to administer and issue both types of licence. This would allow alignment of the licences and ensure there is a holistic approach to dealing with issues around how premises are operated.

Children's certificates

The Council supported removal of the requirement to have Children's certificates and the extension of a person under the age of 18 being allowed on the premises to 9.30 pm instead of 9.00 pm as proposed in the 2016 Bill.

Deliveries of alcohol

The Council continues to welcome the 2016 proposals in this regard. The experience of Council officers is that the delivery of alcohol to under 18s through taxis (Dial a Drink) or online via supermarkets is contributing towards anti-social behaviour issues involving minors as these deliveries tend to be consumed 'on street' or in parks.

The Council view is that alcohol should not be delivered to a minor and verification of age should be sought when delivering alcohol – a system of introducing this to supermarket deliveries and also allow controls on other delivery options such as Taxis should be an enforceable offence and may require additional legislative control.

Underage functions

The Council supported the proposed 2016 changes as it will permit hotels and other venues to host events and functions catering for the younger audience, provided there are strict safety controls in place, without fear of breaching their Liquor Licence. The Department may, however, wish to consider introducing a lower age limit for these events.

Family functions

The Council agrees that the current law should be reviewed to facilitate under 18's, when attending family events in licensed premises. However, a family function must be defined in the legislation to avoid any potential ambiguity for enforcing authorities.

Young people in sporting clubs

The Council welcomed proposals in the 2016 Bill that young people be permitted to remain in the bar area of a registered club until 11.00 pm during the summer months or to attend an awards ceremony on one occasion in a calendar year. The Department may wish to consider that competitions and ceremonies are not just confined to the summer months and clubs may have more than one awards night per year.

Restriction on advertising in supermarkets and off-sales

The Council continues to support the 2016 proposal and considers it appropriate that, with the current societal problems with alcohol, advertising and promotions be restricted from view in places and environments where children are likely to be present.

Advertising of functions in clubs

The Council remains supportive of the proposal in the 2016 Bill that a registered club will be allowed to advertise any function outside a club premises where the advertisement clearly states that only members of the club and their guests may attend.

Provision of entertainment in restaurants

There is a need to provide a diverse range of entertainment venues and care should be taken not to affect the current ability for restaurants to provide entertainment as an ancillary means of enhancing their offer.

However, there have been significant problems in the past associated with restaurants operating as a bar and providing entertainment when they only have the benefit of a restaurant licence thereby effectively using the premises as a nightclub. The Council would welcome measures to prevent this occurring. It may be that more detailed conditions could be attached to such licences to prevent this use and introduce a power to immediately suspend a licence for a limited period where these conditions appear to have been persistently breached rather than having to apply for a Court Order. Such an immediate deterrent will be much more effective in ceasing the unauthorised use. As the premises is unlikely to hold valid insurance for the provision of entertainment other than as ancillary to the provision of food, the Council is of the view that such a legislative provision would be appropriate in the interests of public safety.

Self service

The Council agrees that self-service of alcoholic drinks for immediate consumption should be regulated.

Our view is that this type of self-service in a bar or club environment does not encourage patrons to alternate their alcoholic drinks with non-alcoholic drinks and does not promote responsible drinking. Bar staff cannot monitor when individuals have consumed too much alcohol and therefore are not in a position to refuse service.

Codes of practice

The Council agrees that the Department should formally approve a Code of Practice in relation to the display or sale of alcohol, as well as any activities designed to promote the sale of alcohol. Whilst the 2016 Bill requires a court to be satisfied that a licensee is aware of the Code upon the grant, transfer or renewal of a Licence it does not refer to protection orders. Nor did it make it an offence to fail to comply with any such approved Code.

Whilst this is welcomed in principle, the Council remains concerned that the fact it is not an offence to fail to comply with the Code will render it meaningless and that PSNI and others will seek to enforce this Code through the prism of Entertainments Licensing. It is imperative that some statutory force is afforded to such a Code, which should be written by the Department, in conjunction with both PSNI and local councils and in consultation with the relevant trade bodies.

Remote sale of alcohol

The Council agrees that clarity is required. The Council would like to reiterate its previous comments around the delivery of alcohol to young people and the need for the proposed additional safeguards including prohibiting under 18s from receiving any deliveries of alcoholic drinks and requiring proof of age to be shown and recorded upon delivery as proposed in the 2016 Bill.

Loyalty Schemes

The fact is, even among supermarkets, it's not completely clear how effective loyalty cards are. Asda and Waitrose, for instance, manage to attract a loyal following without them. Unless there is clear evidence that changing the law in this regard will have any significant impact on alcohol misuse or alcohol related harm there would seem little need at present to make such a change.

Other aspects of liquor licensing law that should be changed

There are two additional areas which the Council feels should be changed.

Controlling wider patron dispersal – At present there is a significant issue around liquor licencing, the hours of operation and the management of patrons spilling out on the street in the wider university and Lower Ormeau Road area. The problem is exacerbated by fast food outlets staying open until 4 am to accommodate lingering patrons which perpetuates the noise, littering and other anti-social behaviour issues. This is having a significant impact on those local neighbourhoods. The inability to effectively deal with these issues demonstrates, in the Council's view, that current licensing legislation is not fit for purpose. These issues cannot be dealt with through the prism of entertainment licensing as the majority of the issues occur in public rather than on the premises. It is essential that provisions are introduced to allow a wider control of patron dispersal where it is considered necessary to do so.

The Council is of the view that it is important to look for innovative ways to feed community views into the liquor licensing process. This could be, for example, requiring operators to carry out a community impact assessment where their premises have been identified as

	<p>potentially being linked to anti-social behaviour or if their premises is located within a certain area of the city in which such behaviour is considered prevalent. Furthermore, all operators could be required to submit an anti-social behaviour plan which must be approved by PSNI in consultation with local councils. There should be an express legislative requirement that these assessments and plans must assess the cumulative impact of their premises together with other licensed premises within the local area.</p> <p>Irresponsible drinks promotions – Drinks promotions continue to be prevalent at certain times of the year at events such as students' Fresher's, Halloween etc. These promotions have the potential to result in increased antisocial activity in residential areas within the city and impacts on the wider community living within those areas and risk the health and wellbeing of those consuming the alcohol.</p> <p>The introduction of effective management and controls of drinks promotions would be welcomed as part of the review of liquor licensing laws, with the ability to ban in certain areas in which such promotions would be likely to result in anti-social behaviour.</p>
3.3	<p><u>Financial & Resource Implications</u></p> <p>None.</p>
3.4	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None.</p>
4.0	<p>Appendices – Documents Attached</p>
	<p>Appendix 1 – BCC Response to the Liquor Licensing Laws in Northern Ireland Consultation Document</p>

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Liquor Licensing Laws in Northern Ireland Consultation Document

October 2019

Scope of Consultation

TOPIC OF THIS CONSULTATION:

This consultation seeks views on the current liquor licensing laws in Northern Ireland.

SCOPE OF THIS CONSULTATION:

We are keen to hear the views of all parties with an interest in licensing law, so that relevant views and evidence can be taken into account in any future policy decisions.

GEOGRAPHICAL SCOPE:

Licensing laws apply to all of Northern Ireland.

IMPACT ASSESSMENTS:

When taking forward a set of measures; or introducing a new or amended strategy, policy, procedure, or legislation, the Department is required to carry out a screening exercise to determine the impact the proposals may have on Section 75 groups, a Rural Needs Assessment and, where regulation is being proposed, a Regulatory Impact Assessment. The Department is seeking views on the effectiveness of the current licensing laws rather than putting forward policy proposals so has not carried out screening exercises. To feed into any future policy decisions however, it would be useful to receive any relevant evidence that you feel should be considered. This can be provided at the end of the consultation questions.

Basic Information

BODY/BODIES RESPONSIBLE FOR THE CONSULTATION:

This consultation is being undertaken by Social Policy Unit in the Department for Communities.

DURATION:

This consultation will be open for 8 weeks from 14 October 2019 to 6 December 2019.

ENQUIRIES:

For any enquiries about the consultation please email the Department at:

liquorlicensingconsultation@communities-ni.gov.uk

or write to:

Liquor Licensing Consultation,
Department for Communities,
Social Policy Unit, Level 8,
Causeway Exchange
1-7 Bedford Street
Belfast BT2 7EG

Or Telephone: 028 9082 3140

HOW TO RESPOND:

Online: You can respond online by accessing the consultation documents on the 'Citizen Space' web service. The online version can

be accessed at the following link: **https://consultations.nidirect.gov.uk/dfc-analytical-services-unit/261febe1/consult_view**

EMAIL:

You can also add your comments directly onto this document and email your responses to: **liquorlicensingconsultation@communities-ni.gov.uk** or download and post to:

Liquor Licensing Consultation,
Department for Communities,
Social Policy Unit, Level 8,
Causeway Exchange
1-7 Bedford Street
Belfast BT2 7EG

When you reply it would be very useful if you could confirm whether you are replying as an individual or submitting an official response on behalf of an organisation.

If you are replying on behalf of an organisation please include:

- Your name
- Your position (if applicable)
- The name of your organisation
- An address (including postcode)
- An email address

CONSULTATION RESPONSE:

We will consider the responses received and publish an outcome report on the Departmental website.

In line with good practice and sustainable development this document has been published electronically.

ACCESSIBILITY:

A range of alternative formats are available upon request from this Department.

Please email the Department at:

**liquorlicensingconsultation@
communities-ni.gov.uk**

or write to:

Liquor Licensing Consultation,
Department for Communities,
Social Policy Unit, Level 8,
Causeway Exchange
1-7 Bedford Street
Belfast BT2 7EG.

Or Telephone: 028 9082 3140

How we consult

CONSULTATION PRINCIPLES:

This consultation is being conducted in line with the **Fresh Start Agreement – (Appendix F6 – Eight Steps to Good Practice in Public Consultation-Engagement)**. These eight steps give clear guidance to Northern Ireland departments on conducting consultations.

FEEDBACK ON THE CONSULTATION PROCESS:

We value your feedback on how well we consult. If you have any comments about the consultation process (as opposed to comments about the issues which are the subject of the consultation), including if you feel that the consultation does not adhere to the values expressed in the Eight Steps

to Good Practice in Public Consultation Engagement or that the process could be improved, please address them to:

Liquor Licensing Consultation,
Department for Communities,
Social Policy Unit, Level 8,
Causeway Exchange,
1–7 Bedford Street,
Belfast BT2 7EG

Email: liquorlicensingconsultation@communities-ni.gov.uk

Privacy, Confidentiality and Access to Consultation Responses

For this consultation, we may publish all responses 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 may be published. We will remove names, email addresses and telephone numbers from these responses; but apart from this, we will publish them in full. For more information about what we do with personal data please see our consultation privacy notice.

Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR); however all disclosures will be in line

with the requirements of the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR) (EU) 2016/679.

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.

DfC is the data controller in respect of any personal data that you provide, and DfC's privacy notice, which gives details of your rights in respect of the handling of your personal data, can be found at:
www.communities-ni.gov.uk/dfc-privacy-notice

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Liquor Licensing Laws in Northern Ireland

Restrictions on the sale of alcoholic drinks in Ireland were first introduced in 1634. Further restrictions were added for centuries until the new Northern Ireland Parliament, created in 1920, enacted the Intoxicating Liquor Act (Northern Ireland) 1923. The following decades saw many more amendments to this legislation with the current licensing laws (the Licensing (Northern Ireland) Order 1996) coming into force in February 1997.

The aim of licensing law is to try and strike a balance between the controls which are necessary for the protection of public health and the preservation of public order, the demand for individual freedom of choice and the opportunity for local businesses to continue to provide a high level of service to their customers.

It is estimated that the hospitality industry contributes £1.2 billion to the Northern Ireland economy every year, with the sector sustaining in the region of 60,000 jobs. Northern Ireland's food and drink is among the best in the world, tourists spend over £350 million per year on food and drink alone, and visitors increasingly view these elements as central to their experience.

There are dangers however associated with the consumption of alcohol and there is a significant burden to society, not only financial, of its misuse. In Northern Ireland, 303 deaths due to alcohol were recorded in 2017 (increased from 238 in 2007). There has also been a 15% increase in hospital admissions where conditions wholly related to alcohol have been recorded from 12,164 in 2009/10 to 14,032 in 2017/18. 43.3% of the public are concerned about alcohol related issues in their local area. This, along with the impact that alcohol misuse has on individuals, families and communities in Northern Ireland means alcohol misuse continues to be recognised as a significant public health, community safety, and social issue.

The last general review of Northern Ireland's liquor licensing laws took place in 2012 resulting in the Licensing and Registration of Clubs (Amendment) Bill 2016. This Bill included measures aimed at contributing towards a reduction in alcohol related harm and making the licensed trade more sustainable and attractive to tourists. The Bill was making its way through the Assembly's legislative process and when the Assembly collapsed in January 2017, it could no longer be progressed.

Given the passage of time since the last review, recent developments in other jurisdictions and growing public interest in licensing issues, the Department believes that it is appropriate to carry out a consultation on current liquor licensing policy.

The aim of the exercise is to determine public opinion on current licensing laws and views on whether changes could be made in the future

to ensure Northern Ireland has a more flexible and modern licensing framework to respond to changing expectations and lifestyles.

Views are currently being sought on the general principles and it should be noted that any relaxation of licensing law must be balanced with the need for regulation in the public interest.

If you are replying **on behalf of an organisation** please include: • Your name • Your position (if applicable) • The name of your organisation • An address (including postcode) • An email address

Maximum 350 words

Categories of licence

Under current licensing law, liquor licences can be granted to 12 categories of premises:

- Public house
- Off-licence
- Hotel
- Guest house
- Restaurant
- Conference centre
- Higher education institution
- Place of public entertainment
- Refreshment room in public transport premises
- Seamen's canteen
- Indoor arena
- Outdoor stadium

A number of representations have been made to the Department in recent years from local producers of beer, cider and spirits for a change in the law to allow them to sell their products directly to the public. Currently, these producers need to involve a third party to sell their products, which affects profits, or they need to obtain a public house licence which currently holds a value of approximately £95,000.

There has been a significant increase in the number of local producers in the past 15 years, with recent figures suggesting 43 breweries, 7 cideries and 15 distilleries.

Do you think the current 12 categories of licence are adequate? Please explain.

Yes

No

Permitted hours

Under current licensing law, normal opening hours in public houses and other on-sale licensed premises end at 11.00pm on weekdays and 10.00pm on Sundays, with 30 minutes drinking-up time.

Late opening hours are available to public houses, hotels, restaurants and higher education establishments which provide food and/or entertainment to the public. Such premises are allowed to open to 1.00am on weekdays and 12.00 midnight on Sundays, with 30 minutes drinking-up time.

The licensed trade contributes £1.2 billion per year to the Northern Ireland economy and sustains in the region of 60,000 jobs. Concerns have been expressed that current restrictions on opening hours may curtail

efforts to attract tourists and enhance the night time economy.

On the other hand, late opening of licensed premises is sometimes associated with disorder, noise nuisance for residents and can put a strain on police and health service resources.

The 2016 Bill proposed an additional 1 hour (until 2.00am) in certain circumstances, 12 times in a year (not including Christmas Day, Good Friday or Easter Sunday).

Do you think the current permitted hours for licensed premises are appropriate? Please explain.

Yes

No

Additional hours – small public houses

Under current licensing law, smaller public houses, which are not in a position to provide food and/or entertainment, may not be granted late opening hours by the courts. It is possible however for the police to authorise late opening in such premises for a maximum of 20 occasions in a year. This extends the permitted hours to 1.00am on weekdays and 12.00 midnight on Sundays, with 30 minutes drinking-up time.

The 2016 Bill proposed an increase to 85 occasions in a year. This figure was in recognition of an amendment passed in 2012, which increased the number of late openings which could be granted to registered clubs from 52 to 85.

Do you think the current 20 occasions where a small pub can apply for late opening is appropriate? Please explain.

Yes

No

Easter opening

Under current licensing law, permitted hours for on-sales at Easter are:

Thursday – 11.30am to 11.00pm

– late opening to midnight

Good Friday – 5.00pm to 11.00pm

– no late opening

Saturday – 11.30am to 11.00pm

– late opening to midnight

Easter Sunday – 12.30pm to 10.00pm

– no late opening

Permitted hours for off-sales are 8.00am to 11.00pm except for Easter Sunday, when they are not permitted to open at all.

Easter is a period of special significance for many people in Northern Ireland.

Restrictions on the sale of alcoholic drinks on Good Friday date back to 1833, with the current position dating back to 1924.

The representative body for the licensed trade report a loss of between £16 and £20million to the sector over the Easter weekend due to the additional restrictions on opening hours.

The 2016 Bill included a provision to permit late opening on the Thursday before Good Friday (11.00pm to 1.00am the following day).

Do you think the current opening hours for Easter are appropriate? Please explain.

Yes

No

Drinking-up time

Under current licensing law, alcoholic drinks may be consumed for a period of 30 minutes after the end of permitted hours. This is commonly known as “drinking-up time”.

The 2016 Bill proposed the extension of drinking-up time from 30 minutes to 1 hour. The intention was to allow the gradual dispersal of customers, allowing staff more

time to clear larger premises in an orderly fashion, better management of the impact on neighbouring residents and to allow customers to wait inside for taxis or lifts home.

Do you think the current 30 minutes drinking-up time is adequate? Please explain.

Yes

No

Removal of off-sales

Under current licensing law, during late opening hours, public houses can sell alcoholic drinks for consumption on the premises only. Alcoholic drinks for consumption off the premises, which can only be sold during normal hours, can however be removed from the premises as late as 1.30am (at the end of drinking-up time for late opening)

Concerns were raised that some pubs which have late opening hours sell “carry outs” to customers during the period of late opening (11.00pm to 1.00am). The availability of alcoholic drinks at such times may encourage

excessive consumption and street drinking, often resulting in anti-social behaviour.

The 2016 Bill would have prevented the removal of “carry outs” during late opening.

Do you think alcoholic drinks, which are bought before 11.00pm, should be allowed to be removed from the premises between 11.00pm and 1.00am (carryouts bought in a pub but taken home later)? Please explain.

Yes

No

Places of public entertainment

Under current licensing law, a place of public entertainment may be granted a liquor licence. This category includes a theatre, ballroom and a race track licensed under the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

The permitted hours for a place of public entertainment are 11.30am to 11.00pm on weekdays (5.00pm to 11.00pm on Good Friday).

Theatres, in addition, are permitted to open on Sundays and Christmas day between 12.30pm and 10.00pm. These hours are limited however to 30 minutes prior to and 30 minutes following entertainment.

At the time liquor licensing legislation was enacted, betting at race tracks was not

permitted on Sundays. The Betting and Gaming (NI) Order 2004 then permitted on-course Sunday betting, but with no corresponding changes to liquor licensing law, the sale of alcohol on a Sunday remains illegal under a "Place of public entertainment" race track licence. The industry believes this to be an anomaly which should be rectified.

Following the conclusion of the 2012 consultation and during the early passage of the Bill, representations were made to amend the law to allow permitted hours on a licensed race track on a Sunday.

Do you think the current permitted hours for licensed race tracks are appropriate? Please explain.

Yes

No

Major events

Major events are a very important driver in developing Northern Ireland's tourism industry, attracting visitors, spectators and event participants, and often lengthening the time visitors stay. Northern Ireland has successfully hosted major high profile events including the MTV European Music Awards, the Irish Open, Tall Ships, the Clipper Round the World Yacht Race, Giro d'Italia and more recently The 148th Open held in Royal Portrush.

A number of these events have included a food and drink offering and were held on unlicensed premises. The sale of alcoholic drinks on unlicensed premises is only possible using an occasional licence, granted by the courts to the holder of a public house, hotel or restaurant licence. The permitted hours for an occasional licence are 11.30am to 1.00am the next morning on weekdays and 12.30pm to midnight on Sundays (or if Sunday is 31 December, 12.30pm to 1.00am the next day).

The Department is aware that the organisers of a number of prestigious events have found the permitted hours for occasional licences restrictive and report that they have had a negative impact on the success of their event.

Furthermore, alcoholic drinks may not be sold for consumption off the premises under an occasional licence and the Department has been advised that organisers in some instances, wish to sell commemorative bottles for consumption at home.

With a view to assisting The 148th Open, held in Royal Portrush in July 2019, and other prestigious events, the Department launched a public consultation on 22 March 2019 seeking views from the public and stakeholders on whether the Department should be given the power to designate an event as a "special event". In doing so the Department would then have the power to vary permitted hours for sale of alcoholic drinks and allow certain off-sales at the event.

The consultation ran for 6 weeks and generated considerable interest with 239 formal responses. The consultation report was published on 31 May 2019 and it was clear from the responses that a move to amend permitted hours at special events could bring strong economic benefits to Northern Ireland.

**Do you think the current licensing laws
regarding major events are adequate?**

Please explain.

Yes

No

Alignment of entertainment and liquor licences

Under current licensing law, the latest permitted time for the sale of alcoholic drinks is 1.00am on weekdays and 12.00 midnight on Sundays.

Liquor licences are granted by courts while local councils are responsible for granting entertainment licences.

Some councils grant entertainment licences beyond the late opening hours under a liquor licence, meaning entertainment can continue in a licensed premises after the bar must be closed.

Concerns have been raised that this practice has led to illegal sales, which is unfair on premises that obey the law. It also creates difficulties for the PSNI in enforcing liquor licensing law.

The 2016 Bill included a provision that would have prohibited entertainment from continuing after the end of drinking-up time.

Do you think the current practice of entertainment being provided beyond the end of drinking-up time is acceptable? Please explain.

Yes

No

Children's certificates

Under current licensing law, young people under 18 years are not allowed in the bar areas of any licensed premises or registered club at any time unless the premises has been granted a children's certificate.

A children's certificate allows young people to be present in the bar area until 9.00pm, provided certain conditions are met, for example, the young person is in the company of an adult and is seated at a table away from the bar.

The 2016 Bill included a provision to remove the requirement for children's certificates. The same conditions would have applied but the licence holder would not have the expense of applying for a physical certificate.

Do you think the current law regarding children's certificates is adequate?

Please explain.

Yes

No

Deliveries of alcohol

Under current licensing law, details of alcoholic drinks purchased and delivery locations must be entered into a day book held in the licensed premises. The delivery person must hold an invoice with the same details. Under current law a young person under 18 is permitted to accept a delivery made to the residence or working place of the purchaser.

The 2016 Bill proposed additional safeguards including prohibiting under 18s from receiving any deliveries of alcoholic drinks and requiring proof of age to be shown and recorded upon delivery.

Do you think the current safeguards regarding deliveries of alcohol to young people are adequate? Please explain.

Yes

No

Underage functions

Under current licensing law, young people under 18 are not allowed in any part of licensed premises which contains a bar or is used mainly or exclusively for the sale and consumption of alcohol, unless a children's certificate is in force, they are accompanied by an adult and are off the premises by 9.00pm.

A Court of Appeal decision in 2015 upheld a ruling that it was illegal for young people to be in licensed premises beyond 9.00pm. This effectively means that the practice of holding school formals, beyond 9.00pm, in hotels for example contravenes licensing law.

The 2016 Bill included a provision which would have permitted underage functions in licensed premises beyond 9.00pm, provided the bar was closed. Strict conditions would have to be met in order for such a function to take place.

Do you think the current law regarding underage functions is adequate?

Please explain.

Yes

No

Family functions

Under current licensing law, young people under 18 are not allowed in any part of licensed premises which contains a bar or is used mainly or exclusively for the sale and consumption of alcohol, unless a children's certificate is in force, they are accompanied by an adult and are off the premises by 9.00pm.

This allows a young person to be present in the bar area until 9.00pm, provided they are accompanied by an adult and seated away from the bar.

Concerns have been raised around the legality of the current practice of children being present at family functions in licensed premises, for example, a family wedding, wedding anniversary or birthday party, which are often held in hotels and licensed restaurants, beyond 9.00pm.

Do you think the current law regarding young people at family functions is adequate? Please explain.

Yes

No

Young people in sporting clubs

Under current licensing law, young people under 18 years are allowed to be in the bar area of a sporting club until 10.00pm.

Sporting clubs make a valuable contribution to society and provide opportunities for young people to learn new skills, discipline and lead healthy lives.

Many sporting clubs hold awards ceremonies, usually in the evening, celebrating the accomplishments of club members, and often include presentations to young people.

During the summer months, sporting activities often extend into the evening and

sporting bodies and clubs have asked for an extension to the time young people can remain in a sporting club.

The 2016 Bill contained a provision to allow 1 bona fide awards night per year, where under 18s could attend, until 11.00pm, and a proposal to allow young people to remain on the premises until 11.00pm during the summer months.

Do you think the current law regarding young people in sporting clubs is adequate? Please explain.

Yes

No

Restrictions on advertising in supermarkets and off-sales

There is growing evidence to support an association between alcohol advertising and consumption habits, particularly amongst young people.

In the United Kingdom, alcohol advertising in the media is regulated by a mixture of statutory regulation and self-regulation; through Ofcom, the regulator and competition authority for the UK communications industries; and the Advertising Standards Authority, the UK's independent advertising regulator which makes sure adverts across UK media stick to the advertising rules.

Current licensing law places no restrictions on advertising of alcoholic drinks in supermarkets and off-sales. With a change to the law it would be possible to restrict advertising in or close to licensed premises.

The 2016 Bill included a provision to restrict the advertising of drinks promotions in supermarkets to the off-sales area, and restricting external advertisements for supermarkets or other off-sales premises to within 200 metres of the premises.

Do you think restrictions should be placed on the alcohol advertisements from supermarkets and off-sales? Please explain.

Yes

No

Advertising of functions in clubs

Private members clubs, which hold a certificate of registration, may supply alcoholic drinks to members and guests.

Under current licensing law, only functions which involve a sport, game or physical recreation may be advertised in the media. All other functions can only be advertised on club premises.

Members of the public are allowed to attend functions where the whole proceeds of the function are donated to charitable or benevolent purposes.

The 2016 Bill included a provision to allow the advertising of functions in the media, provided the advertisement clearly states that the function is for members and guests only or where the whole proceeds are to be donated to charitable or benevolent purposes.

Do you think the current restrictions on advertising of functions in registered clubs should be amended? Please explain.

Yes

No

Provision of entertainment in restaurants

Under current licensing law, the sale of alcoholic drinks in a restaurant is ancillary to a main table meal. It must also be paid for at the same time and on the same bill as the main table meal. Licensed restaurants may not charge an admission or entrance fee to the premises.

There is evidence that some licensed restaurants have been operating into the early hours, providing entertainment and charging an entrance fee.

The 2016 Bill included a provision requiring a restaurant (whether stand alone or in a guest house) to display a notice detailing the conditions in relation to the sale and consumption of intoxicating liquor in the premises.

Do you think the law in relation to the provision of entertainment in restaurants should be changed? Please explain.

Yes

No

Self-Service

Current licensing law is silent on innovations such as pour your own pint tables or alcohol vending machines, self-service tills and click and collect lockers, which provide easier access, self-service options for customers.

Concerns have been expressed that self-service options may encourage underage and/or excessive drinking, allowing those who would otherwise not be served in a licensed premises, access.

The 2016 Bill included a provision preventing the use of self-service, ensuring the sale and supply of alcoholic drinks is only under the direct supervision of a licence holder or member of staff.

Do you think self-service of alcoholic drinks should be regulated? Please explain.

Yes

No

Codes of practice

Codes of practice represent a form of self-regulation which complement rather than replace statutory regulation. In Northern Ireland, The Responsible Retailing Code, developed by key stakeholders in the alcohol industry, is the primary vehicle for tackling irresponsible drinks promotions.

The 2016 Bill included a provision allowing the Department to formally approve a code of

practice, meaning adherence to such a code could affect the granting and/or renewal of a liquor licence.

Do you think the Department should be allowed to formally approve industry codes of practice?

Yes

No

Remote sale of alcoholic drinks

Current licensing law provides for the categories of premises which may apply for a liquor licence. In face-to-face sales, the question of where the sale takes place is obvious. The law is silent however on the remote sale of alcoholic drinks (alcohol delivery service), online, via app, telephone etc.

Concerns have been raised that illegal sales of alcoholic drinks to the public are taking place via these methods, with the potential for young people in particular to access alcohol.

Other jurisdictions provide clarification in law that, where a sale is made online or by some other distance sale method, the premises from which the alcoholic drinks are dispatched for delivery must be licensed.

Do you think the law should be clarified in respect of the remote sale of alcoholic drinks? Please explain.

Yes

No

Loyalty schemes

Loyalty schemes are a recognised way of rewarding regular customers. Many supermarkets in Northern Ireland run such schemes, often allowing customers to gather points on the purchase of products which are then accumulated and exchanged for discount vouchers or “free” goods at a later date for members. Points can be gained from the purchase of alcoholic drinks and points may be exchanged for the same.

Some supermarkets however, within their own terms and conditions, will not allow the collection of points on spirits and liqueurs.

Some public houses in England run loyalty schemes, openly advertising that you can save up your points (rewarded with each purchase) and use them on a round of drinks.

The Licensing (Northern Ireland) Order 1996 is silent on the issue.

Do you think the law should be changed to ensure that alcoholic drinks cannot be used in loyalty schemes? Please explain.

Yes

No

Are there any other aspects of liquor licensing law that you feel should be changed?

Maximum 350 words

Do you have any relevant evidence that you think should be considered in relation to the impact of current licensing laws?

Maximum 350 words

Available in alternative formats.

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Minutes of Party Group Leaders Consultative Forum 16th January 2020

Attendance

Members:

Alderman Brian Kingston (Chair)
Councillor Ciaran Beattie
Councillor George Dorrian
Councillor Billy Hutchinson
Councillor Donal Lyons
Councillor Mal O'Hara
Councillor Emmett McDonough Brown (for Cllr Long)

Officers:

Ronan Cregan, Deputy Chief Executive and Director of Finance and Resources
Alistair Reid, Director of Planning and Place
Nigel Grimshaw, Director of City and Neighbourhood Services
John Tully, Director of City and Organisational Strategy
Sean Dolan, Acting Director City Regeneration and Development (for item 1)
Emer Husbands, Strategic Performance Manager (secretariat)

Apologies: Councillors Long and Ferguson, Alderman Copeland

1. City Centre Connectivity

The Director of Planning and Place introduced phase 1 of the City Centre Connectivity Study which aims to support the creation of a more attractive, safe and vibrant city centre. Sean Dolan took the members through a short presentation outlining the proposed vision and principles for re-imagining the city centre, which draws on stakeholder engagement and best practice from elsewhere. The members welcomed the study and the scale of ambition but also highlighted the need to secure funding. The outcome of phase 1 will be presented to the City Growth and Regeneration committee in February along with proposals to move forward with phases 2 and 3.

2. Finance

Revenue Estimates and District Rate 2020 / 21

The Director of Finance and Resources provided an update on the revenue estimate setting process for 2020 / 21 which will be presented to the January meeting of SP&R Committee. He also raised a number of issues which had arisen as a result of the recent non domestic rate revaluation exercise and the possible impacts that this could have on the regeneration of the city centre. The finance section have requested detailed information from LPS to enable them to carry out a full analysis, which would then be presented to members. The

Director has also asked for a meeting with LPS to discuss the impacts. The members of the panel also asked that this be raised with the Finance Minister.

3. Stormont Deal – New Decade, New Approach

A short briefing note and a summary of the 'New Decade, New Approach' document was circulated to the Forum and the Chief Executive advised members that a more detailed analysis was being undertaken, including specific issues that will impact on the Council. This will be circulated to the Party Group Leaders by Friday 24th January and cross party meetings will be arranged with Executive Ministers.

4. Party Group Leaders' and Corporate Management Team Planning Day

The PGL/CMT planning session has been scheduled for the 5th February and a draft agenda was circulated for discussion. Party Group Leaders were asked to send through their party priorities so that these could be incorporated into the discussions. Members highlighted the need to ensure that ongoing discussions through members working groups, on issues such as customer focus and climate change are fed into the session to ensure alignment.

5. Area Working Groups

The Director of City and Neighbourhood Services advised members that a paper on the proposed agendas and dates for the Area Working Groups will be brought to the January SP&R meeting. Members asked that the purpose of the working groups should be made clear and they highlighted the need to ensure that there were mechanisms for communities of interest to feed into relevant discussions at a citywide level. The Director outlined that the paper also included terms of reference for the groups and members would be asked input any changes to these to ensure the role of the groups were clear and covered issues both at a local and citywide level.

6. Belfast Policing and Council Service Delivery

Following discussion with the PSNI in relation to issues such as community safety and the need to join up services at a local level, the Chief Constable has offered to second a senior officer to the council. It is proposed that this officer would be based in City and Neighbourhood Services to develop the partnership between the two organisations and other agencies to deal with issues around crime and safety across the city. This proposal will be presented to the SP&R committee at its January meeting.

7. Planning Update – including NI Water letter

The Chief Executive updated the Forum on the live planning applications and informed the Forum of the applications that were being presented to the Planning Committee this month. She also circulated a letter from NI Water outlining the Northern Ireland's current wastewater infrastructure crisis. It was agreed that the Chief Executive would respond to the letter and that this issue should be raised as part of the upcoming ministerial meetings.

8. AOB

Asset Management

The Chief Executive outlined proposals in relation to the council's assets in the city which would be brought to the January SP&R Committee for a decision.

Process for shaping Consultation Response

Councillor O'Hara raised a query of how members and parties could feed into consultation processes before they were presented to committee. The members of the panel felt that the committee was generally the appropriate way to have their comments discussed and if the committee was not in agreement then parties should submit their own responses. The Chief Executive also suggested that significant consultation requests would be circulated to party group leaders to allow them to input to the response at an earlier stage.

Webcasting of Committee Meetings

The Panel asked for further details in relation to the costs involved in webcasting committee meetings and it was agreed that this would be brought back to the next meeting.

Freedom Ceremonies

Members agreed to discuss this at a future meeting.

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