

Bonfires
5/6/01 Sleanagh
For filing.
Fuc
3/8

McNally, Frank

From: Jordan, Barry
S: 03 August 2004 16:38
To: Crook, Pip; McNally, Frank
Subject: FW: BONFIRE MATERIAL ON ROAD SERVICE PROPERTY



8019 - bonfires-
follow-up fin...



Final Report
May04.pdf



Bonfires leaflet final
2.pdf

Pip/Frank

Your ref:

Our ref: 8019/04

For info

B

Tel: 028 90 5 40511

cc: Copy list below

-----Original Message-----

From: Hoskins, Antonia
Sent: 03 August 2004 16:34
To: Private Office, DRD
Cc: Carlisle, Jim; Orr, David (Roads); Jordan, Barry; Doherty, Pat;
Drew, Joe; Kirk, Jennifer; Loughlin, Mary; Murray, Andrew; O'Hara,
Elizabeth; White, John
Subject: BONFIRE MATERIAL ON ROAD SERVICE PROPERTY

Paul/Orla

Please find attached background note and draft reply to David Ford's enquiry regarding Bonfires for the Minister's consideration.
Also attached is a copy of the report and leaflet produced by the Interagency Working Group on Bonfires.

Antonia Hoskins
Road Service Secretariat
x 40530

Timing:

Routine

Presentational Issues:

None

Recommendation:

That you note the background below and respond along the lines of the draft reply at Annex B

Detail

The note of the Secretary of State's meeting with the Alliance Party on 22 July 2004 to discuss the issue of parades records that:

From: Dr Malcolm McKibbin
Chief Executive
Roads Service

Your ref:

Our ref: 8019/04

Tel: 028 90 5 40511

cc: Copy list below

Date: August 2004

To: John Spellar MP

BONFIRE MATERIAL ON ROADS SERVICE PROPERTY

Issue: The Secretary of State met with the Alliance Party on 22 July to discuss the issue of parades. At the meeting David Ford expressed concern about bonfires on public roads. It has been agreed with the Secretary of State that you should respond to David Ford.

Timing: Routine.

Presentational Issues: None.

Recommendation: That you note the background below and respond along the lines of the draft reply at **Annex B**

Detail

The note of the Secretary of State's meeting with the Alliance Party on 22 July 2004 to discuss the issue of parades records that:

"David Ford complained about the way that Roads Service allowed bonfires to be built on roads – there didn't appear to be any will amongst Roads Service staff to confront bonfire builders. The Secretary of State said that he would take this up with the Roads Service"

Background

- 2 Twelfth of July bonfire celebrations have had an increasingly high profile in recent years. The main concerns raised have been associated with the effects of bonfires on the environment. However, there have been occasions where the siting of bonfires close to the public road have given rise to concern for the safety of road users. Roads Service has the power under the Roads (Northern Ireland) Order to remove any bonfire material near or on a public road, which may constitute a danger to road users.
- 3 It is not clear why Mr Ford specifically highlighted Roads Service. In the minority of cases when bonfire material is stored on the public road, the District Council has a role under their litter / waste management responsibilities. But in most cases bonfire material is assembled on land adjacent to the public road, outside Roads Service's control. In some of these cases the material is moved onto the public road immediately before the bonfire is lit.
- 4 In view of the variety of interests, an interagency working group on bonfires was established in November 2003 with the objective of minimising the environmental, economic, health and social impact of bonfires by the development of guidelines for communities and public bodies on the siting and management of bonfires. The working group was chaired by DOE's Environment and Heritage Service and included representatives from PSNI, the Fire Brigade, NIHE, Roads Service, NIO and District Councils.
- 5 A copy of the working group's report, which was published on 17 May 2004, is enclosed at **Annex A**. It provides clarification on the legal controls over bonfires by public bodies and includes examples of good practice initiatives together with guidelines for communities.

Roads Service Position

- 6 Bonfire management is an interagency issue and it is not always easy to find quick fix solutions when problems arise. The support, co-operation and involvement of local communities is an important factor and this was recognised in the report of the interagency group which produced guidelines on bonfire management.
- 7 Roads Service's experience has been that many of the complaints received from the public are related to the stockpiling of materials on sites close to public roads, which are not owned by Roads Service. In these circumstances Roads Service does not have the authority to remove the material. On occasions where the overspill from bonfire stockpiles obstructs the public road or footway we will remove it or arrange for it to be pushed back off the road onto the bonfire site, consulting with the police and local communities as necessary. Roads Service has a duty of care to its staff and the immediate and ongoing safety of personnel tasked with removal work is always taken into account in consultation with the police and other parties.
- 8 There are relatively few instances where bonfires are actually brought onto the public road for lighting. However where bonfires are lit on or near the public road Roads Service will arrange for burnt out debris to be removed and carry out any repairs to carriageways, footways and street lights that may be needed.

Recommendation

- 9 A draft response to David Ford reflecting the points made above is enclosed at **Annex B** for your consideration.

D M McKibbin (Dr)

Chief Executive

cc: Jim Carlisle

David Orr

Barry Jordan

Divisional Road Managers

Draft reply

David Ford MLA
South Antrim Constituency Office
23A Ballyclare Road
NEWTOWNABBEY
Co Antrim
BT36 6HL

Your Ref:

Our Ref:

Date: August 2004

Dear

Bonfires

I understand that at your meeting with the Secretary of State on 22 July you raised the issue of bonfires being built on roads and the Roads Service response. As I am Minister with responsibility for Roads Service I am replying on the Secretary of State's behalf.

You may be aware that an interagency working group on bonfires was established in November 2003 with the aim of minimising the environmental, economic, health and social impact of bonfires by the development of guidelines for communities and public bodies. The working group was chaired by the Department of Environment's Heritage Service and included representatives from the PSNI, the Fire Brigade, NIHE, Roads Service, NIO and District Councils. A copy of the working group's report, which was published on 17 May 2004, is enclosed for your information.

Bonfire management can sometimes raise difficult issues and it is not always easy to find quick-fix solutions when problems arise. The support, co-operation and involvement of local communities working with the relative agencies is an important factor in resolving such problems. Roads Service has worked closely with local councillors, representatives and the police during the bonfire season where problems have arisen with bonfires constructed on or near land owned by the agency.

Where bonfire material is stockpiled it is often on land adjacent to public roads, which are not owned by Roads Service. In these circumstances Roads Service does not have the authority to remove the material. However on occasions where the overspill from bonfire stockpiles obstructs the public road or footway Roads Service has taken action to remove it or arranged for it to be pushed back off the road, consulting with the police and local communities as necessary. The agency has a duty of care to its staff and the immediate and ongoing safety of personnel tasked with removal work is always taken into account in consultation with the police and other parties

There are a limited number of instances where bonfires are actually brought onto the public road for lighting. However where bonfires have been lit on or near the public road, Roads Service has arranged for burnt out debris to be removed and for repairs to carriageways, footways and street lights to be carried out.

I trust that this helps to clarify Roads Service's response to the issue of bonfires.

RT HON JOHN SPELLAR MP
Minister of State for Northern Ireland