

September 9th, 2025

**NOTICE OF MEETING**

You are requested to attend a meeting of the

Mid and East Antrim Neighbourhoods and Communities Committee

to be held on **Tuesday, 9th September 2025 at 6:30 pm** in **Council Chamber, The Braid,  
1-29 Bridge Street, Ballymena and via remote access.**

Yours sincerely



Valerie Watts  
Interim Chief Executive, Mid and East Antrim Borough Council

# Agenda

## 1 NOTICE OF MEETING

## 2 APOLOGIES

## 3 DECLARATION OF INTEREST

Members and Officers were invited to declare any pecuniary and non-pecuniary interests, including gifts and hospitality, they may have in respect of items on this Agenda.

## 4 ITEMS FOR CONSIDERATION / DECISION

### 4.1 Terms of Reference - circulated

📎 *Neighbourhood Community Committee Terms of Reference.pdf* Page 1

### 4.2 Collections Management Policy Renewal – circulated

📎 *Collections Management Policy renewal.pdf* Page 5

📎 *Appendix 1 - Collections Management Policy 2025.pdf* Page 8

📎 *Appendix 2 - Collections Management Policy 2025 Equality Screening.pdf* Page 116

### 4.3 Registration of Skin Piercing Business – circulated

📎 *Registration of Skin Piercing Businesses.pdf* Page 132

### 4.4 DAERA Consultation Response (New rules for selling & supplying puppies and kittens) - circulated

📎 *DAERA Consultation Puppies & Kittens.pdf* Page 134

📎 *Appendix 1 - MEA Response DAERA Consultation.pdf* Page 138

📎 *Appendix 2 - DAERA Consultation Proposals.pdf* Page 146

### 4.5 MEA Response to DfC Drinking in Public Bye-Laws and Powers – circulated

📎 *Drinking in Public Places Byelaws and Powers.pdf* Page 178

📎 *Appendix 1 Letter recieved from DfC on 6 June 2025.PDF* Page 180

## 4.6 Revision of MEA Street Trading Policy – circulated

Revision of MEA Street Trading Policy.pdf

Page 185

Appendix 1 Street trading Policy (August 2025).pdf

Page 188

## 4.7 Ending Violence Against Women and Girls Grant Applications – circulated

Ending Violence Against Women and Girls Grant Applications.pdf

Page 224

Appendix 1 Summary Table of Awards - EVAWAG Change Fund 2025.26.pdf

Page 227

## 4.8 Jointure Bay Consultation - circulated

Addendum added 9.9.25:

Addendum to agenda item 4.8 - Jointure Bay Access.

Correspondence received 8.9.25 in relation to the Health & Safety report set out in Appendix 3.

With the approval of the Chair, the letter is being shared in the interests of transparency and providing Elected Members with all material information. The report, as presented, does not need to be amended in any way.

Acting Director of Community

Jointure Bay Public Consultation.pdf

Page 230

Appendix 1 - Design Concept of the access steps.pdf

Page 234

Appendix 2 - Habitats Regulations Assessment.pdf

Page 235

Appendix 3 - Independent Risk Assessment.pdf

Page 269

Addendum to App 3 (circulated 9.9.25).pdf

Page 286

## 4.9 DAERA Consultation Response (Fisheries and Water Environment Bill) - circulated

DAERA Consultation - Fisheries and Water Environment Bill.pdf	Page 289
Appendix 1 - Fisheries and Water Environment Bill - Consultation Document.pdf	Page 292
Appendix 2 - MEA Draft Consultation Response.pdf	Page 345

## 5 ITEMS FOR RECOMMENDATION TO COUNCIL

## 6 TABLED QUESTIONS

*Closed Committee - In accordance with Council policy, representatives of the Press will not be in attendance for this section of the Meeting.*

## 7 ITEMS FOR CONSIDERATION / DECISION – CLOSED COMMITTEE

### 7.1 Tourism Marketing Strategic Update - circulated

DAERA Tourism Marketing Strategic Activity Update.pdf *Not included*

Appendix 1 - Tourism Marketing Action Plan Progress Tracker 2025-2026.pdf *Not included*

### 7.2 Shared Island Investment Scheme Gobbins Exhibition Project Update - circulated

shared island investment scheme.pdf *Not included*

## 8 ITEMS FOR RECOMMENDATION TO COUNCIL – CLOSED COMMITTEE

*Open Committee*

## 9 FORWARD PLAN FOR NEIGHBOURHOODS AND COMMUNITIES COMMITTEE - circulated

N&C Committee - Forward Plan Template v32.pdf *Page 350*



<b>Council/Committee:</b>	<b>Neighbourhoods &amp; Communities</b>
<b>Date:</b>	09 September 2025
<b>Report Title:</b>	<b>Terms of Reference</b>
<b>Publication Status:</b>	Open
<b>Author:</b>	Jonathan McGrandle, Acting Director of Development John McVeigh, Acting Director of Community

## 1. Purpose

- 1.1. This report outlines the areas of business that will fall within the remit of this Committee. It is important that Members have clear responsibility to connect strategy and delivery of services within the committee remit, and their contribution to delivery of the priority outcomes within the Corporate Plan. It is therefore proposed that the service planning, allocation of resources, performance, and service opportunities relating to the areas outlined in Key Functions will be all reported to the Neighbourhoods and Communities Committee.
- 1.2. This is in line with the decisions taken at Council on 03 April 2023 with regards to good governance changes and the Scheme of Delegation. The focus of this is to ensure that Council and Committees, through all Members, can drive the strategic direction and resource allocation against priorities but enabling officers to deliver services on a day-to-day basis in a streamlined and seamless way.

## 2. Background

- 2.1. The Terms of Reference had been presented to the Neighbourhoods and Communities Committee in July for approval; however, this decision was deferred to give time to further consider the requirement for flag requests to come to Committee for approval.
- 2.2. By way of reminder the following are the service functions that fall within the remit of the Neighbourhood and Communities Committee:

### Key Functions

- Environmental Health
- Leisure Centres and Sports Development
- Community Planning
- Community Grants (as at June 2024, moved from CRPG)
- Good Relations

- PCSP's
- Community Centres
- Community Development
- Destination Parks and Parks Development
- Tourism
- Culture, Arts and Heritage
- Approval of the Annual Corporate Events Programme
- Approval of requests to fly flags from Council properties

### **Key Services Areas**

- Registration
- Licensing
- Water Quality
- Animal Welfare and Dog Control
- Environmental Health (Food Safety, Health & Safety At Work, Consumer Protection, Environmental Protection, Public Health and Housing)
- Leisure Centre / Community Centre Operations including pricing
- Community Planning
- Neighbourhood Renewal, Areas @ Risk
- Cultural Celebrations Management
- Play Parks
- Outdoor Recreation
- Public Rights of Ways
- Biodiversity
- Park development
- Woodland improvement
- Volunteering/In-bloom
- Weekly markets
- Bathing water operator
- Visitor Attractions
- Tourism Marketing
- Tourism Business Engagement and Training
- Tourism Product Development
- Visitor Information Centre provision (VICs)
- Museum Services
- Culture, Arts and Heritage provision
- Tourism Strategic Regeneration
- Corporate Events
- Approval of requests to fly flags from Council properties
- Flag requests for Memorials

### 3. Key Issues for Consideration

3.1. The role of the Neighbourhoods and Communities Committee is the following:

- To review and monitor policies and procedures to ensure delivery in line with corporate priorities;
- To review performance on the relevant service areas, making recommendations for course correction when performance is not meeting targets;
- To consider opportunities for innovation and best practice to ensure continuous improvement and quality service delivery;
- To consider funding opportunities to assist in the delivery of corporate objectives;
- To approve strategies that are focused on the ambitious outcomes for residents e.g., third sector engagement and involvement, health and well-being, leisure provision, tourism visitor attractions and our approach to arts and culture, community centres and neighbourhood support, strong and integrated partnerships and collaborative working, destination parks, play parks and outdoor recreation, environmental health, Anti-Social Behaviour, animal health and wellbeing, and food safety;
- To direct available resources for the remit of services to achieve effective outcome improvement;
- To review fees and charges of all relevant services;
- To oversee regulatory services (except Planning) with the relevant delegations;
- Afforded delivery of a presentation from the approved list of external bodies and to consider requests from external organisations to present to a future committee meeting;
- To approve consultation responses;
- To approve the annual Tourism Marketing action plan.
- To approve the annual Tourism Product Development action plan.
- To approve the annual Arts and Culture action plan.
- To approve the acceptance of Culture, Arts and Heritage donations into Councils archives and collections;
- To approve the acquisition of Culture, Arts and Heritage assets into Councils archives and collections.
- To approve the Annual Corporate Events Plan
- Approval of request to fly flags from Council properties

#### **4. General Considerations / Implications**

- 4.1. Committees of Council can carry out decision making on behalf of Council to ensure the business of Council is transacted in a timely and efficient manner.
- 4.2. At present there are some delegations to both the Committee and to officers to make decisions, as set out in the Scheme of Delegation, however the exact detail of such delegation needs to be clarified and regularly refreshed. This may take some time over the coming months to define.
- 4.3. Committees may also make recommendations to Council, which are approved, adopted, and ratified by Council and become a decision of Council.
- 4.4. In May 2025 Full Council approved for flag requests to come to Neighbourhoods and Communities Committee, therefore in accordance with Council's own governance, this decision has to be accepted by Committee.
- 4.5. All groups who have had flag requests in the past will be written to and notified about the new approval process.

#### **5. Proposed Way Forward**

- 5.1. Elected Members note the remit of the Committee.

#### **6. Recommendation or Decision**

- 6.1 Elected Members are asked to;
  - (i) approve the key functions and service areas the Committee will consider, and this will operate as the Terms of Reference for the Committee.

<b>Council/Committee:</b>	<b>Neighbourhoods and Communities Committee</b>
<b>Date:</b>	<b>9 September 2025</b>
<b>Report Title:</b>	<b>Collections Management Policy renewal</b>
<b>Publication Status:</b>	<b>Open</b>
<b>Author:</b>	Laura Cowan, Strategic Tourism and Regeneration Manager
<b>Approver:</b>	Jonathan McGrandle, Acting Director of Development

## 1. Purpose

- 1.1. The purpose of this report is to seek Elected Members' approval for the renewal of Council's Collections Management Policy.

## 2. Background

- 2.1. The Collections Management Policy is an umbrella policy covering all aspects of Council's museum collections management and care.
- 2.2. Policies in relation to collections management are a requirement of the UK Accreditation Scheme. The current approved four-year Collections Management Policy 2021-2025 is now due to be reviewed and updated for the next 4 year period, up to 2030.
- 2.3. The mission of Mid and East Antrim Museum and Heritage Service is to collect, preserve and interpret with our local communities the heritage of the Mid and East Antrim Borough, and to provide an accessible and enjoyable service relevant to diverse needs and interests. As Council's museum's collections are held in trust for the public and are made accessible for the public's benefit, the public expects Mid and East Antrim museums to maintain the highest legal, ethical and professional standards.
- 2.4. This policy demonstrates these standards and supports decision-making by Council. It defines the scope of Council's museum collections and how museum staff care for and manage collections and make them available to the public. The policy also covers how objects may be borrowed from Council's museum collections, and how loans from other lending institutions should be undertaken.

## 3. Key Issues for Consideration

- 3.1. The proposed Collections Management Policy (2025) is detailed in **Appendix 1**.



- 3.2. The Collections Management Policy is applicable to all Council Museums including Andrew Jackson Cottage Collection and US Rangers Museum, and Arthur Cottage Collection (President Arthur Homestead).
- 3.3. This umbrella policy replaces the current policy approved by the Borough Growth Committee in September 2021 and covers the following policies relating to collections management and care:
  - Collections Development Policy
  - Documentation Policy
  - Collections Care and Conservation Policy
  - Documentation Procedural Manual
  - Loans Policy
  - Reproduction Policy
  - Security and Emergency Planning
  - Environmental Impact Statement
- 3.4. The updated Collections Management Policy reflects developments in the intervening years since the current Policy was approved in 2021, including the following areas:
  - The implementation of a rationalisation plan for the collections which was approved by the Borough Growth Committee in June 2019 for identified collection classifications to include textiles, domestic by-gones, and rural life artefacts held by Mid and East museums;
  - Addressing the requirements of Net Zero legislation on Council to reduce carbon emissions and improved sustainability;
  - Enhanced use of digital engagement for public access to collections particularly through social media;
  - Adoption by Neighbourhoods and Communities Committee of an Arts and Culture Access and Inclusion Policy in September 2023;
  - An update to MODES Complete documentation software in December 2024;
  - An upgrade to environmental monitoring of collections with 24/7 access to environmental readings across a range of devices;
  - EU Regulations regarding the importation of Cultural Goods (June 2025);
  - Updates to copyright and licensing practices with regard to creation and dissemination of digital images;
  - Additional security considerations arising from recent security reviews.

#### **4. General Considerations / Implications**

- 4.1. Financial implications of the Collections Management Policy – There are no new financial commitments required in the implementation of this policy.

This will be managed within current approved arts and culture budget allocations.

- 4.2. Equality screening has determined that implementation of the Collections Management Policy is equitable to all residents of the Borough.
- 4.3. Links to the new Corporate Plan 2024 – 2028 ambition for Place:

By 2028, Mid and East Antrim will be widely recognised as an ideal place to live, visit, work and do business. We will have vibrant, clean, and harmonious shared spaces, designed to showcase our natural, and built, heritage and assets. Our tourism offering will be filled with diversity and richness of culture, history, and heritage, attracting visitors on a global scale. Businesses, new and existing, will have the required support to grow and prosper, leading to an economically innovative and sustainable borough, offering stable employment, inclusive growth and an ideal place to invest.

To achieve this, we will;

- Help drive sustainable economic growth by promoting the Borough as a leading visitor and cultural destination, utilising our natural, and built, heritage and assets.

## **5. Proposed Way Forward**

- 5.1. Officers propose that the updated Collections Management Policy (2025) is approved for implementation.

## **6. Recommendation or Decision**

- 6.1. It is recommended that Elected Members approve the renewal of the Council's Collections Management Policy.

## **7. Appendices / Links**

Appendix 1 – Collections Management Policy 2025

Appendix 2 – Collections Management Policy 2025 Equality Screening



Museum and Heritage Service

# Collections Management Policy



Approval Date	9 September 2025
Review Date	September 2030
Related Legislation/Applicable Section of Legislation	
Related Policies, Procedures, Guidelines, Standards, Frameworks	Arts Council Collection Development Policy template for use in UK Museum and Gallery Accreditation Scheme (2018)
Replaces	Collections Management Policy 2021 - 2025
Policy Lead (Name/Position/Contact details)	Jayne Clarke Museum and Heritage Manager Ext. 25327
Sponsor Directorate	Development
Version	Version 1

Revision record

Date	Version	Revision Description
10/09/2020		Revised version
03/08/2021		Revised to include new donation approval procedure
01/11/2022		Revised to include Spectrum 5.1 update
03/09/2024		Revised to include Spectrum 5.1 update
03/09/2024		Moved definition of Spectrum Procedures
09/09/2025		Revised version including an updated reproduction policy and newly added use of collections, collections security and an Environmental sustainability and Climate Change Mitigation Statement

## CONTENTS

<b>Collections Development</b>	<b>6</b>
<b>Collections Development Policy</b>	<b>6</b>
1. Relationship to other relevant policies/ plans of the organisation:	7
2. History of the collections	9
2.1 Mid-Antrim Museum, Ballymena	9
2.2 Carrickfergus Museum	10
2.3 Andrew Jackson Cottage and US Rangers Museum	11
2.4 Larne Museum & Arts Centre	12
2.5 Arthur Cottage Collection (President Arthur Homestead)	14
2.6 Service wide virtual museums programme	15
3. An overview of current collections	16
3.1 Mid-Antrim Museum	16
3.2 Carrickfergus Museum	18
3.3 Andrew Jackson Cottage and US Rangers Museum	18
3.4 Larne Museum & Arts Centre	19
3.5 Arthur Cottage, Cullybackey	19
3.6 Collection Responsibility and Workforce Chart	21
4. Themes and priorities for future collecting	22
5. Themes and priorities for rationalisation and disposal	25
Rationalisation Programme, 2019 - 2025	25
6. Legal and ethical framework for acquisition and disposal of items	28
7. Collecting policies of other museums	29
8. Archival holdings	29
9. Acquisition	29
10. Human remains	30
11. Biological and geological material	30
12. Archaeological material	30
13. Exceptions	31
14. Spoliation	31
15. The Repatriation and Restitution of objects and human remains	31
16. Disposal procedures	31
Disposal by exchange	33
Disposal by destruction	34
<b>Documentation Policy</b>	<b>35</b>
1. Documentation Policy Statement	35
2. Objectives	35
3. Development and Implementation of a Documentation Procedure	36
4. Documentation Procedures	37
5. Accountability	39
6. Digital assets management	39
<b>Documentation Procedural Manual</b>	<b>41</b>
1. Introduction	41

2.	History of Mid and East Antrim Museum and Heritage Service's Documentation System	41
3.	Development and Implementation of a Documentation Procedure	41
4.	Summary of Present Practice	43
5.	Spectrum 5.1 Procedures	44
6.	Object Valuation	64
7.	Review	65
<b>Reproduction Policy</b>		<b>66</b>
1.	Management of reproduction documents	66
2.	Purpose of reproduction documents	66
3.	Mid and East Antrim Museum and Heritage Service rights	66
4.	Mid and East Antrim Museum and Heritage Service – Guidelines for staff	67
5.	Format, Resolution and size	67
6.	Method of Payment	67
7.	Copyright	68
<b>Collections Care and Conservation Policy</b>		<b>74</b>
1.	Care and Conservation Policy Statement	74
2.	Definitions	74
3.	Aim of the Care and Conservation Policy	74
4.	Overview	75
5.	Preventative Conservation	75
6.	Remedial Conservation	80
7.	Collection Security	81
<b>Collections Access</b>		<b>84</b>
<b>Loans Policy</b>		<b>84</b>
1.	Loans Policy Statement	84
2.	Principles	84
3.	Procedures for Outgoing Loans	85
4.	Borrowers	86
5.	Packing, Handling and Transport of Outward Loans	87
6.	Security and Environmental Conditions for Outward Loans	88
7.	Capturing the Benefits of Loans	88
8.	Standard Conditions for Outgoing Loans	88
9.	Objects loaned for commissioned conservation or photography	90
10.	In-coming Loans	90
<b>Use of Collections</b>		<b>92</b>
	Physical use	93
	Virtual use	93
	Use of Data	93
<b>Environmental Sustainability and Climate Change Mitigation Statement</b>		<b>94</b>
1.	Environment and Climate Statement	94
2.	Environmental learning	94
3.	Reducing environmental impact	94
4.	Protecting collections	95
<b>Appendix 1</b>		<b>97</b>
<b>Collections Rationalisation Plan</b>		<b>97</b>

## Collections Development

### Collections Development Policy

**Name of museum:** Mid and East Antrim Museum and Heritage Service

The policy covers the museums and collections held by Mid and East Antrim Borough Council.

- Mid Antrim Museum, the Braid, Ballymena
- Arthur Cottage Collection (President Arthur Homestead)
- Carrickfergus Museum
- Andrew Jackson Cottage Collection and US Rangers Museum, Carrickfergus
- Larne Museum & Arts Centre

**Name of governing body:** Mid and East Antrim Borough Council

Date on which this policy was approved by governing body: 2017, September 2021, September 2025 (amended).

Accreditation return due date: December 2029 (Mid-Antrim Museum)

Accreditation return due date: January 2030 (Carrickfergus Museum)

**Policy review procedure:**

The collections development policy will be published and reviewed from time to time, at least once every five years.

Date at which this policy is due for review: September 2030

Northern Ireland Museums Council will be notified of any changes to the collections development policy, and the implications of any such changes for the future of collections.



# 1. Relationship to other relevant policies/ plans of the organisation:

## 1.1 The museum's statement of purpose is:

*Our mission is to collect, preserve and interpret with our local communities the heritage of the Mid and East Antrim Borough and to provide an accessible and enjoyable service relevant to diverse needs and interests.*

*Our vision is that Mid and East Antrim Museum and Heritage Service will strengthen a shared sense of local identity through an imaginative use of our collections and services. We aim to make a positive contribution to the lives of local people and inspire visitors to Mid and East Antrim. We will provide a service that is accessible to everyone and reaches out to new audiences.*

This Collections Development Policy is part of Mid and East Antrim Museum and Heritage Service's Collection Management Policy framework which consists of

- Collections Development Policy
- Documentation Policy
- Collections Care and Conservation Policy
- Loans Policy
- Reproduction policy
- Environmental Impact Statement

1.2 Mid and East Antrim Borough Council will ensure through its Museum and Heritage Service that both acquisition and disposal are carried out openly and with transparency. Mid and East Antrim Borough Council as the governing body will approve recommended acquisitions by purchase or donation and disposal through an approved rationalization process.

1.3, Mid and East Antrim Museum and Heritage Service has a long-term purpose and holds collections in trust for the benefit of the public in relation to its stated objectives. The governing body therefore accepts the principle that sound curatorial reasons must be established before consideration is given to any acquisition to the collection, or the disposal of any items in the museum's collections.

**1.4** Acquisitions outside the current stated policy will only be made in exceptional circumstances.

**1.5** Mid and East Antrim Museum and Heritage Service recognises its responsibility, when acquiring additions to its collections, to ensure that care of collections, documentation arrangements and use of collections will meet the requirements of the Museum Accreditation Standard. This includes using SPECTRUM primary procedures for collections management. It will consider limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.

**1.6** Museum staff will undertake the required due diligence in terms of the historical relevance of items brought forward for acquisition (whether by purchase, gift or bequest) as well as carrying out a check on condition. A decision on acceptance or refusal will be made by Elected Members on the relevant committee. Their decision will be informed by the Collections Development Policy and available resources.

**1.7** Mid and East Antrim Borough Council will not undertake disposal motivated principally by financial reasons.

## 2. History of the collections

Mid and East Antrim Borough Council was vested on 1st April 2015 under the Local Government Act (Northern Ireland) 2014. This involved the amalgamation of three former Borough Councils, Ballymena, Carrickfergus and Larne, into one.

There are five council owned museum sites:

- Mid Antrim Museum, The Braid, Ballymena
- Arthur Cottage Collection (President Arthur Homestead)
- Carrickfergus Museum and Civic Centre
- Andrew Jackson Cottage Collection and US Rangers Museum
- Larne Museum and Arts Centre

### 2.1 Mid-Antrim Museum, Ballymena

Mid-Antrim Museum has its origins in Ballymena Borough Council's Historical Research Initiative, launched in 1984. It was through the auspices of this Initiative that premises beside the Town Hall were opened in 1990 to display the Council's collection of artefacts, known as 'Morrow's Shop', Museum. In 1997 Ballymena Borough Council was awarded a major Heritage Lottery Fund grant of £4.414 million to develop a new purpose-built museum and arts centre adjoining the Town Hall on Bridge Street. The total value of the capital project was £20 million. The Museum was then housed in temporary premises at Wellington Court, in the town centre, from May 2001, and renamed 'Ballymena Museum'.

The Museum has been operating from the purpose-built premises at The Braid: Ballymena Town Hall, Museum and Arts Centre since October 2007. The Braid officially opened to the public in May 2008 with the Museum rebranded as Mid-Antrim Museum. The Braid is also the Civic headquarters of Mid and East Antrim Borough Council.

The museum collection includes artefacts which illustrate the social, agricultural and industrial history of Ballymena and the surrounding hinterlands such as items from the Braid Water Mill and Phoenix Weaving Factory, along with local shops like Morrow's and Simon McCrory's. The collections have grown to reflect other local industries and people. The permanent 'History' exhibition gallery focuses on key periods and themes through a chronologically arranged narrative through collection material and a range of significant artefacts on loan from lending institutions such as National Museums Northern Ireland, The Royal Armouries and the National Museum of Ireland.

Mid Antrim Museum has committed to working towards becoming dementia friendly in 2019 and has made use of collections to support this work. The museum has also supported youth engagement through the Kick the Dust project, funded by National Lottery Heritage Fund in partnership with NMNI and NIMC, as well as community engagement through tourism and heritage initiatives with community led industrial heritage sites in the Borough such as Shaped by Industry - Shared with Pride, a 2018-



19 project funded by the National Lottery Heritage Fund to mark European Year of Culture 2018. Mid-Antrim Museum has co-delivered within the Arts and Culture section the Building a Shared Creative Communities project with Waterford City and County Council between October 2023 and October 2025.

Since 2022 staff at Mid-Antrim Museum have been involved in the work of Council's Autism Friendly steering group and represent the museum service on the Environmental Champions group.

The process of upgrading and refreshment of gallery has been underway since 2018 to update projected A/V material and content. Conservation work was undertaken on two paper artefacts on permanent display. This gallery upgrade work temporarily paused in 2020 due to Covid 19 with delivery of public programming moving online. Museum services resumed on site in June 2021. LED lighting upgrades are being carried out on a phased basis between 2024 and 2025.

## 2.2 Carrickfergus Museum

Carrickfergus Museum was officially opened in 2005 following a £674,000 grant award from the Heritage Lottery Fund. In addition to a permanent exhibition gallery, there is a gallery for temporary exhibitions, a community archive area and education room. The building houses a café and is also the main administrative centre in Carrickfergus for Mid and East Antrim Borough Council.

The permanent exhibition gallery focuses on the history of Carrickfergus. It contains an object rich display which includes items of local and national importance. These are sourced from the Council's own collection as well as numerous items on loan from other institutions including: The Ulster Museum, The Ulster Folk and Transport Museum, Royal Armouries Museum and British Museum.

Following an access audit in 2020, the museum responded to recommendations during the 2021/22 gallery refurbishment.

The Carrickfergus Museum service focuses on developing exhibitions, learning programmes and other activities that highlight the museum collections and promotes the wider heritage of Carrickfergus and surrounding area. A key interest is in bringing lesser-known histories to light and enabling local communities to participate and engage with their own heritage.

The museum has developed a number of partnership projects which promote these aims:

- Global Voices, Local Choices

A community / creative engagement programme with exhibition which sought to bring diverse cultures and perspectives into Northern Ireland's local and national museums. It aimed to empower people to make choices relating to World Cultures collections and how they are interpreted. A Partnership with National Museums NI, African Caribbean Support Organisation of NI and NI Museums Council and participating museums. The museum worked with a number of settlers to NI, and

- people seeking asylum.
- Re-imagining the Islandmagee Wilches
  - o The museum partnered with academics at Ulster University to produce an exhibition *Reimagining the Islandmagee Wilches* which told the story of the trial of the 'Islandmagee Witches' in Carrickfergus in 1711. A permanent hub providing continued access to the digital legacy artefacts of the project opened in October 2024.
- Playful Museums
  - o The museum participates in the Playful Museums festival and continues to develop early years audiences with monthly storytelling, rhyme, and craft sessions which have been specially designed to use the museum collections to support early child development.
- Carrickfergus Before the Castle
  - o Community engagement programme, which resulted in the development of an educational board game.
- 50<sup>th</sup> anniversary of Carrickfergus & District Historical Society
  - o Partnering with the C&DHS, the museum organised a community dig through the CAPNI programme and hosted a conference which resulted in a publication of conference proceedings.
- Our Town, Our Stories
  - o Community engagement project in partnership with Positive Carrickfergus, a local community interest company. The museum has redeveloped a space to allow increased capacity for arts programming to support exhibitions and offer a more multi-functional space for schools' provision.

### 2.3 Andrew Jackson Cottage and US Rangers Museum

The Andrew Jackson Cottage has operated as a visitor attraction since 1984, following its purchase by the legacy Council in Carrickfergus.

A listed building dating from the 1750s, it tells the story of Andrew Jackson, 7th president of the USA, whose parents emigrated to America from Carrickfergus in 1765. The single storey building has been restored to its original state. The interior has been decorated with a dresser, spongeware crockery, iron pots and griddles. The cottage also has a collection of Ulster patchwork quilts.

Beside the Jackson Cottage is an exhibition centre dedicated to the US Rangers, the elite American army regiment. Formed in 1942, the US Rangers were based in Carrickfergus during World War II. A donation of memorabilia at a reunion of the regiment to celebrate its 50th anniversary led to the construction of the US Rangers Museum in 1994. The exhibition has a comprehensive collection of uniforms, photographs, documents and other material detailing this famed combat unit. The US

Rangers Museum underwent complete refurbishment in Spring 2017 for the 75<sup>th</sup> anniversary of the regiment.

## 2.4 Larne Museum & Arts Centre

### *Carnegie Free Library*

Built in 1905, this historic building opened its doors to the public in 1906 as the Carnegie Free Library following financial assistance from the American millionaire and philanthropist Mr Andrew Carnegie. Now a grade B1 listed building, of historic and architectural interest, it was designed by Nicholas Fitzsimons, who also designed Smiley Cottage Hospital, and is an example of Edwardian 'free style' architecture. The library was built at a cost of £2500 and was officially opened on 2nd April 1906 by Colonel J M McCalmont, MP. The library eventually moved to larger premises on Pound Street in July 1980.

### *Larne Historical Centre*

Larne Historical Centre first opened in the Reading Room of the Carnegie Free Library in 1972 following a campaign by local people for a museum which lead to a grant of £300 from Larne Borough Council. In 1975 the Centre moved to the ground floor of the McGarel Town Hall. With the collection continuing to grow, Larne Borough Council purchased the Carnegie building from the Education and Library Board with the Historical Centre returning to the old Carnegie Library in June 1983.

In 2003, the collection was handed over to the care of Larne Borough Council's museum service. Larne and District Historical Centre became Larne Museum and Arts Centre.

### *Larne Museum and Arts Centre*

In 2005, to commemorate its centenary year, the building was restored and renovated, retaining many of its original features, including the inscription above the doorway, the iron light bracket and wrought iron gates at the entrance engraved with the maker's name, 'Snoddy, Larne'. This was funded by Larne Borough Council and the Heritage and Arts Lottery Fund.

Since 2015 Larne Museum and Arts Centre has been managed by Mid and East Antrim Borough Council.

The building is also now home to Larne Art Club and Larne Drama Circle.

### *Main Gallery*

The Main Gallery hosts permanent displays reflecting the agricultural, industrial, military and maritime history of the area. Larne is a principal gateway into Northern Ireland and the strong maritime links of this east Antrim coastal community are portrayed through a variety of exhibits relating to the first roll-on, roll-off ferries, the Royal Navy and the Princess Victoria disaster. Larne's rural hinterland, which includes two of the nine glens of Antrim, is well represented in the museum's folk life display. The War and Conflict section hosts objects from the Home Rule Crisis, Larne Gun Running and the First and Second World Wars. Visitors can access accounts and memories of local people through oral history listening posts and can browse through



photographs in a digital community archive.

### *The Collection*

Among our artefacts we are pleased to hold in our care are a number of important resources including a seascape by Sam McLarnon - "The Beginning of the End 'Princess Victoria' 31<sup>st</sup> January 1953" and a model of the vessel made by George Bouma.

Larne Museum's collection of photos depicting development at the site of the British Aluminium Company Ltd were presented via Zoom at a Pre-conference of the World Economic History Congress. The conference, on the topic of 'Bauxites and Aluminas, a history and heritage in question', was held in Aix-en-Provence in October 2021.

An article, "Aluminium Works" in Larne, County Antrim, Northern Ireland," written by Marian Kelso, appeared in Edition 67 December 2021 of 'Cahiers d'histoire de l'aluminium' (the Journal for the History of Aluminium).

### *Temporary Gallery*

The 'John Clifford Gallery' plays host to a variety of temporary exhibitions throughout the year. These can include in-house or touring exhibitions and exhibitions by local groups and individuals.

### *John Clifford (1900-1983)*

The temporary exhibition gallery has been named after John Clifford, the first curator of the museum. John was a local actor, poet and musician. He left Larne in 1937 to take up a civil service post in London where he became a professional actor. He returned to live in Larne in 1967, soon taking on the role of librarian in Carnegie Library. Due to his love of local history, John became a founding member and Chairman of Larne & District Folklore Society which formed in 1968 and still exists today. The society helped in the campaign for a local museum which lead to John becoming the first curator of Larne Historical Centre.

### *Blue Plaques*

Larne Museum was honoured to be the first place in Larne to receive an Ulster History Circle Blue Plaque when a plaque was unveiled to Professor Robert J Gregg, one of Larne's most gifted sons, who is known as the founding father of Ulster Scots Studies. The plaque was unveiled on 20<sup>th</sup> June 2019 by Robert's son, William Gregg who lives in Toronto, and who travelled to Larne especially for the occasion.

We were also pleased to receive Ulster History Circle's 2<sup>nd</sup> blue plaque in Larne to Dr James McHenry, [novelist](#), editor and playwright. The plaque was unveiled on Friday 24th November 2023 by Jane Allen DL, representing the Lord Lieutenant of County Antrim.

We received our 3<sup>rd</sup> plaque in November dedicated to John Clifford.

### *Council Art Collection*

In 2025, the former Larne Borough Council Headquarters, Smiley Buildings, closed. The collection of art which had been on display in the building was absorbed into the collection of Larne Museum.

### *Larne Museum Collection*

Larne Museum has been featured on the Sporting Heritage website since 2021 Bringing together the UK's sporting collections & the people who care for them.

The Graham Gingles Music box, held in Larne Museum's collection, and the Charles McGarel Bust by Hamo Thornycroft, located at Larne Town Hall, were both included in the Art UK Sculpture Project of 2018, which digitised the UK's sculpture heritage in public ownership. These pieces can be viewed on the Art UK website.

Seven artworks held at Larne Museum & Arts Centre and seven artworks held at Smiley Buildings were catalogued by the Public Catalogue Foundation and published on the Your Paintings website in 2015. Your Paintings was a joint initiative between the BBC, the Public Catalogue Foundation and participating collections across the UK. It aimed to show the entire UK national collection of oil paintings, the stories behind the paintings, and where to see them for real. It is made up of paintings from thousands of museums and other public institutions around the country. Your Paintings was replaced with Art UK in February 2016.

See some of the oil paintings from Larne Museum's collection on the Art UK website.

Art UK - Artwork at Larne Museum: <http://www.artuk.org/visit/venues/larne-museum-and-arts-centre-6797>

Art UK - Artwork at Smiley Buildings, Larne: <http://www.artuk.org/visit/venues/smiley-buildings-6798>

In 2021, Larne Museum contributed a story, 'The Wake' by John Clifford, to the Northword NI project. The project collected stories that capture aspects of cultural or natural heritage in order to celebrate their role in the modern world. 'The Wake' and other stories can be viewed on the Northword NI website - <https://northwordni.org/your-stories/>. Following on from Larne Museum's story submission to the Northword NI project, we were pleased to invite Karen Clifford, John Clifford's granddaughter, to record an audio version of her grandfather's story 'The Wake'. The 3 min audio recording is now available on Northword NI's website - <https://northwordni.org/your-stories/the-wake/>.

### *If Walls Could Talk*

'If Walls Could Talk,' a BBC programme which explores some of Northern Ireland's best-loved buildings that have endured throughout the years and hears from locals about their time spent within the walls, featured Larne Museum & Arts Centre in March 2025.

### *Schools Programme*

A new Viking School Workshop started in September 2024.

A new Prehistoric Workshop for schools started in January 2025.

## **2.5 Arthur Cottage Collection (President Arthur Homestead)**

President Arthur Homestead is the ancestral home of Chester Alan Arthur, the 21st President of the United States of America and opened as a visitor attraction under



Ballymena Borough Council in 1986. The site is located in the townland of Dreen, in the village of Cullybackey and is composed of two buildings, the cottage and the interpretative centre, which are positioned perpendicular to each other.

The cottage and interpretative centre are both historical stone built vernacular buildings and are Grade B+ listed buildings. Their date of construction is c. 1820-1839. The cottage, originally built as a domestic building, is comprised of two rooms - an historic living/kitchen room and a bedroom. The interpretative centre is a former outhouse and is currently divided into three small galleries, a staff area, and a public accessible toilet which take into account the original layout of the building.

There is evidence that the cottage had a slated roof, which was replaced with a thatched roof under the National Trust's ownership in 1968. Ownership of the cottage and outbuilding was taken over by Ballymena Borough Council in 1985 with the intention of developing it as a tourist attraction, and the site was opened to visitors.

Funding was secured for refurbishment and development, including re-thatching, and the addition of interpretative displays took place around 1990-92.

There was a major fire at the cottage in 2011 and all the artefacts that were on site were destroyed. Some of the original collection had been removed to Mid Antrim Museum's collection stores prior to the fire due to concerns about environmental conditions, and these remain in the collection.

Following the fire, the cottage was restored, and the original packed earth floor was replaced with a tiled floor and underfloor heating. The objects which now dress the cottage were purchased locally or have been donated since the restoration.

An apple orchard was planted in the garden in 2022.

A major re-development of interpretation at the museum is planned for 2025.

## 2.6 Service wide virtual museums programme

Since April 2020 there has been increased audience engagement with collections through digital means. This has been enabled through the Council's Communications Team through Council's social media channels, in particular through #MEArtsathome. This has enabled to service to provide collections information a range of themes supported by collections as well as getting involved in supporting external initiatives such as Playful Museums, Kick the Dust, Heritage Days and Love to Move, which is a dementia friendly programme of activity. Museum services resumed on site in June 2021.

In 2025, the Museum Service began a digital audit in order to develop a new digital framework to improve collections management and improve public digital accessibility to the collections.

### 3. An overview of current collections

The collections of Mid and East Antrim Museum and Heritage Service relate primarily to the social history of the three areas of Ballymena, Larne and Carrickfergus within the Borough.

#### 3.1 Mid-Antrim Museum

The collection predominantly dates from the 19<sup>th</sup> and 20<sup>th</sup> centuries.

**Industrial heritage** objects and photographs relating to local railways and iron ore mining. Linen industry objects including ledgers, hackling pins and weaver's clippers from Braid Water Spinning Mill, Pryde's Factory pay box, 'Old Green' agent's enamelled sign, photograph albums from Braid Water and Phoenix mills and material relating to the mills' recreational clubs, Antrim Aluminium Works illuminated address, Gallaher Collection; photographs and technical drawings from Lisnafillan Bleach Works; mid-19<sup>th</sup> century portraits of Raphael brothers in Philadelphia when working as linen agents; Raphael textile factory photographs.

- **Domestic Life** includes mangles, domestic irons, laundry and cooking bygones, rush light holders, ceramic and glass ware, costume.
- **Commercial Life** includes Greene and Sinclair trade token, coffee grinder, cash register, newsagents shop front.
- **Working life and trade** tailor's tools, cobbler's tools, Ballymena Observer printer's type.
- **Decorative arts and crafts** needlework, silver epergne and stand, framed sampler, quilts, glassware, long case clock, French mantle clock garniture set, Michelin vase, ceramic work by Louise O'Boyle.
- **Rural life and traditions** wooden butter pats and stamps, vernacular furniture, swingle tree, spades, churns, peat barrow, reaper, Esler photograph collection and McBurney photograph collection.
- **Archaeological artefacts** local antiquarians' collections, Bronze age platter, transverse arrow heads, Sotheby's catalogue of the WJ Knowles collection, locally sourced Mesolithic and Neolithic items, quern stone, [DoonBought Fort Collection](#).
- **Popular Culture** includes Rolling Stones poster and programmes from the Flamingo Ballroom, Flamingo Ballroom sign, State and Tower cinema programmes, Summerfield football jersey, Syd Millar Rugby International jersey, Maeve Kyle's blazer, Michael O'Neill's jersey, archival material inc. various programmes and tickets, dulcimer, Braidwater Irish dancing cape, Braidwater recreation club albums.
- **Military Life** Clough Infantry musket, First World War Memorial records, Dunkirk medal, WWI and WWII medals, photographs of '2/6' anti-aircraft

- battery in which Ballymena men served during the Second World War, photographs of Second World War Gibraltarian camps near Broughshane, Sir George White sword, cast iron cannonball.
- **Health and Welfare** Ballymena Union Workhouse admission's notice, Workhouse minute book, Workhouse embossers, nurses' uniforms from Waveney Hospital.
  - **Politics** Ulster Volunteer Force armband and badge, Bannside election poster featuring Rev. Ian Paisley, Ulster Vanguard flag and posters, UVF collection of papers, Braid Water Mill Roll of Honour. Loyalist and Republican newspapers, local election leaflets.
  - **Schools and Education** -school blazers, illuminated address Process National School, photographs, Tullygawley School collection.
  - **Faith and popular beliefs** includes Victorian family bible, Presbyterian Moderator's Robes, communion token, cutlery, chair and pump from former St Louis Convent, Kintuallagh House, christening robes, black silk bodice mourning wear, 'Acts of Archbishop Colton' by the Reverend William Reeves, 'Ballymena Citadel Band' postcard, Haughton wedding dress, Stanley Gordon Collection of Boys' Brigade Items, Boy Scout uniforms.
  - **Literature and music (including recordings) reflecting local cultural expression** published works by David Herbison, Sydney Bell collection, Comhaltas Ceoltoiri Eireann photograph collection, Lambeg drum sticks, Sir George White band bass drum, compact disc recordings by the Ulster Scots Folk Orchestra, poetry by Ethna Carberry, Richard Hayward records, items from Ballymena Music Festival.
  - **Brotherhoods and Friendly Societies** Rechabite banner, artefacts and regalia relating to the Masonic Order, the Orange Order and Free Gardeners; Ballee LOL 474 Orange banner
  - **Local 'Big House' Families** includes Adair family correspondence, Adair estate map on animal hide' Young family photograph albums, scrapbooks and diaries, bound volumes of estate maps, Ballymena Castle stones, bronze dragon ornaments, large portraits of John Young, Adair Estate ledgers, Raphael family correspondence and personal items.
  - **Works of art including contemporary works relating to the above themes** including 'Simon McCrory's Shop' water colour by Barbara Allen, 'Looking towards Glenarm' and 'Moss at top of Lough Road' oils by Maurice Orr, 'Summer Evening near Ballymena' watercolour by CR Greeves, 'James Henry's Living Room' and 'Grannystown School Interior', framed colour photographs by award winning local photographer James Hughes, Slemish by Errol Forbes and Ballymena Bull by Ivan Frew.
  - **Oral and filmed material relating to the above themes** including Second World War memories oral history recordings, narrow gauge railway memories filmed interviews, Esler film..



- **Council** - Portraits of former Mayors, rate books, retired mayoral robes; Freedom Ceremony booklets.
- **Plaques** from Waveney and Cottage Hospitals and Peter Stott Martin House, Cullybackey.

### 3.2 Carrickfergus Museum

Carrickfergus Museum holds a mixed collection that covers the following subjects/themes:

- **Civic Life** historic town charters (1606-1949), ceremonial sword and mace (1712), official weights and measures (1835) Mayor's chain of office, Deputy Mayor's and Lady Mayors' chains, Freeman's rolls, town seals (12<sup>th</sup> to 19<sup>th</sup> century), town records / leases, town fire engine with lamps and helmet (1908), retired Mayor's robes.
- **Works of Art** paintings associated with the town by various artists including A.C Stannus, J.W. Carey, William Connor, Kenneth Webb, Maurice Wilks, Arthur Armstrong, and other miscellaneous items relating to the town and district
- **Social Life** and activities, rowing and sailing clubs, cups, drama and music festivals, plaques, costume.
- **Industrial Life** Ship Building Tools, Fishing, Salt Mining, Textiles, Man- Made Fibre Industries
- **Military Life** (reflecting Carrickfergus' role as a garrison town) two mounted canons (1779), medals - Crimean War, WWI medals, Royal Irish Rifles WWI drum, Ulster Defence Regiment and Royal Irish Regiment presentation artefacts, naval cannon ball
- **Crime and Punishment** paintings by Dr James Moore and plans of County of Antrim Courthouse and Jail (1779), sets of hand irons / manacles and leg irons etc.

### 3.3 Andrew Jackson Cottage and US Rangers Museum

Andrew Jackson Cottage:

- A range of domestic artefacts appropriate to a traditional Ulster-Scots farmhouse of the early 1800's.
- A number of items relating to President Andrew Jackson, including a family Bible.
- A collection of traditional quilts.

## US Rangers Museum

The US Rangers Museum houses a collection of militaria and other memorabilia relating to the US Rangers. The collection was donated to the legacy Council by veterans of the Regiment following a 50<sup>th</sup> anniversary reunion event in 1992.

### 3.4 Larne Museum & Arts Centre

The collection at Larne Museum is a mixed local history collection that has been assembled largely through the donations of local people. The collection has been built up steadily since the Museum was first established in 1971 and currently comprises around 17,000 items. Currently the main collection areas cover:

- Pre-history of the former Borough of Larne; archaeological collection, mainly lithics.
- The 'Big House' families (e.g. Smileys, Dixons)
- The natural history of the former Larne Borough.
- Maritime history of former Larne Borough: shipbuilding, history of the port, shipping companies, tourism, shipping disaster, war related.
- Social and industrial history, trade and commerce (e.g. domestic and shop items, mill artefacts etc.)
- Rural/farming life and traditions (e.g. farm implements and machinery etc.)
- Cultural and literary heritage.
- Sport, leisure and recreation (e.g. artefacts relating to local sporting clubs, festivals etc.)
- Larne and the First and Second World Wars etc.
- Religion and education (e.g. school books and artefacts).
- Politics (e.g. 1798 Rebellion, Home Rule, local elections etc.)
- Art collection: paintings of important local families by Henrietta Rae, Frank McKelvey, Edward Arthur Walton, and a sculpture by Sir William Hamo Thornycroft; paintings by well-known local artists including Robert Beattie, Sam McLarnon, Louis Humphrey, Chris Gilbert, Audrey Kyle, Graham Gingles, Jon Lashford, and Nancy Huxley; and local scenes by important national artists such as Norman Whitla, Andrew Nichol, and Norman Wilkinson.

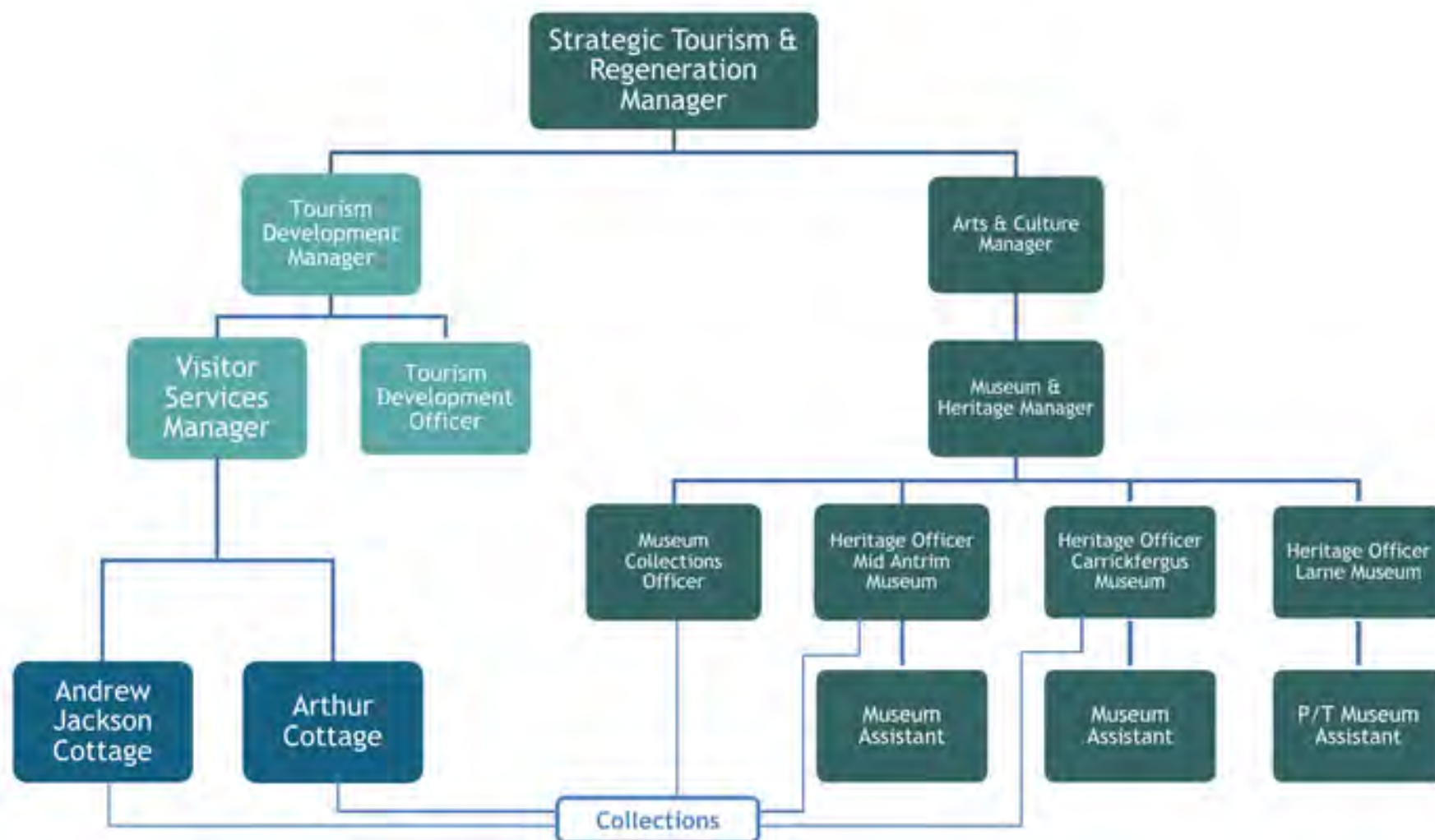
### 3.5 Arthur Cottage, Cullybackey

The collection at Arthur Cottage is a mixed rural and domestic history collection appropriate to a traditional Ulster Scots family setting. The interpretation at the

cottage also tells the history of the family of US President, Chester B Arthur.

- Rural/farming life and traditions (e.g. farm implements and machinery etc.)
- Carpentry tools
- A range of domestic artefacts appropriate to a small rural farm which was inhabited from the late 18th century until the mid-20th century
- A range of furniture appropriate to a small rural farm which was inhabited from the late 18th century until the mid-20th century
- A collection of textiles which is composed of clothing and quilts.

### 3.6 Collection Responsibility and Workforce Chart



## 4. Themes and priorities for future collecting

**4.1** Given that there are five Council museums in the Mid and East Antrim area, collecting themes will be reviewed within the timeframe of this policy to build on the strength of collective existing collections and establishing broad themes across the service reflecting the nine priority heritage sites, two noted sites, and five priority heritage themes within Mid and East Antrim adopted by Council in June 2016.

The nine priority sites are:

- Carrickfergus Castle
- St Nicholas Church, Carrickfergus
- Carrickfergus Town Walls
- Glenarm Castle
- Glenarm Village
- Antrim Coast Road
- Gracehill Village, UNESCO Heritage site
- Carrickfergus Gasworks
- Slemish and St Patrick

Noted sites

- Ballycarry
- Carnlough

Collecting themes will continue as they currently exist at site level across the five priority heritage themes.

The over-arching themes which define the collecting priorities of the service are

- Trade, industry, agriculture, transport and commerce
- Maritime and coastal heritage
- Ancient places
- Faith heritage
- Oral culture, creativity and celebration

The Mid and East Antrim Museum and Heritage Service will no longer collect generic



social history items which are already well represented within the relevant collection.

**4.2** The geographical collecting area will be the Mid and East Antrim Borough area.

**4.3** The Mid and East Antrim Museum and Heritage Service will in future, by donation or acquisition, seek as a priority material to address areas of under-representation in our existing collection, ranging from pre-historic material to the contemporary. Material currently under-represented in the service wide collections are archaeology, pre-nineteenth century material, fine art, items related to recent industrial decline across the area, and representations of Cultural and personal diversity.

**4.4** Future collecting themes and priorities will be underpinned by a service wide approach to collections development.

**4.5** Guiding principles for collections development will be directed by the aims of

- Enhancing permanent exhibitions
- Supporting temporary exhibition programmes on key local themes
- Strengthening existing collection areas
- Bridging identified gaps in the collections and acquiring key local items not currently represented in the collections
- Increasing awareness and responding to industrial and social changes in the Borough to ensure collections development records significant events in the history of the Borough
- Reflect the increasing cultural diversity of the Borough

**4.6** Items will not be acquired unless suitable environmental conditions are available for storage.

**4.7** Larger items will not be acquired unless they fill an identified gap across all four museum collections; there is suitable storage space and that there are long term resources to maintain these items.

**4.8** In exceptional circumstances, and to ensure the preservation locally (and in public ownership) of important material, the responsible officer is authorised to collect material from outside the Museum Service's collecting area, relating to other areas not yet covered by any museum service. Such material is acquired on the basis

that approval has first been given by the relevant Council Committee and that it may be transferred in the future if a museum service is established in the area of collection.

**4.9** The Mid and East Antrim Museum and Heritage Service acknowledges that National Museums Northern Ireland (NMNI) have in the past collected material within the collecting area of Mid and East Antrim Museum and Heritage Service. Mid and East Antrim Museum and Heritage Service will work with NMNI to ensure that such material is preserved in the place most appropriate, given the nature of the items and their provenance.

**4.10** Mid and East Antrim Museum and Heritage Service is committed to broadening access to its collections through exhibitions, digital resources, loans, outreach projects and events.

## 5. Themes and priorities for rationalisation and disposal

**5.1** The museum service recognises that the principles on which priorities for rationalisation and disposal are determined will be through a formal review process that identifies which collections are included and excluded from the review. The outcome of review and any subsequent rationalisation will not reduce the quality or significance of the collection and will result in a more useable, well managed collection.

**5.2** The procedures used will meet professional standards. The process will be documented, open and transparent. There will be clear communication with key stakeholders about the outcomes and the process.

### **Rationalisation Programme, 2019 - 2025**

Following on from the Storage Review carried out in

The Rationalisation Plan for the Council Museum Collections was approved by the Borough Growth Committee in June 2019 (see [Appendix 1](#)), with the purpose of optimizing Council resources in the care and management of the museum collections that it holds, to include ongoing storage needs. The following areas of the collections were considered for rationalisation and dispersal across two phases.

- Phase one identified readily known artefacts which were hazardous or beyond economical repair/conservation and also items which had the status of a loan for which provision should be made for their return to their owner.
- In Phase Two the following collection areas were prioritised on the premise that they were the most likely collections areas across the four museums in the service to have generic duplication of large sized items.
  - Textiles
  - Domestic Bygones
  - Rural Life

Phase one disposal of hazardous materials and materials beyond economic repair was approved and 72 objects from this category were identified in December 2019. Delays due to Covid 19 restrictions meant that there were disposed of in March 2021.

At the same time, 305 outstanding loans were collated across the museums and their owners were contacted.

Phase two took place between 2019 and 2025. A series of reports were presented recommending approval for dispersal of selected artefacts organized by thematic



collecting area that scored under a threshold of 51. The score was derived using a matrix developed for archeological collections by University College London and takes into account each artefact's condition along with their interpretative and educational value.

It is important to note that all of this material was acquired before the museums were being run to professionally recognised standards and where subsequently the items under review would not have been recommended to be accepted by Council.

Approved dispersal only takes place after the original donor of the artefact is contacted and given the opportunity to resume ownership of their donation. A time period of sixty days is allowed for their response. All reports recommending dispersal were approved.

A review of textile and costume items across Council's collections was carried out from April to June 2022. Selected items were assessed and scored by 19<sup>th</sup> and 20<sup>th</sup> century textile and costume researcher, Jenny Hazlett. Dispersal of the items was approved in 2022. The breakdown of items recommended for dispersal was: Carrickfergus Museum, 11 items; Larne Museum, 65 items; Mid-Antrim Museum 14 items. After being offered to the original donors, a selection of textile costume and decorative pieces in poor condition were offered to local drama societies and some items were transferred to Larne Drama Circle. A majority of the textiles will be recycled through their use in a series of textile-based workshops with local groups in 2025.

From April to August 2023, officers completed a review of relevant rural life material across collections at Larne Museum; Mid-Antrim Museum, Ballymena; Andrew Jackson Cottage and the museum service off-site LEDCOM store. Additional identification information to help with scoring was provided by staff at Garvagh Museum. Rural life artefacts that were agreed for dispersal at the 23 October 2023 Neighbourhoods & Communities Committee were offered back to their donors between January - March 2024; none were requested to be returned. A total of 36 items were identified for dispersal: Andrew Jackson Cottage, 9 items; Larne Museum, 9 items; Mid-Antrim Museum at The Braid, 17 items; LEDCOM store, 1 item. The items were offered to a number of local rural life museums and heritage centres and were accepted by Tenth Glen Farm in Newtowncrommelin.

The Domestic Bygones thematic area was reviewed and scored between May and September 2024. The report was approved by Council in December 2024. The total number of objects agreed for dispersal was 160, which includes some sets of objects. The breakdown was: Carrickfergus Museum and Andrew Jackson Cottage, 53 items; Larne Museum, 58 items; Mid-Antrim Museum, 52 items. Items were offered for return to donors, allowing a sixty-day period for a response between March - April 2025. Due to additional information being forthcoming from this contact with donors, it has been decided that 3 of the objects will remain within the collection. The items for dispersal were accepted by Tenth Glen Farm in Newtowncrommelin. Any items that are not

dispersed in this way are recommended for disposal by the Council's waste department.

The rationalisation process identified a total of 286 items for dispersal further to their not being reclaimed by the original donor after contact has been made. The final outworking of the domestic bygone and rural life collection reviews is underway from May 2025.

## 6. Legal and ethical framework for acquisition and disposal of items

**6.1** The museum service recognises its responsibility to work within the parameters of the Museum Association Code of Ethics when considering acquisition and disposal.

The current Code of Ethics was updated in 2016 and is available at <https://www.museumsassociation.org/campaigns/ethics/code-of-ethics/>

A review of the Museum Association Code of Ethics was initiated in 2023; the updated version will be published in October 2025.

## 7. Collecting policies of other museums

**7.1** The museum will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. It will consult with these organisations where conflicts of interest may arise or to define areas of specialism, in order to avoid unnecessary duplication and waste of resources.

**7.2** Specific reference is made to the following museum(s)/organisation(s):

- National Museums Northern Ireland
- Public Records Office of Northern Ireland
- Causeway Coast and Glens Council Museum Service
- Irish Linen Centre & Lisburn Museum
- Northern Ireland War Memorial Museum

## 8. Archival holdings

**8.1** As Mid and East Antrim Museum and Heritage Service holds and intends to acquire relevant archives, including photographs, film, sound recordings and printed ephemera, its governing body will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (2002) and Spectrum Procedures (version 5.1).

## 9. Acquisition

**9.1** The Policy for agreeing acquisitions is that Museum staff will undertake required due diligence in terms of the historical relevance of items on offer, as well as carrying out a check on condition and if the authority of the donor is not clear, confirm ownership. A decision based on museum staff recommendation on acceptance or refusal will be made by Elected Members on the relevant committee. Their decision will be informed by the Collections Development Policy and available resources.

Items offered to the Mid and East Antrim Museum and Heritage Service as gifts or bequests will not normally be accepted if they are subject to any restrictive covenant or special conditions, such as that they be displayed in a particular way.

The rationale for the acquisition of objects will be made within the framework of Mid and East Antrim Museum and Heritage Service's mission statement and themes and priorities for future collecting.

**9.2** The museum will not acquire any object or specimen unless it is satisfied that the object or specimen has not been acquired in, or exported from, its country of



origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).

**9.3** In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from November 1 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the museum will reject any items that have been illicitly traded. The governing body will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

## 10. Human remains

**10.1** Going forward Mid and East Antrim Museum Service does not intend to acquire human remains; including human remains under 100 years old.

**10.2** As Carrickfergus Museum holds a human skull and bone fragment, it will follow the procedures in the 'Guidance for the care of human remains in museums' issued by DCMS in 2005.

## 11. Biological and geological material

**11.1** So far as biological and geological material is concerned, Mid and East Antrim Museum Service will not acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation law or treaty of the United Kingdom or any other country, except with the express consent of an appropriate outside authority.

## 12. Archaeological material

**12.1** Mid and East Antrim Museum Service will not acquire archaeological material (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.

**12.2** In England, Wales and Northern Ireland the procedures include reporting finds to the landowner or occupier of the land and to the proper authorities in the case of possible treasure (i.e. the Coroner for Treasure) as set out in the Treasure Act 1996 (as amended by the Coroners and Justice Act 2009)

## 13. Exceptions

**13.1** Any exceptions to the above clauses will only be because Mid and East Antrim Museum Service is:

- acting as an externally approved repository of last resort for material of local (UK) origin
- acting with the permission of authorities with the requisite jurisdiction in the country of origin

In these cases, Mid and East Antrim Borough Council will be open and transparent in the way it makes decisions and will act only with the express consent of an appropriate outside authority. The museum will document when these exceptions occur.

## 14. Spoliation

**14.1** Mid and East Antrim Museum Service will use the statement of principles 'Spoliation of Works of Art during the Nazi, Holocaust and World War II period', issued for non-national museums in 1999 by the Museums and Galleries Commission.

## 15. The Repatriation and Restitution of objects and human remains

**15.1** Mid and East Antrim Borough Council, acting on the advice of the museum's professional staff, if any, may take a decision to return human remains (unless covered by the 'Guidance for the care of human remains in museums' issued by DCMS in 2005), objects or specimens to a country or people of origin. The Council will take such decisions on a case-by-case basis; within its legal position and taking into account all ethical implications and available guidance. This will mean that the procedures described in 16.1-5 will be followed but the remaining procedures are not appropriate.

**15.2** For all human remains in England, Wales and Northern Ireland:

The disposal of human remains from museums in England, Northern Ireland and Wales will follow the procedures in the 'Guidance for the care of human remains in museums.'

## 16. Disposal procedures

All disposals will be undertaken with reference to the Spectrum primary procedures on disposal.



**16.1** The governing body will confirm that it is legally free to dispose of an item. Agreements on disposal made with donors will also be taken into account.

**16.2** When disposal of a museum object is being considered, Mid and East Antrim Museum and Heritage Service will establish if it was acquired with the aid of an external funding organisation. In such cases, any conditions attached to the original grant will be followed. This may include repayment of the original grant and a proportion of the proceeds if the item is disposed of by sale.

**16.3** When disposal is motivated by curatorial reasons the procedures outlined below will be followed and the method of disposal may be by gift, sale, exchange or as a last resort - destruction.

**16.4** The decision to dispose of material from the collections will be taken by the governing body only after full consideration of the reasons for disposal. Other factors including public benefit, the implications for the museum's collections and collections held by museums and other organisations collecting the same material or in related fields will be considered. Expert advice will be obtained and the views of stakeholders such as donors, researchers, local and source communities and others served by the museum will also be sought.

**16.5** A decision to dispose of a specimen or object, whether by gift, exchange, sale or destruction (in the case of an item too badly damaged or deteriorated to be of any use for the purposes of the collections or for reasons of health and safety), will be the responsibility of the governing body of the museum acting on the advice of professional curatorial staff, if any, and not of the curator or manager of the collection acting alone.

**16.6** Once a decision to dispose of material in the collection has been taken, priority will be given to retaining it within the public domain. If the object is of high monetary value, it will be offered in the first instance, by gift or sale, directly to other Accredited Museums likely to be interested in its acquisition.

**16.7** If the material is not acquired by any Accredited museum to which it was offered as a gift or for sale, then the museum community at large will be advised of the intention to dispose of such material that is of high monetary value, normally through a notice on the MA's Find an Object web listing service [www.museumsassociation.org/find-an-object/](http://www.museumsassociation.org/find-an-object/), an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate).



**16.8** The announcement relating to gift or sale will indicate the number and nature of specimens or objects involved, and the basis on which the material will be transferred to another institution. Preference will be given to expressions of interest from other Accredited Museums. A period of at least two months will be allowed for an interest in acquiring the material to be expressed. At the end of this period, if no expressions of interest have been received, the museum may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.

**16.9** The Museums Association has recognised that whilst in the past there has been a strong preference for the transfer of items to Accredited museums it is unsustainable for museums to pass collections amongst themselves never ultimately freeing up the total storage space of the sector. Museums should not consider taking on collections that they would not use and there may be other organisations that would be better able to provide access to the items. Therefore, wider transfer within the public domain, including groups that provide regular public access, is now considered a legitimate means of transfer. This guidance is available in the Museums' Association's '*Off the Shelf: A Toolkit for Ethical Transfer, Reuse and Disposal*,' 2023, <https://www.museumsassociation.org/campaigns/ethics/disposal/>.

**16.10** Any monies received by the museum governing body from the disposal of items will be applied solely and directly for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Any monies received in compensation for the damage, loss or destruction of items will be applied in the same way. Advice on those cases where the monies are intended to be used for the care of collections will be sought from the Northern Ireland Museums Council. The proceeds of a sale will be allocated so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard. Money must be restricted to the long-term sustainability, use and development of the collection.

**16.11** Full records will be kept of all decisions on disposals and the items involved and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items concerned, including photographic records where practicable in accordance with Spectrum procedure on deaccession and disposal.

### **Disposal by exchange**

**16.12** The museum will not dispose of items by exchange.

### Disposal by destruction

**16.13** If it is not possible to dispose of an object through transfer or sale, the governing body may decide to destroy it.

**16.14** It is acceptable to destroy material of low intrinsic significance (duplicate mass-produced articles or common specimens which lack significant provenance) where no alternative method of disposal can be found.

**16.15** Destruction is also an acceptable method of disposal in cases where an object is in extremely poor condition, has high associated health and safety risks or is part of an approved destructive testing request identified in an organisation's research policy.

**16.16** Where necessary, specialist advice will be sought to establish the appropriate method of destruction. Health and safety risk assessments will be carried out by trained staff where required.

**16.17** The destruction of objects should be witnessed by an appropriate member of the museum workforce. In circumstances where this is not possible, e.g., the destruction of controlled substances, a police certificate should be obtained and kept in the relevant object history file.

## Documentation Policy

### 1. Documentation Policy Statement

Documentation underpins every aspect of museum activity. Recording collection information is central to being accountable for the collections, their accessibility, management, research, study and use.

Mid and East Antrim Museum and Heritage Service's policy for the documentation of the collections is to ensure that information held relating to the collections is accurate, secure, reliable and accessible. Sufficient information will be recorded about all objects in the care of the Museums (including loans as well as permanent collection) to ensure that each object it is legally responsible for can as a minimum, be identified and located.

### 2. Objectives

Through implementation of this policy our objectives are to:

- Improve accountability for the collections - to ensure that Mid and East Antrim Museum and Heritage Service knows the identity and location of all items for which it is responsible, including loans
- Maintain at least minimum professional standards<sup>1</sup> in documentation procedures and collection information and attain the very highest standards wherever possible
- Extend access to collection information
- Strengthen the security of the collections
- Deliver policy in context of the collection rationalisation process

---

#### <sup>1</sup> SPECTRUM

Spectrum is the name of the industry standard for documentation. It is widely used in museums, both in the UK and internationally. Spectrum represents a document of best practice brought together by hundreds of museum professionals. It is an open standard, published by the Collections Trust on behalf of the museum, library and archive sectors. Mid and East Antrim Museum and Heritage Service currently uses Spectrum version 5.1 and will update to any new versions of Spectrum which are released during the timeframe of this policy.

### 3. Development and Implementation of a Documentation Procedure

#### Mid-Antrim Museum

In 2000, the MODES computerised documentation system was acquired and installed by the museum, thus beginning the transfer of information about the collection from paper records to MODES. A process of accessioning began, with an institutional code being assigned by MDA for Mid-Antrim Museum: MSMAB (Museum Service Mid-Antrim Ballymena,) which is used to uniquely identify each object or group of components, e.g. MSMAB:2000:1. Since 2017 retrospective documentation has been carried out with the addition of information to around 3000 records between 2017 and 2020. From 2021 to 2025 around 5300 records were added or updated.

In 2025 the MSMAB code was updated on the MDA database to **Mid-Antrim Museum [formerly Ballymena Borough Council]**

A separate code of AC (Arthur Cottage) is used to identify items in the Arthur Cottage Collection (President Arthur Homestead).

#### Carrickfergus Museum

Carrickfergus Museum also acquired MODES in 2000. The assigned code for this collection is MSMAC. In 2025 the MSMAC code was updated on the MDA database to **Carrickfergus Museum [formerly Carrickfergus Borough Council]**.

Since 2020 retrospective documentation has been carried out and 700 records have been updated or added.

A separate code of AJC is used to identify items in the Andrew Jackson Cottage Collection. As of August 2025, there are 157 objects recorded on MODES as Andrew Jackson Cottage Collection.

#### Larne Museum & Arts Centre

Larne Museum & Arts Centre acquired MODES in 2005. The assigned code for this collection is MSMAL. Items on permanent display are recorded on this system.

In 2025 the MSMAL code was updated on the MDA database to **Larne Museum & Arts Centre [formerly Larne Borough Council]**

In 2017 the MODES system for each museum were linked on to the same server by Mid and East Antrim Borough Council, allowing access for searches to records across the three sites while retaining editing functions at site level.

Mid and East Antrim Museum and Heritage Service take a practical approach as to the level to which material is documented. Ideally for the majority of the collections, especially those that have high monetary value or historical significance, Museum staff



will document individual items to catalogue' level. However, for backlog material or large photographic collections, items may initially be documented to inventory and / or group level. A timetable for completing backlog documentation is outlined by each museum at site level on their documentation plan.

The museum service uses the most up to date version of the Modes software, currently Version 1.6 Modes Complete, updated December 2024.

#### 4. Documentation Procedures

Detailed directions for the documentation of objects are located in the Museum's Documentation Procedural Manual. The following documentation procedures will ensure that the Museum will achieve the above aims and objectives.

4.1 The Museum will document collections to either Inventory or Catalogue level, as described below:

- **Inventory level:** This is a basic accession record for an individual object or a group of closely related items. All collection objects must be documented to this level within a reasonable time frame so they can be identified, accounted for and accessed.

The record for each object or group must contain:

- Object Identity (accession number)
- Number of Items
- Object Name
- Brief Description
- Current Location

And, if known:

- Deposit (Entry) Number, Authority and Date
- Acquisition Method, Person and Date

Where entry and acquisition information cannot be found it should be noted: 'donor, unknown.'

Every item or group must be marked/labelled with its accession number (at least marked on its packaging for a group) using the appropriate marking or labelling technique.

- **Catalogue level:** All new acquisitions and objects of high significance will require a more detailed record. This must include everything at inventory level, plus any of the following, depending on the information available and the type of object:
  - Other historical reference numbers
  - Full classification
  - Object description information (e.g. physical description, dimensions, inscriptions, colour, material)
  - Content and subject information
  - Other historical information
  - References to collections management information
  - References to published bibliographic information
  - Reproduction information (digital image files)

#### 4.2 Documentation of New Acquisitions

Mid and East Antrim Museum and Heritage Service will not add to its retrospective documentation backlog. The Museum and Heritage Service will not obtain collections that it is unable to document to a catalogue level within a reasonable period.

Mid and East Antrim Museum and Heritage Service aims to document new acquisitions to a catalogue level within 2 months of receipt of the object/s.

#### 4.3 Retrospective Documentation

Mid and East Antrim Museum and Heritage Service is committed to reducing its documentation backlog in balance with demands on staff time for exhibition and events programmes. The Museums will continue to assess and resolve discrepancies between inventory records and existing documentation and to ensure that all objects will eventually have a catalogue level record.

Mid and East Antrim Museum and Heritage Service's *Collection Management Plan* includes *Documentation Plans* for each museum at site level which summarises an agreed activity list and specified time frames for identified backlogs. Progress is reviewed bi-annually and a new action plan will be developed annually by staff on site. This plan will help to ensure an overall improvement in the quality of information held about objects and collections across the service.

The timing of some documentation projects will be dictated by the needs of each

Museum's exhibition and events programme, research and website development projects, to ensure that limited resources are directed towards immediate public outcomes that provide improved access to the collections. Documentation projects will also take into account the documentation requirements arising from the implementation of a rationalization plan for the collections.

Mid and East Antrim Museum and Heritage Service will continue to assess and review collections during documentation and storage projects. This constant assessment is part of a responsible collections management strategy. Once basic retrospective documentation is completed, collections, particularly generic material of unknown provenance and duplicate objects can be re-assessed from a position of knowledge.

#### 4.4 Documentation of Loans

Incoming and outgoing loans are documented according to Spectrum 5.1 guidelines. A computer database for loans is maintained by each Museum site to record status and location of objects on loan.

### 5. Accountability

5.1 Sufficient information will be recorded about all objects in the care of the Museums (including loans as well as permanent collection) to ensure that each object it is legally responsible for can, as a minimum, be identified and located.

#### 5.2 Controlled Access to Sensitive Information

Mid and East Antrim Museum and Heritage Service recognises its responsibility to make information about its collections available to Museum users; however some information will be treated as confidential, such as donor information and valuations. All requests for information will be considered in terms of compliance with the Freedom of Information Act (2000) and Data Protection Act (2018). Each museum will review requests for confidential data such as donor information, environmental information, valuations or site details on a case by case basis, and in accordance with the applicable legislation and Mid and East Antrim Borough Council's GDPR policy and procedures (2018).

<https://www.midandeantrim.gov.uk/downloads/DataProtectionPolicy.pdf>

### 6. Digital assets management

6.1 In order to ensure that our current electronic system does not become obsolete, the Museum and Heritage Service will remain informed of technological advances and ensure the long-term accessibility of the information held.

**6.2** Mid and East Antrim Museum and Heritage Service will have measures in place to ensure the physical security and long-term preservation of all documentation records, whether paper or digital. The MODES database will be backed up off-site at appropriate intervals. Security copies of the Accession Register can be accessed off-site through the Modes server and are updated annually.

In 2025, the Museum Service began a digital audit in order to develop a new digital framework to improve collections management and improve public digital accessibility to the collections.



## Documentation Procedural Manual

### **1. Introduction**

This procedural manual contains a series of clear instructions to standardise the recording of information about the collections of Mid and East Antrim Museum and Heritage Service. By putting these procedures and practices in place we will ensure high standards and a continuity of approach to documentation.

Our aim is to have a documentation procedural manual in place that will be consulted by new and existing staff when carrying out all documentation procedures. This manual will also meet the minimum standards required by Spectrum and the Museum Accreditation Scheme. Responsibility for documentation lies with Museum Service Staff at site level. Changes to documentation procedures and amendments to the Manual will be agreed at service level.

### **2. History of Mid and East Antrim Museum and Heritage Service's Documentation System**

Mid and East Antrim Museum and Heritage Service is a member of the MODES Users Association and has installed updates to MODES as they have been created. In 2017, further to local government re-organisation MODES records for each of the three museums in the Mid and East Antrim Museum Service have been transferred into separate files onto a new Council server.

### **3. Development and Implementation of a Documentation Procedure**

Basic entry records were maintained in the period 1988-2000. In 1998, a professional Museums Service Officer was appointed by Ballymena Borough Council for the Mid-Antrim Museums Service, and subsequently an Acquisition and Disposal Policy was approved for Ballymena Museum in 1999.

In June 2000, the Museums Service Officer introduced the Museum Documentation Association's (MDA) Simple Name Cards and Museum Object Entry Forms. A security copy was made of each original basic entry record created during the Historical Research Initiative era.

A process then began of giving each basic record and related item a temporary identity

number, with the prefix 'T.' This information was then transferred to a corresponding Simple Name Card. Loan records were separated from the main body of entry records, and all records were divided by calendar year into separate files. 'Permanent loans' are returned where possible to their owners, and the practice discontinued. A process of marking or labelling the collection and taking a photograph of individual items also began at this time.

A professional Curator was appointed in July 2000. A computerised documentation system, MODES, was acquired and installed by November 2000. Staff took part in MODES training in 2001 and 2002 provided by Mid-Antrim Museums Service (MAMS). The MODES trainer subsequently improved the MODES template and added the SHIC classification system. This template with further refinements was adopted across MAMS. A process of accessioning the collection began, with an institutional code being assigned by the MDA for Ballymena Museum: MSMAB (Museum Service Mid-Antrim-Ballymena); e.g. MSMAB: 2000:01.

Loan forms, MDA Object Exit Forms and Donation Acknowledgement Letters were introduced by the beginning of 2001. From 2001, following an item being donated or acquired by the Museum, it has been given a unique entry number. Christie's of Grey Abbey valued the collection prior to re-location to Wellington Court. Insurance valuations were added to MODES. Conservation report notes by professional conservators were also first entered on MODES at this time as a standard requirement. Copyright ownership was added to MODES records from 2001.

Storage shelves and bays and plan chests were given a letter and number in order to record the location of collection objects whether free standing or boxed. This was implemented after re-location in May 2001.

In the period 2002 - 2005, records that previously been added to MODES were improved and location records were updated. The process also continued in this period of transferring the backlog of Simple Name Card entries onto MODES. An Association Term List was introduced onto MODES in 2002. An Accession Register was created for each financial year from 2000/01 onwards. A security copy is made for each Museum Object Entry Form.

In 2004 scanned images were added to individual MODES records for the first time. From August 2005 MODES has been carried on the Council's server and is backed up daily and a security copy created weekly and stored off-site.

A Storage Review was undertaken through the Mid-Antrim Museums Service in 2011 which recommended actions including rationalisation of an off-site store and updating documentation records accordingly. A second storage review was undertaken in 2017

of on site and off site rented storage. The outcome of this was the recommendation to transfer items from two existing off site stores used by Mid Antrim and Larne Museum to one more suitable store in Ledcom, Larne from October 2020. Annual condition checks are carried out.

In 2019 Mid Antrim Museum purchased new versions of the object entry form containing updated GDPR information. This 2018 revision of the Collections Trust object entry form takes into account recent changes to data protection law. Depositors now indicate that they have been made aware of the museum's privacy notice, and also acknowledge that the museum will capture, store, edit and transit information associated with acquired objects in line with that privacy notice.

2019 Collection Review Plan presented to Council. Describe methods and outcomes of Collections Review

In November 2022, there were 8265 Modes records for Mid Antrim Museum.

#### 4. Summary of Present Practice

Mid and East Antrim Museum and Heritage Service currently carries out documentation by following the SPECTRUM Primary Procedures (Version 5.1). These procedures cover all of the record types that have to be in place to meet *Museum Accreditation* requirements:

Object entry

Acquisition and accessioning

Location and movement control

Inventory

Cataloguing

Object exit

Loans in (borrowing objects)

Loans out (lending objects)

Documentation planning



## 5. Spectrum 5.1 Procedures

Spectrum 5.1 is the most up to date version of cataloguing and use of collections procedures, introduced in September 2022.

### 5.1 Object entry

Offers of donations to the museum have to be reported on and approved by Council before they can be accepted into the museum's collection. Recommendations are made by the museum as to whether the donation should be accepted or declined according the Museum Collecting Policy. Once approved by Council, donors should be contacted and informed of the outcome, and asked to bring the items to the museum, or if necessary, arrangements should be made to collect the items. Object Entry procedures should be followed when accepting these donations.

#### Spectrum Definition:

Logging all objects coming into your care for whatever reason, including loans, enquiries and potential acquisitions.

#### Spectrum Minimum Standard:

The organisation must have a policy covering the receipt and deposit of objects.

The procedure for managing and documenting object entry must:

- Establish the terms and conditions under which objects are received as a deposit
- Uniquely identify the newly received object or associated group of objects
- Ensure the organisation is able to account for all objects left in its care
- Provide a receipt for the owner or depositor
- Help establish the extent of the organisation's liability
- Indicate the reason for the receipt of the object
- Determine a finite end to, or programme for review of, the deposit
- Enable the object to be returned to the owner or depositor as required
- Allow for objects and associated records to be checked on entry to ensure that they correspond to any accompanying inventory and/or transfer of title documentation supplied
- Establish who has legal title to the object in case of subsequent acquisition
- Capture key information about the object, to be augmented in the future
- Inform the decision-making process



If advance notice has been given that an object will arrive at a Museum site, prepare for the arrival of an object by:

- Clarifying any specific terms and conditions (if they are different from the standard; this would only occur in exceptional circumstances and at the direction of the Museums Service Officer or Curator).
- Briefing the relevant person(s)
- Have a storage location available
- Checking that the object is in a fit state to be left in the Museum's custody - new items should be 'quarantined' on arrival, until a satisfactory condition check is completed
- Confirming, for objects covered by the *Government Indemnity Scheme* that a condition check has been carried out before transportation.

### Procedure

Make a record of the object as soon as it arrives using the relevant **Museum Object Entry Form**. Wherever possible, obtain as much information about a deposit before arrival (see 1 above). If the depositor provides an inventory of the objects being deposited, check this for possible discrepancies and agree on what is being deposited. In cases where deposits were expected, refer as appropriate to the documentation already prepared.

The following information should be recorded on the Museum Object Entry Form:

- Entry Number (check the latest volume of completed entry forms to ascertain the last entry number and give the next sequential number to the new record)
- Name, address and telephone number of the current owner (and depositor if different)
- Ensure the rights associated with this information are respected (data protection)
- Entry date
- Brief statement of condition and completeness (identify the composite parts of objects which might appear as one thing)
- Brief description of the object(s), including any accompanying information concerning production, usage etc
- Contextual information relating to the owner/maker of object e.g. names, date of birth and/or significant event associated with object etc

- Entry reason
- Entry method
- Number of objects deposited, where possible (see note below)
- Requirements of the owner (or depositor) including return details if applicable and confidentiality of information provided to the organization
- Agreed return date (if applicable)
- Inform the depositor of the organisation's terms and conditions for accepting deposits according to the reason for the deposit, including their rights in the personal information that the organisation now holds. Ensure that they are aware that if the item is a donation, legal title to the object(s) is transferred to the Museum.

Signature of the owner (or depositor if different). In this procedure we use the term 'owner' to mean the person depositing the object with you, but this will not always be the case. If the depositor is someone else, make sure they have authority to act on the owner's behalf.

- Name and signature of the organisation's official who receives the object
- Insurance details (including a previously agreed valuation)
- Note of packing materials if necessary (they may be an integral part of the object)
- Field collection information where relevant (method, context, co-ordinates, landowner, finder)
- Additional information about the object where relevant, including: a hazards note (e.g. chemical, radioactive); any legal/licence requirements (e.g. a firearms licence); any associated rights (e.g. copyright); the owner's asking price if it is being offered for sale.

**Note:** Large groups of items

If it is not possible to count the number of objects deposited, e.g. in the case of a large number of potsherds, indicate the size of the deposit in an appropriately practical way, e.g. '2 boxes'. In this instance it will be appropriate to assign numbers to groups of objects rather than individual items. Thought should be given to the different levels of recording appropriate e.g. a summary list, rather than an itemised list of specimens, may all that is immediately required, or indeed feasible.

#### Condition checks

It is particularly important to check the condition of the object at the time of deposit. Findings should be recorded on the **Museum Object Entry Form**.

This will establish the original condition of the object in the case of any claims against the organisation by the owner, as well as protecting the existing collections against infestation in the case of deposited objects carrying invasive organisms, e.g. molds, woodworm.

- ❑ The area where the object check takes place must have adequate lighting in order to be able to make a true record of the colour and condition of the object. Relevant handling and storage materials must be available. If the object needs to be moved as part of the condition check, use the **location and movement control Procedure**.
- ❑ The condition report should be appropriate to the circumstances. Make a brief note of the condition as required, e.g. 'Good,' 'Fair' or 'Poor' condition; 'small crack on base,' 'stain on back.' Obtain an image of the object wherever practicable. In some cases, a more comprehensive condition report may be necessary. If appropriate, a risk assessment should also be carried out. This should assess risks to people and risks to other objects.
- ❑ Objects should only be accepted unexamined if they require unpacking by specialists. In such cases the receipt should state that the objects were received unexamined.
- ❑ Give the pink copy of the **Museum Object Entry Form** to the depositor as a receipt for the object(s). If the depositor is not present, but known, when the material is received (e.g. if items arrive through the post), send them a copy of the Museum Object Entry Form as a receipt and ask for the white and blue copy to be returned. Include a SAE.
- ❑ If items are offered with no details of ownership i.e. the owner remains anonymous, record as much detail as possible, including photographs (if legally possible). Include an explanatory note on the Museum Object Entry Form, indicating that the depositor was not available to verify details.
- ❑ Tag the object with a temporary label marked with the **Entry number**.
- ❑ If the object is in pieces or cannot be easily tagged, place it in a blue corrugated box and label the box.
- ❑ The object(s) should be photographed as soon as possible after entering the Museum's care. In cases where original photographs are on loan or when items which are difficult to arrange to be photographed, negatives should be retained as a back up security copy of the print, in the **Negatives Catalogue file**. A working copy should be made of any photograph donated to the Museum to minimize handling of the original master copy.

A **Donation Acknowledgement** by email or letter if required should be sent to the donor of an object as soon as possible after the donation is approved by the relevant Council Committee. A file copy should be kept with the entry number of the object(s) noted in the top right hand corner.

- ❑ Objects should be marked and labelled according to best practice as received by staff at Northern Ireland Museum's Council training. Only members of staff who have been trained may carry out marking and labelling (see **Marking and**

## Labelling)

### Processing the object

If an object is donated or acquired, record the:

- Proposed object purchase price if appropriate
- Attach related information and correspondence about the acquisition to the Museum Object Entry Form, this should include rights of ownership associated with the object (e.g. copyright), invoice for a purchase

## 5.2 Acquisition and Accessioning

### Spectrum Definition:

Taking legal ownership of objects, especially (but not always) to add to your long term collection through the process of accessioning: the formal commitment by your governing body to care for objects over the long term.

Acquisition of objects will be undertaken in accordance with the Museum Association's *Code of Ethics for Museums* 2015

(<https://www.museumsassociation.org/campaigns/ethics/>)

### Spectrum Minimum Standard:

The organisation must have a policy covering the acquisition of objects, which should include a collecting policy.

The procedure for managing and documenting acquisitions must:

- Ensure that written evidence is obtained of the original title to an object and the transfer of the title to the acquiring organisation
- Enable the reconciling of acquisition records with objects as part of retrospective documentation, audit and inventory activity
- Ensure that a unique number is assigned to, and physically associated with, all objects
- Ensure that accession registers are maintained, describing all acquisitions and listing them by number
- Ensure that information about the acquisition process is retained
- Ensure that donors are made aware of the terms on which the gift or bequest is accepted by the organisation



- Ensure that collecting complies with the organisation's collecting policy and does not contravene any local, national or international law, treaty or recognised code of practice
- Ensure a copy of the information in the accession register is made and kept up to date

#### Mid and East Antrim Museum and Heritage Service Procedure:

This procedure operates within the framework of the Service's **Collection Development Policy**. Not all museum objects owned by Mid and East Antrim Borough Council are added to the accession register as an addition to the permanent collections. An object may be purchased for instance, for exhibition purposes, or for the education handling collection. An object may retain entry status until such times as enough information is known about the object to warrant full accessioning.

An object is added to the permanent collection at the point of **Cataloguing** (see below).

As part of the acquisitions process, objects need to be assessed for any potential hazards, since compliance with the relevant health and safety regulations is crucial. Objects that contain hazards may also affect the decision to acquire - and therefore, need to be assessed prior to entry (see entry procedures above).

Elected members on the relevant committee of Council representing the governing body of the Council museums will be consulted as stakeholders on a quarterly basis regarding donations on offer and potential purchase of items in advance of their being acquired and accessioned. Officers will make recommendations to assist with this process.

Objects found in the relevant Museum with no number or provenance, for example during audit or inventory, may only be accessioned if officers are confident that they are the property of the organisation and they are required. Every effort should be made to trace the origins of such objects, including all possible external sources and internal records (e.g. entry records, correspondence, loan files, etc).

Where a substantial archive illustrates and enhances context, its acquisition should first be discussed with PRONI and Local Studies Department, Libraries NI. If we propose to retain such an archive, reference should be made to the Museums and Galleries Commission's *Code of Practice on Archives for Museums in the United Kingdom*, 1996.

#### Ownership of archaeological finds:

*The Treasure Act 1996* (supplemented by *Treasure (Designation) Order 2002*) replaced the common law of treasure trove in England, Wales and Northern Ireland. It confirms that treasure vests in the Crown or the franchisee if there is one, subject to prior interests and rights. It removes the previous need to establish that objects were hidden with the intention of being recovered, and defines the precious metal content required for a find to qualify as treasure. It also extends to the definition of treasure to include other objects found in archaeological association with finds of treasure.

In Northern Ireland, the *Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995* includes a statutory requirement for the finder of any archaeological object to report the circumstances of its finding and the nature of the object within 14 days. The object should be reported to the Ulster Museum, the PSNI, or the Environment and Heritage Service (DOE). In addition, the Order makes it an offence to excavate any land while searching for archaeological objects without a licence.

### 5.3 Location and Movement Control

#### Spectrum definition:

Keeping a record of where all the objects in your care can be found, and updating the location each time an object is moved.

#### Spectrum Minimum Standard:

The procedure for managing and documenting location and movement control must:

- Provide a record of the location where an object is normally displayed or stored
- Provide a record of the location of an object when it is not at its normal location
- Enable access to location information by, at the very least, object number and by location name
- Provide an up-to-date record of the re-location of an object within the physical or administrative boundaries of the organisation
- Provide a record of the person responsible for moving an object
- Provide a record or a statement of the persons responsible for authorising object movement
- Provide a history of an object's previous locations, while in the organisation's care.

#### Mid and East Antrim Museum and Heritage Service Procedure:

- All movement of objects should involve due regard to current Health and Safety legislation with special attention paid to manual handling guidelines, especially in regard to large or awkward objects.
- Large or awkward items should not be moved by one person, and heavy items should be moved with the assistance of a trolley.
- No objects should be moved without a clear pathway to the chosen new location



- Appropriate handling and packaging should always be considered to minimize the impact of the move on the object(s)
- Small and/or fragile items should be moved in a tray or box.
- Costume and/or textiles should be moved where possible on a rail or with a flat board/ large textile box to maintain support of the item.
- A risk assessment should be carried out prior to the movement of objects which contain hazardous substances or dangerous sharp edges.
- Where an object needs to be dismantled for moving, this process should be documented in sufficient detail to explain what was done, together for the reasons behind the decisions taken. It is particularly important to record the methodology of assembly and disassembly.
- Framed items should never be lifted by the top corners only and where relevant objects should not be lifted by their handles.
- A unique name and number has been assigned to display and storage location e.g. Collection Store, Bay 7, Shelf 3. This system should always be used when up-dating location information on MODES
- All information pertaining to the history of movement of individual objects should be recorded on MODES, and these records should be consulted prior to a move; particularly if the item has component parts.
- Once an object has been moved, the MODES record should be updated in the fields for temporary and permanent location where relevant and the reason for the move.

Objects moved from the Museum for the purposes of a touring exhibition or loan are covered by the Council's insurance and the **Loans-Out Agreement Form** (see **Loans Policy**) MODES should be up-dated and appropriate packaging and transit arrangements should be made, authorised by the Museums Service officer at site level.

## 5.4 Inventory

### Spectrum Definition:

Making sure you have the basic information to be accountable for the objects in your care and tackling the backlog if you do not.

### Spectrum Minimum Standard:

The museum has the minimum requirements for all other primary procedures and not creating a new backlog of objects without basic information. Every object (or group of objects) has a unique number securely associated with it, linking records to the physical items they describe.

Every object (or group of objects) has a recorded name and brief description (or image). You know the current location of every object (or group of objects) and when it was noted there.

You are able to find objects when you need them.

You could produce an accurate list of the objects in a location if needed for an audit or insurance claim. You know who owns each object (or group of objects) in your care, and how they came to be in your care (e.g., acquired, on loan). You can contact the owners of objects due to be returned.

You have no 'orphan objects' whose ownership is unclear.

If you have more than one type of collection (e.g., accessioned objects and a handling collection) you know which collection an object belongs to. You can make appropriate decisions about how to use objects. If you do not currently meet the above requirements, you have an appropriate plan to do so within an agreed time period.



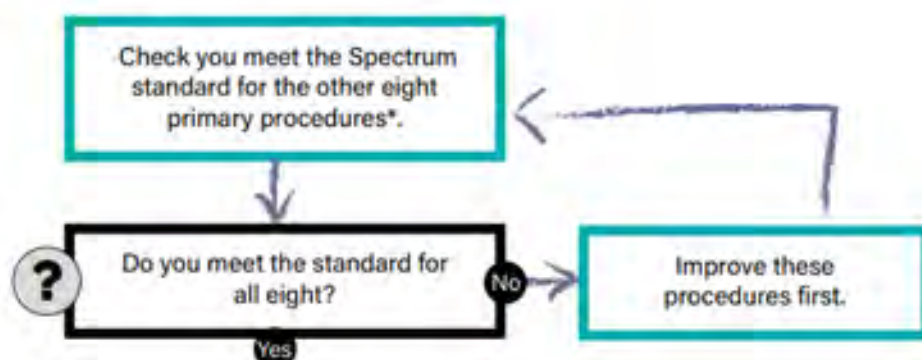
## Mid and East Antrim Museum and Heritage Service Inventory Procedure:

### Inventory

#### Having the primary procedures in place

\*The other eight primary procedures are:

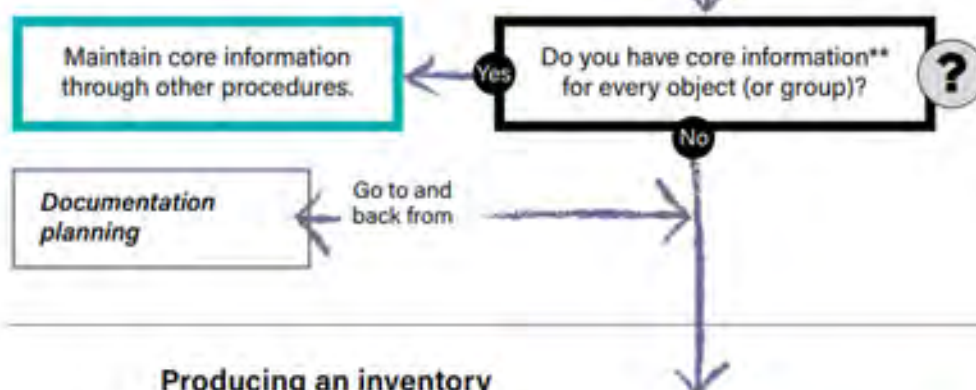
- Object entry
- Acquisition and accessioning
- Location and movement control
- Cataloguing
- Object exit
- Loans in (borrowing objects)
- Loans out (lending objects)
- Documentation planning



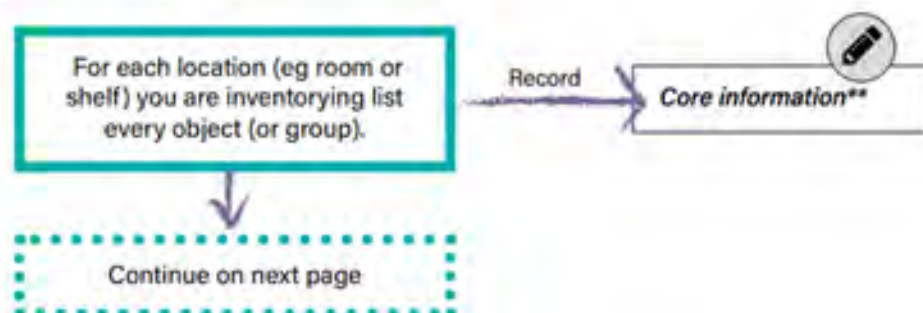
#### Checking you have core information

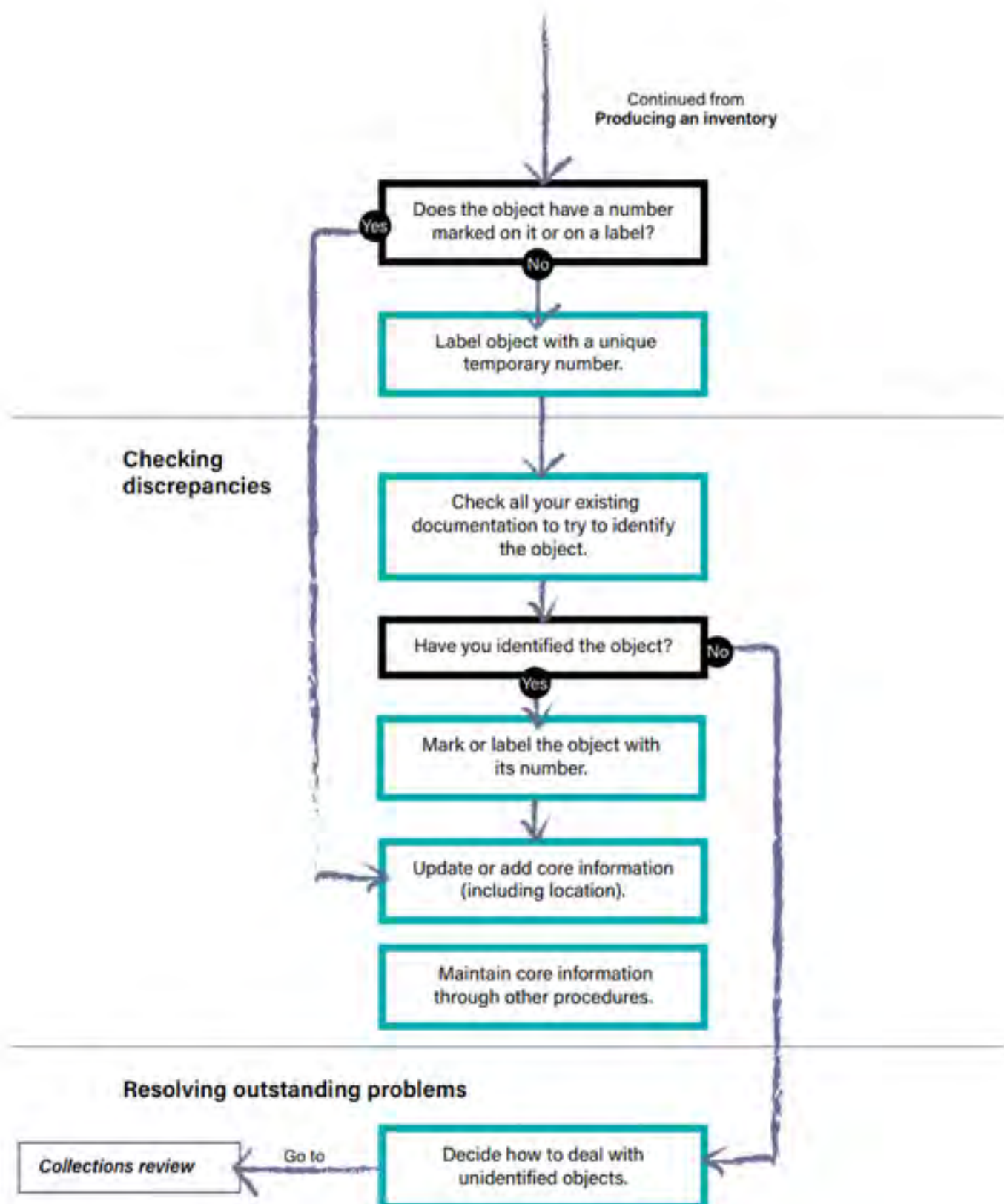
\*\*Minimum core information for each object (or group of objects) is:

- Object number
- Object name
- Number of objects (if a group)
- Brief description (or image)
- Current location
- Current owner (if not your museum)
- Where possible, recorder and date



#### Producing an inventory





## 5.5 Cataloguing

### Spectrum Definition:

The ongoing process of recording and managing information about collections, often from multiple perspectives, to meet the needs of a range of users.

The compilation and maintenance of key information, formally identifying and describing objects. It may include information concerning the provenance of objects and also collection management documentation e.g., details of acquisition, conservation, exhibition and loan history, location history, etc. It need not bring together in one location everything known about an object but should provide cross-references to any other relevant information source known to the organisation.

Objects usually have more than one story. Individuals and groups contributing to collections information will bring different knowledge and perspectives. Your approach should be inclusive, and your system should support this. The Use of collections procedure gives guidance on recording information that arises from different uses and sources.

The aim of cataloguing is not to produce a definitive end product that cannot be shared until it is 'complete'. No museum has finished cataloguing because there is always more to learn.

### Spectrum Minimum Standard:

The organisation must have a policy covering the cataloguing of objects.

- A catalogue system must be in place that records the minimum information needed for the **Inventory procedure** and, beyond that, supports the museums' cataloguing policy so that there is a basic framework to which more significant information can be added over time in line with the cataloguing policy.
- Catalogue records are linked to the objects they describe via unique accession numbers that are securely associated with the items themselves
- Catalogue records cross-refer to relevant information held in the system (whether on paper or digitally) or available elsewhere.
- The collection management system can reliably retrieve relevant catalogue information to meet the needs of users.
- Relevant information resulting from other procedures is captured in a timely way, ensuring that catalogue records are up to date.
- An up-to-date backup of your catalogue records is kept.



## Mid and East Antrim Museum and Heritage Service Procedure

- A Museum object entry form should be prepared for each item that enters the collection.
- When transferring information from entry form to MODES an ACCESSION number should be added to items that are to be accessioned. The Curator should be consulted prior to any item being accessioned.
- An accessioned object should receive a unique accession number. This should be the next number in the current year's series with the Institutional code for each Museum as a prefix. Mid-Antrim Museum's institutional code is MSMAB e.g. MSMAB.2017.01. In the case of a composite object, each composite piece should be accessioned with its own unique number in a series e.g. MSMAB.2017.1.2
- Carrickfergus Museum's institutional code is MSMAC
- Larne Museum & Arts Centre's institutional code is MSMAL
- All collections held by each Museum, including our Handling Collection, Oral and Audio Archive, long term loans, copy reference photographs from other institutions should then be entered on MODES
- Additional information from research should be added to enhance the record where relevant.
- All fields in the agreed template for MODES should be filled in where information is available.
- The Museums Association Term List should be consulted, and the correct category chosen
- A category should also be chosen from SHIC and added to the record
- An image of the object should be added to the MODES record.
- Permanent and temporary location fields should be kept up to date.
- While MODES is backed up with every use of the system and a security backup completed at the Council Offices; a security copy should be printed out and stored at the Museum. Any new records on MODES should be printed out on a weekly basis and any records that have been changed should be printed out and replace the outdated version.
- Retrospective documentation for the collection for un-entered material which was accepted prior to 1998 should be carried out as outlined in each Museum's **Documentation Plan** at site level.

Check whether the information recorded meets your target 'basic' record. When assessing catalogue records it may be useful to refer to the **Audit** procedure to check the accuracy and completeness of the information, particularly for historic records. If gaps or improvements are identified, go back in the procedure to and work from **Documentation planning**.



## Spectrum guidance notes

### Note 1: Catalogue records

Catalogue information can be held in a series of individual records:

- In a computerised database.
- On pre-printed catalogue cards.
- On loose-leaf sheets, which are filed numerically.

There is usually one record for each object (or group of objects). In computerised and manual systems, information within each catalogue record is sorted into a set of 'pigeonholes' known as 'fields'. Each discrete piece of information such as the date an object was made or the name of donor, is held in a separate field.

Information placed in these fields can be written in a consistent manner to aid indexing: rules might govern the words used, the order in which they are entered and any punctuation which may be required.

### Note 2: Object history files

Not all knowledge about the objects in your care need to be recorded in their catalogue records; indeed, in many cases, this would be almost impossible. Additional information (e.g., correspondence, notes, press cuttings, reports) can be held in object history files. Each folder should be marked with the relevant object number and filed in that order.

It can be helpful to draw attention to particularly useful information held in object history files (e.g., when making an acquisition note, 'For full history see the informative letter from the donor in the object history file').

### Note 3: Attribution

Information about the collections in your care will come from a variety of different sources including individuals, groups, and organisations. To provide context and transparency, contributions from any source should be clearly attributed within the catalogue record. Manage contributors' information in line with your data protection policy. If the source is unknown or anonymous it should be recorded as such.

See the Amendment history information group for appropriate units of information.

### Note 4: The evolution of your museum's documentation systems and practices

It is useful to maintain a written record of the museum's documentation systems and practices and how these have evolved over time, capturing the history of your own organisation. This might include explanations of old numbering systems, catalogue card systems that are no longer used, changes to your use of terminology, or gaps in documentation for certain periods. This gives valuable context for colleagues joining the organisation or when unpicking documentation during an Inventory project.

You may also wish to acknowledge and record unconscious biases that may have influenced the collections information that has been recorded, or indeed not recorded, over time.

**Note 5:** Catalogue records containing information that is inaccurate, harmful, or offensive

Within existing catalogue records, you may encounter content, language or terminology that is inaccurate, harmful, or offensive. Rather than erasing past museum practice or original historic information, make a transparent record of any changes and/or provide appropriate context. You may also need to implement warnings to flag such content to anyone accessing collections information. As your use of terminology and language evolves, maintain a record of this (see Note 4).

## 5.6 Object Exit

### Spectrum Definition:

Recording when objects leave the buildings you are responsible for and pass out of your direct care.

### Spectrum Minimum Standard:

The procedure for documenting and managing object exit must:

- Ensure that legal requirements and the organisation's policy are fulfilled when objects leave the premises
- Ensure that the organisation is able to account for the exit of all objects from its premises
- Ensure that location information for accessioned objects leaving the organisation's premises is maintained
- Ensure that all objects leave with appropriate authorisation
- Ensure that a signature of acceptance from the recipient is always obtained when transferring custody of an object between parties. Where the first recipient is a courier it may also be necessary to get a signature from the person or organisation to which it is being delivered.

### Context for procedure:

Exit documentation is the logging of any item from the permanent collections that leaves the organisation's premises. It should be applied to all loans, temporary transfer of material for conservation, copying etc, permanent transfer to another organisation (deaccession and disposal), or the destruction of an object due to damage.

Objects and other material may have rights associated with them (e.g., copyright). Also information that the organisation records about the persons will be governed by



rights legislation (e.g., *Data Protection*). The procedure for the management of objects leaving the organisation needs to take into account these rights. See the **Rights Management (Reproduction Policy)** procedure for full details on how to do this.

*Mid and East Antrim Museum and Heritage Service Procedure:*

For this procedure use a Museum Documentation Association **Exit Form**

The removal needs to be authorised by the Senior Museum, who must sign the Exit Form prior to the objects removal. Each Exit Form should be given a unique number.

The following details must be noted on the Exit Form:

- Object or entry number
- Brief description
- Person responsible
- Condition
- Valuation if required for indemnity or insurance
- Authorised signature
- Destination name, address, telephone number and e-mail address
- Reason for exit
- Signature of receiving officer / agent
- Date of exit
- Date of delivery and method

Anticipated return date and method, if applicable

Reference to appropriate file containing additional details (e.g. **Loans-in File** if object was on loan and is being returned)

- Organise couriers and transport as required and record details
- Appropriate documentation must accompany the object. This includes the following:

A receipt of signature and return by the recipient

The appropriate export and customs documents (for objects travelling overseas)

The appropriate insurance or indemnity documents

The unpacking instructions (where required)

- After the object's arrival at its destination has been confirmed:

Request and record return of receipt from owner/recipient

Act immediately on any problems reported

Update **MODES** record

## 5.7 Loans in (Borrowing objects)

*Spectrum Definition:*

Managing objects you borrow for a fixed period of time and for a specific purpose

*Spectrum Minimum Standard:*

The organisation must have a policy covering the borrowing of objects.

The procedure for managing and documenting loans in must:

- Establish the purpose of the loan
- Enable at least the same care of the borrowed object as if it were part of the permanent collections
- Include written agreements signed by both borrower and lender before the loan commences, as appropriate to the collection
- Ensure that the terms and conditions of loan are adhered to
- Ensure that all loans are for fixed periods
- Ensure that a written record of the loan is retained
- Enable effective control of the loan process
- Enable the provision of information about the borrower and the loan as requested by the lender
- Provide insurance or indemnity cover for the loan period
- Ensure that up-to-date information about the location of borrowed objects is maintained
- Ensure that up-to-date information about the security of borrowed objects is maintained
- Ensure that up-to-date information about the physical well-being of borrowed objects is maintained, including the environment and condition of the objects

*Mid and East Antrim Museum and Heritage Service Museum Procedure:*

This procedure works within the framework provided by the **Loans Policy**

Items are accepted by the Museum only on the basis of the loan being for a specific purpose, usually an exhibition, and for a defined period of time. The Senior Museum staff member at each museum has the authority to accept objects on loan, other



members of staff can carry out the loans-in procedure.

The responsible staff member at each site will oversee transport arrangements for the loan if this is applicable. This will include arrangements for packing.

Before accepting an incoming loan from a private individual, Museum staff must ascertain that the lender has legal title to the object(s) offered on loan, or is clearly acting on behalf of the owner.

In the case of a loan(s) for an exhibition, the loan period should not exceed two weeks after the exhibition has finished.

A 'Loans-in' form should be filled in on receipt of the items. These forms are kept in the **Loans File**.

Any related correspondence should be kept in the **Loans File** with the relevant loan form.

A note on the condition of the object on receipt should be made, and on its value (if known).

For institutional and private loans, the MSO and/or Curator will inform the Council's Finance Department of the loan cover required for individual objects, if this exceeds £1000. Otherwise global cover for objects on loan applies.

By working through the form, a member of Museum staff should ensure that the lender is clear about whether or not they give permission for the loan to be photographed, and/or shown on a website/poster/broadcast.

A copy of the signed loan form should be given to the lender. The original copy should be retained by the Museum.

Where possible items on loan should be photographed on entry into the Museum or during the process of photographing the exhibition. This is useful for future research reference and to record the condition of the object on receipt.

In exceptional cases items may be loaned to the Museum on a longer term basis. These exceptional loans are only arranged by the Museum and Heritage Manager.

The Museum and Heritage Manager has the authority to renew the loan period for a longer-term loan of objects; and to negotiate for potential donation.

Longer term loans, usually for the purpose of long term display, should be entered on MODES in the same manner as entered objects.

Objects on longer term loan should be given a unique identification number i.e. T/2002.1

All loan items should be stored and handled in exactly the same manner as the permanent collections.

Loaned objects, on receipt by the relevant Museum and when not on display, should be stored in a designated area, and kept separate from the permanent collections.

Where loaned objects are held from the Historical Research Initiative era, every effort should be made to enter the objects if appropriate into the collections, or return the

objects to their owners. This retrospective process is outlined in the **Documentation Plan**. Where the Museum successfully negotiates for loans of objects from other institutions; the loan requirements of the lending institution will be adhered to.

The responsible staff member at each site will arrange for the return of a loan where packing and transport costs are involved.

## 5.8 Loans Out (lending objects)

**Spectrum Definition:**

Assessing requests for you to lend your objects and managing the lending process until loans are returned to you.

**Spectrum Minimum Standard:**

The procedure of documenting and managing loans out must:

- Ensure that all loan requests are assessed according to the organisation's policy
- Ensure that there are written agreements signed by both borrower and lender before the loan commences
- Ensure that the loan is for a finite period
- Ensure that the organisation retains a record of all loans, including details of the borrower, the venues, the loan period and the purpose of the loan
- Enable effective control of the loan process
- Ensure that the borrower confirms their intent and ability to provide an acceptable level of care, security and safekeeping for the object and to conform to the conditions of loan specified
- Ensure that the loaned objects are covered by insurance or indemnity as appropriate for the duration of the loan period

**Mid and East Antrim Museum and Heritage Service Procedure:**

This procedure works within the framework of the Museum's **Loans Policy**

The initial loan request must be in writing from the intended borrower.

Authorisation for a loan can only be given by the senior Museum Service staff at site level. A reply to the loan request will be supplied within 10 working days of receipt of the written request. Individual objects will be assessed for loan by Museums staff within the terms of the **Loans Policy** and with due reference to the condition of the object(s) and a risk assessment if appropriate (e.g. for potential hazards of radioactive, explosive or flammable material).



For a loan request for material from the permanent collection or for material of a sensitive nature, a **facilities report** will be required from the borrower. This report will cover evidence of insurance or indemnity cover. When it has been agreed that object(s) can be loaned to an external body, the object(s) should immediately be set aside for preparation for collection (including photographing, packing and transport arrangements).

The relevant MODES record(s) should be updated with details of the borrower and the duration of the loan.

Objects held in the Handling Collection may be routinely loaned to external bodies under the **Loan Box scheme**. This scheme is administered separately from loan requests, and operates under different criteria.

When the Museum has agreed to loan object(s) to an external organisation, a **Loans-Out Agreement form** must be filled in before the object(s) are released.

- The borrower will be asked by a member of staff to read the terms and conditions by which the loan is made and sign two copies of the Loans-out form. The borrower will be given a copy for their reference.
- A signed copy of the facilities report where relevant and loans-out form should be held in the Loans-out file.
- Museum staff on a regular basis of at least once a year will monitor loans of more than three-month duration. This will include assessing object condition, environmental and display conditions and to check insurance cover.
- Although a loan must be for a finite period, at the end of the agreed period an application for renewal may be considered provided adequate notice is received.
- Staff at site level will confirm arrangements for the return of the loaned object(s)
- Failure to comply with the agreed terms of the loan will result in the loan being terminated before the end of the loan period and there will be no consideration given to loans to the same external body in future.

## 5.9 Documentation Planning

*Spectrum Definition:*

Making your documentation systems better and enhancing the information they contain as an ongoing process of continual improvement.

*Spectrum Minimum Standard:*

The procedure for retrospective documentation must:

- Define the purpose of the organisation's documentation system
- Define the organisation's understanding of the backlogs it has

- Work towards reducing its backlog
- Review progress on reducing the backlog on a regular basis
- Work towards an overall improvement in the quality of information held about objects and collections
- Review progress on the overall improvement in the quality of information on a regular basis

#### Mid and East Antrim Museum and Heritage Service Procedure:

- The basic standard of documentation for objects in our collection is that ensuring accountability for any object, at any time. All objects (or groups of objects) must have the core inventory information detailed.
- Each Museum will evaluate, record, and keep up to date the evolution of documentation systems and practices, such as numbering systems, use of terminology, paper based records, etc.
- The Museum will also seek to ensure that any backlog in accessioning or cataloguing will be addressed to at least fulfil the requirements of the *Museum Accreditation Scheme*. This will take into account researching any rights associated with objects and other material and legislation covering information held about individuals. This work will be undertaken by implementing the objectives described in the Service wide Documentation Policy and site level Documentation Plans.

## 6. Object Valuation

- That for ethical reasons and liability considerations, the Museum and Heritage Service will not carry out valuations for commercial organisations or private individuals
- Valuations will be carried out by the authorisation of the Museum Service staff member at each site
- Access to valuation information will be restricted to members of Museum and finance staff and senior management.
- Valuations will be provided by a reputable auction house based on their market value for replacement
- When items have been conserved, the cost of conservation where known will be added to their market value as the true cost of replacement.
- Valuation information will be recorded on MODES.
- Valuation information will be updated as appropriate in connection with a review of insurance cover linked to any revisions of each Museum's Emergency Plan at site level.



- Where items are loaned from another institution or private individual, the Museum and Heritage Service will be guided by the insurance value supplied by the loaner of items.
- It is a general assumption that objects in the Mid and East Antrim Borough Council's collections are not assets that will be realised for sale. Valuation of these objects is therefore usually directly related to present or potential insurance needs and maintenance of Mid and East Antrim Council's assets register. Each Museum will only insure selected 'specified' objects on an agreed figure basis. The bulk of the collections will be covered on an 'unspecified' basis providing cover up to a maximum figure on any one object.

### Carrying out valuations

The following information regarding the valuation should be recorded on MODES:

- Valuation
- Currency of valuation
- Organisation carrying out the valuation
- Date of valuation
- Authorisation of the valuation
- Reason for the valuation

Any original documents (e.g. those signed by a valuer etc.) should be retained and a reference should be made on MODES to the Insurance and Indemnity file.

Any revisions to the original valuation should be entered on MODES and dated, with an authorisation note. A valuation of selected artefacts including costume, furniture, prints, drawings and other artworks in the museum collections and civic collections was undertaken in February 2023 by Dickon Hall and Jane Beattie.

Insurance cover is arranged centrally by Mid and East Antrim Borough Council.

## 7. Review

This manual is due to be reviewed and updated in September 2030.

# Reproduction Policy

## 1. Management of reproduction documents

This policy and its procedures should be used in conjunction with;

- the image enquiry form
- image permission form + image terms and conditions
- filming permission form +filming terms and conditions
- pricing policy for use of Mid and East Antrim Museum and Heritage Service

Members of museum staff are responsible for all reproduction documents and enquiries at site level.

## 2. Purpose of reproduction documents

- The Mid and East Antrim Museum and Heritage Service collects, preserves and interprets the history and culture of mid - Antrim, and provides accessible and enjoyable public services and programmes through its range of facilities. Facilitating the reproduction of images in the museum's collection helps the museum to achieve its aims and objectives.

## 3. Mid and East Antrim Museum and Heritage Service rights

- The Mid and East Antrim Museum and Heritage Service retains all rights to reproduction and publication in any form of images of the collections held in Mid-Antrim Museum, Carrickfergus Museum and Larne Museum and Arts Centre.
- The service retains the right to refuse applications for usage of images on a case by case basis.
- The service has a pricing policy in place which has been approved by Mid and East Antrim Borough Council.
- The Mid and East Antrim Museum and Heritage Service will not supply images to individuals or organisations unless the completed and signed permission forms and payment have been received.
- A copy of the work which contains an image from the relevant Museum's collection in any media must be supplied by the external body.
- If the Museum holds a relevant image and if the Museum also holds copyright,

then a **Photograph Release Form** should be employed. This gives the applicant permission to use the image for **PRIVATE REFERENCE** only.

- For those seeking to reproduce an image in any media; the applicant must fill in a **Permission to Publish Form** and the appropriate fees paid in advance

#### **4. Mid and East Antrim Museum and Heritage Service - Guidelines for staff**

- When a museum receives an Image Enquiry Form staff assess whether the requested use of the required image is suitable. If required, they can contact the user to discuss the request in further detail.
- According to the request a staff member then sends out the Image Permission Form and image terms and conditions or the Filming Permission form and filming terms and condition.
- Each time permission is granted by the Museum to an external body or individual for the use of its Intellectual Property assets, the associated forms must be filled in by the applicant and a member of staff
- The individual/organisation signs and dates the permission form and returns it to the museum with the payment.
- When the museum receives the signed permission form and payment, they send the image to the individual/organisation, along with a receipt of payment.

#### **5. Format, Resolution and size**

The museum can give the user a printout or a digital copy of the image.

The museum can send digital images by email if desired by the user. These files will be zipped.

Users wishing to have image(s) saved to a folder should specify resolution and type of file, if none is specified then they will be a guide with image(s) saved at 300dpi saved as a TIFF and shared by We Transfer.

Users wishing to have image(s) printed out should specify size required, if none is specified then they will be given as a standard digital photo size 5" x7" printed on photographic paper.

In the case of electronic publications (such as internet pages), the image(s) must be reproduced at low resolution.

#### **6. Method of Payment**

Once a request has been made, the purchaser will be notified of the methods of payment available in line with Council's financial procedures.



## 7. Copyright

### 7.1 Copyright Statement

The museum has a responsibility to ensure that it complies with copyright legislation with regards to the use of, reproduction of, and distribution of items in its care. This should be carried out by

### 7.2 Rights management - the Spectrum standard

Rights Managements is a non-primary Spectrum procedure. The Spectrum description says:

*Managing the intellectual property rights and data protection rights associated with objects, reproductions and information.*

*Copyright is the commonest of the 'intellectual property rights' you may need to deal with, but there are others (including publication rights, trademarks, patents and designs). You can also use this procedure to manage the data protection rights that may be associated with photographs of living people in some circumstances.*

*Owning something does not automatically mean you own the copyright or any other associated rights. So the first step in rights management is to work out what rights might apply to a given object, who might hold them, and how long the rights will last. Note that the law applies equally to physical works (e.g. a 35mm transparency) and to born-digital works (e.g. an image file from a digital camera). You also need to work out who, if anyone, has rights in any existing reproduction of that object, or whether you can claim copyright (or, potentially, publication right) in any new reproduction you make.*

The Spectrum minimum standard for Rights Management is:

- Where known, you record details of rights held by you and others in respect of your objects and reproductions and reference this information from the relevant catalogue records.
- You document rights associated with new acquisitions, and with new reproductions or other content created or commissioned by you, as soon as possible.
- You keep rights holder contact details as up-to-date as practical, in line with your data protection policy.
- You document all agreements with rights holders that clear you to use their material and reference these from the relevant catalogue records.
- Before using objects or reproductions likely to be in copyright, but where the rights holders are unknown or untraceable, you make reasonable enquiries and document these.
- You document all licences allowing others to use material for which you hold copyright or publication rights - and reference these from the relevant catalogue records.



- Your system allows you to see when rights or licences have expired.

### 7.3 Acquiring copyright of objects coming into the collection

When an object is accepted by the museum, Object Entry procedures are followed (see page 40). The Object Entry form has a form of text explaining that rights of copyright or reproduction held by the owner will be transferred to the museum.

#### *Object Entry Form text*

*In the case of acquisition by the museum's governing body of the items(s) described overleaf by gift or sale, the owner (or the person authorized to act on behalf of the owner) transfers to the museum's governing body absolute ownership of those items together with any rights of copyright or reproduction held by the owner in respect of those items, without condition other than that the governing body will hold the items on trust for use by its museums for its purposes and in accordance with those provisions of the Museum Accreditation Standard in force at the time of the gift. In addition, the owner (or authorized person) permits the museum to capture, store, edit and transmit any narrative or intellectual material associated with the item at the point of acquisition or thereafter irrespective of format and in perpetuity.*

However, this only applies to objects for which the donor has the rights to transfer. In the case of artworks, images, film, documents or works of literature, the rights of copyright or reproduction may reside with the original artist, or their estate.

In deciding whether an object for which copyright cannot be determined should be accepted into the museum collection, other factors regarding the value of the object to the museum should also be taken into account.

There are exceptions in place for museums which allow for limited reproduction and use of objects for which the museum does not hold the copyright (see 7.7)

Where known, for each object, information about rights and the holder of rights should be recorded on the collection management system. Up to date records should be kept of all your in copyright works - Contact details, permissions, and credit lines.

Transference of rights at point of Object Entry should be explained to the owner of the object. If rights other than those are assigned at time of acquisition, this should be noted on the Object Entry form.

Rights associated with new acquisitions, as with new reproductions or other content created or commissioned by you, should be documented as soon as possible.

Information that should be recorded

- Object identification information - Reference numbers of the objects covered
- Reproduction information - Reference numbers of the reproductions
- Name and contact details of the holders of the right
- Rights-in information

- Rights in reference number.
- The rights being acquired
- The start date of the permission or license
- The end date of the permission or license
- Status of the consent
- Location of the license agreement

### Commissioned work

While the museum will normally own rights in material created by paid employees during the course of their work, this is not automatically the case with material created by contractors (e.g. freelance photographers) or volunteers. Contracts and volunteer agreements should either assign copyright to the museum, or grant the museum a license to use the material (and to sub-license it to others).

It is important to bear in mind that there may be separate rights (and different rights holders) in an original object and a reproduction of it.

For work commissioned by or carried out on behalf of the museum, it should be the default position that the originator of the work is asked to transfer any intellectual property rights to the museum. NIMC has suggested the following form of text to be included in contracts

0. The parties agree that:

0.1 The 'Artist/illustrator' hereby assigns by way of present and future assignment all Intellectual property rights (including copyright) in the 'artwork' absolutely to *Organisation Name*.

0.2 *Organisation Name* hereby grants the 'Artist/illustrator' as applicable, a non-exclusive, royalty free, perpetual irrevocable licence to use the 'artwork' for:

- For any non-commercial archival, educational, promotional or research purpose
- Use on the 'Artist/illustrators' website and social media platforms

0.3 if the 'Artist/illustrator' use the 'artwork' pursuant to the licence in clause 0.2 the 'artwork' should be accompanied by an appropriate copyright statement agreed with *Organisation Name*.

If the commissioned artist objects to this, a license for use of the work by the museum can be sought, or consideration may be given to whether the museum wishes to continue with the commission.

### 7.4 Updating missing rights information on collection documentation

Missing information on rights should be addressed in the documentation plan. The documentation plan may set out the steps that can be taken to address the backlog,



and how the work will be prioritized (e.g. focus on material you know you want to use in a forthcoming exhibition or online project).

### 7.5 Use of material in copyright

No in copyright work should be reproduced without permission being first sought

Before using objects or reproductions likely to be in copyright, rights holders should be contacted to obtain permission for use. If the museum does not know who the rights holder is, there are a number of organisations who can be contacted who deal with rights - DACS, WATCH, PPL/PRS for audio and other museums with works by the same creator.

Before using objects or reproductions likely to be in copyright but where the rights holders are unknown or untraceable, the museum should make reasonable enquiries and document these (see Orphan Works section). This means that the museum can demonstrate due diligence if the material is used.

Where known, details of rights held by the museum and others in respect of collection objects and reproductions should be recorded and the information referenced from the relevant catalogue records.

Copyright misuse can result in the permission for use being rescinded. This means that any publications, websites, etc, where the work has been used would have to be withdrawn.

#### Orphan works

Orphan works are creative works or performances that are subject to copyright - like a diary, photograph, film or piece of music for which one or more of the right holders is either unknown or cannot be found. Due diligence should be followed to find rights holders, and all steps taken should be recorded in case there is a subsequent claim from a rights holder.

There is a potential risk attached to using orphan works, although the museum may be able to insure against any financial liability that might arise if a rights holder successfully challenged the use. In the UK there is currently an official Orphan Works Register that licenses the use of such material: [Copyright: orphan works - GOV.UK](https://www.gov.uk/guidance/copyright-orphan-works)

### 7.6 Licensing museum material

Mid and East Antrim Museums will allow the licensing of material on application for which we hold copyright to include commercial publication or on-line publication for which a fee may be charged.

A record of permissions must be created using a permission release form and this record added to the catalogue record for the image or image of an artefact.



## 7.7 Use of licensed material

Material which has been licensed for use by the museum should be clearly recorded as licensed material. If it is material that is sourced externally, e.g. for an exhibition or publication, a licensing reference number should be given to it to distinguish it from the museum's own collection. When the license has expired, the museum can retain copies of the work for research purposes, or renew the license if desired.

All agreements with rights holders that clear the museum to use their material should be documented and referenced from the relevant catalogue records. This includes period of the license, limitations of use, and credit lines to be used.

Rights holder contact details should be kept as up-to-date as practical, in line with data protection policies.

A system should be in place which allows it to be clear when rights or licenses have expired.

## 7.8 Exceptions for museums

There are two museum specific copyright exceptions:

- Museums can make copies for preservation purposes
- Museums can make those copies available through dedicated terminals available to walk-in visitors.

As well as a number of non-museum specific exceptions:

- Freedom of panorama
- Incidental use
- Orphan Works

## 7.9 Recent legislation on copyright in museums and fees for this

Because there is a distinction between copyright on a work, and copyright on a reproduction of that work, museums have historically been able to claim copyright on reproductions of out-of-copyright objects that they hold, and many have charged copyright and licensing fees for use of these reproductions.

The 2023 court case *THJ Systems Limited & Anor v Daniel Sheridan & Anor* [2023] EWCA Civ 1354 ruled that museums do not have a valid copyright claim for photographs of two-dimensional works which are already out of copyright. Photographs of these two-dimensional works, such as paintings, are deemed part of the public domain and are now free for unrestricted use.

However, museums still have the right to charge fees for supplying high-resolution digital images, which are distinct from copyright fees.

Further information and guidelines for museums can also be found at <https://naomikorn.com/resources/>

## Collections Care and Conservation Policy

### 1. Care and Conservation Policy Statement

Caring for the collections is a fundamental duty for all museums. Mid and East Antrim Museum and Heritage Service's policy for the care of the collections is based on a combination of preventative and remedial conservation.

This document sets out Mid and East Antrim Museum and Heritage Service's policy on the care and conservation of the collections under its care and defines an overall framework adopted by the service to ensure that the collections are cared for to the highest professional standard.

### 2. Definitions

#### *Collections Care*

A range of activities intended to safeguard a collection. These activities can include organisational policies, security, storage, cleaning and maintenance, handling, scientific investigations, environmental monitoring and control, exhibitions and loans, conservation, provision of surrogates and emergency planning.

#### *Conservation*

*Remedial conservation* - interventive techniques applied to an item to achieve chemical and physical stabilisation for the purpose of extending the useful life to ensure its continued availability (PAS197)

*Preventive conservation* - choosing and managing museum buildings, site and environment to achieve optimum conditions, including environmental monitoring and control, pest management, storage and display provision.

*Benchmarks/ Benchmarking standards:* a national standard set by MLA for evaluating the standard of Collections Care within an institution.

### 3. Aim of the Care and Conservation Policy

- To preserve and care for collections in the care of Mid and East Antrim Museum and Heritage Service to the highest possible standard.
- To recognise the importance of and need for preventative conservation to promote the long term preservation of the collections.
- To ensure that all staff within the organisation are aware of their roles and responsibilities in regard to caring for the collections.



The policy applies to:

- All collections of Mid and East Antrim Museum and Heritage Service
- All locations which the collections are stored and/or displayed.
- Any objects within any of the Museums belonging to a third party

#### 4. Overview

**4.1** Mid and East Antrim Museum and Heritage Service takes active measures to slow deterioration and prevent damage to objects, and carries out remedial approaches only when preventative measures are not sufficient. The role of preventative conservation is optimised by the application of appropriate handling, and maintenance of appropriate physical and environmental conditions.

**4.2** In accordance with the Museum Association's *Code of Ethics for Museums* 2015 (<https://www.museumsassociation.org/campaigns/ethics/>) the Museum will protect all items in its care from loss, damage and physical deterioration, and will maintain appropriate standards of protection against hazards such as theft, fire, flood and vandalism.

**4.3** Museum staff at each site will agree an annual action plan and will be responsible for its delivery at site level (Collections Care and Conservation Plan).

**4.4** The Museum seeks to meet or exceed current standards of conservation for museum collections, measured against appropriate standards such as the *Accreditation Scheme for Museums*.

**4.5** As outlined in the *Collections Development Policy*, the Museum recognises its responsibility, in acquiring additions to its collections, to ensure that care of collections, documentation arrangements and use of collections will meet the requirements of the Accreditation Standard. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.

#### 5. Preventative Conservation

The role of preventative conservation is optimised by adhering to the following policies:

## 5.1 Provision of suitable building conditions

Mid and East Antrim Borough Council provides suitably constructed and well-maintained buildings to secure fundamental protection of its museum collections. It maintains appropriate levels of care of building fabric and structure, undertaking essential repairs and maintenance.

Operations staff at each facility are responsible for the provision and maintenance of suitable building conditions and will work closely with Museum staff at site level to achieve the best possible conditions for the collections.

Collections are safeguarded through the management of the following systems:

- Building Maintenance
- Mechanical and Electrical Maintenance
- Building Management System
- Intruder Alarms
- Fire and Evacuation Systems

Any building, mechanical and electrical maintenance work at site level will include consultation with museum staff to consider collection care and staff will be involved in any decisions concerning alterations to the status quo e.g. changes to type or numbers of lights.

Mid and East Antrim Borough Council assesses and maintains appropriate levels of security and insurance, on all such buildings used for storage, interpretation, research and conservation of Museum collections. Security, fire and other protection systems are in place and will be regularly tested, inspected and serviced. Appropriate records will be kept in this regard.

Measures are also in place for offsite storage areas and will be updated and reviewed in light of the move to off-site storage at unit 55 Ledcom in autumn 2020.

## 5.2 Storage and Display

Mid and East Antrim Museum and Heritage Service applies high standards of professional practice to all Museum storage and display areas, equipment, materials and systems. The service ensures that storage and display areas are kept clean, pest free, well organised and managed; and where necessary protects collections within appropriate storage furnishing, conservation-grade packaging and display supports in the most cost-effective way to reduce damage arising from physical handling and environmental conditions.

Appropriate professional level advice is taken regarding the design and operation of storage areas and display areas, systems, materials and equipment.

### **5.3 Handling and Use of Collections**

Mid and East Antrim Museum and Heritage Service ensures that all museum objects are subject to careful and appropriate handling, to minimise the risk of physical damage and to contribute to future accessibility, applying high standards of practice and supervision at all times.

All staff and volunteers working with or handling the collections are made aware of their responsibilities regarding the care of museum collections. Written guidelines are made available to all staff and other users engaged in the handling and use of the collection.

Objects from the collection are loaned only to borrowers who can satisfy the appropriate conditions for their safe and secure storage, study, interpretation or display.

For touring exhibitions across Mid and East Antrim Museum and Heritage Service sites, flight cases have been purchased to ensure the care of objects in transit. Items are packaged securely in the cases and instructions given to those transporting the exhibitions.

### **5.4 Housekeeping and Cleaning**

Mid and East Antrim Museum and Heritage Service applies effective management and monitoring procedures, and carries out cleaning to high standards, to minimise the potential damage from pests, dust and other environmental factors.

The discovery of any active threat will be treated with highest priority, to remove or minimise the risk of damage to collections.

Off-site housekeeping and cleaning regime will be put in place for off storage areas.

### **5.5 Environmental Monitoring**

Mid and East Museum and Heritage Service will take all reasonable steps, through the use of appropriate monitoring and control practice, materials and equipment, to ensure that museum collections are not subjected, while in store or in use, to unsuitable environmental conditions in respect of temperature, relative humidity,



light and pollutants.

Mid and East Museum and Heritage Service provides systems to monitor, and takes measures to improve, the conditions of objects, and the environments and buildings in which they are housed whether for storage or for display and interpretation.

Monitoring and control equipment will be inspected and tested, serviced and maintained in accordance with the manufacturer's recommendations.

In 2021 the Museum Service was allocated Covid Recovery Funding which was used to acquire a new environmental monitoring system. A MEACO Environmental Monitoring system was chosen to replace the previous Hanwell systems in use in all the museums; the dataloggers measure temperature and % relative humidity.

Data loggers are installed in museum cases, galleries, and collection stores, and upload data to cloud-based storage which means that the data can be remotely monitored. Reports can be run and charts created to monitor fluctuations in conditions in real time.

As internet access and access to a nearby receiver is needed for the MEACO dataloggers, these are not suitable for use in the Andrew Jackson Cottage and US Rangers Centre, or in Arthur Cottage. Tiny Tag readers record the environmental conditions in Andrew Jackson Cottage and US Rangers Centre, and these will be installed in Arthur Cottage and Interpretative Centre as part of the proposed refurbishment.

## 5.6 Environmental Control

Mid and East Museum and Heritage Service will store and display collections in suitable environments that minimize their rate of deterioration, while achieving a satisfactory compromise between the long-term preservation of the objects and accessibility to staff and public.

All new acquisitions and incoming material on loan will be visually inspected to ensure there are no signs of active infestation. Objects that may be infested will be quarantined when they enter museum premises for further monitoring and treatment if necessary, before entering the museum store.

## 5.7 Risk Reduction and Emergency Preparation

The security of Mid and East Antrim Museum and Heritage Service artefacts will be

annually-reviewed. Updated risk assessments and a risk register are included as part of the *MAM Emergency Manual Part 1: Risk Reduction and Preparation*.

A Heritage Risk Register is maintained by the Finance Department within Council. This records, among other things, the high value items held by each of the museums. Valuations of the collections were carried out in 2023, and this will be updated on a five year cycle. Each year, by 31<sup>st</sup> March, they are advised of any new acquisitions purchased within the previous year.

The Council's Insurance Officer is advised of renewals to long term loan agreements and incoming loans to the museum.

A Security Review was carried out in February 2023 for The Braid (including Mid-Antrim Museum) and Carrickfergus Museum in November 2024 with full implementation of recommendations by Trident Manor Ltd. An additional security camera has been installed at Larne Museum & Arts Centre

Security Reviews have also been completed by Trident Manor Ltd in May 2025 for both Presidential Homesteads and the US Rangers Museum. Implementation of recommendations will be carried out by the autumn of 2025.

The Museum Service maintains advance plans, appropriate to the collection and building, to provide an effective emergency response and salvage of collections following a disaster such as fire, flood or other major incident.

Harwell Restoration specialises in managing salvage and recovery operations in heritage and information management settings after fire, flood, infestation, mould, biohazard and explosion. We directly restore damaged documents, books, artwork and photographs. We are also able to arrange restoration and conservation of other objects and artefacts, including metal, ceramics, textiles, wood and furniture, as well as electrical items.

Harwell Restoration operates a Priority User Service for which it offers subscribers of swift advice and response after a fire or flood via its 24 hour hotline and 365 days-per-year hotline facility. Through payment of the annual retainer, Priority Users are assured that if they suffer fire or flood damage at their facility, a Harwell Restoration employee will attend to provide consultancy and assistance.

The Museums Service subscribes to the highest level - Priority User Platinum Plus which covers 10 sites in which museum collections are housed.

- The Braid (including Mid-Antrim Museum and Ballymena Town Hall)

- Arthur Cottage and Interpretative Centre
- Carrickfergus Museum & Civic Centre
- Andrew Jackson Cottage and US Rangers Museum
- Larne Museum & Arts Centre
- Off-site Museum Store at LEDCOM Business Park, Larne
- Carrickfergus Town Hall
- Larne Town Hall
- Market Yard, Larne and,
- The Gobbins Visitor Centre

## 5.8 Condition Assessments

Mid and East Antrim Museum and Heritage Service will survey, benchmark and visually inspect the conditions in which collections are kept to determine priority areas for improvement in line with best practice as defined by *Benchmarks in Collections Care* and the *Spectrum* procedures. The condition for all Mid and East Antrim Museum and Heritage Service collections will meet or exceed the 'basic level' requirements of *Benchmarks in Collections Care*.

Museums at site level will carry out condition reports on individual objects or collections prior to acquisition, loan and display, assess objects on inward loan and regularly monitor the condition of all objects by visual inspection.

When the condition of any object gives rise for concern, this is noted and the advice of an appropriate conservation specialist sought for report, recommendations and cost for treatment and / or storage.

## 6. Remedial Conservation

Objects identified as requiring treatment are listed, prioritised, and (subject to available resources) entered into a rolling programme of conservation treatment.

**6.1** Objects requiring conservation are prioritised according to a number of factors, including but not restricted to:

- Nature and severity of their current condition and stability
- Possible threat to rest of collection
- Requirement for exhibition, loan, research or interpretation



- Conservation cost in relation to availability of budget and other resources

**6.2** Mid and East Antrim Museum and Heritage Service will work with professional conservation specialists and gain appropriate advice. Services will be sought from conservators that have appropriate experience and are fully registered members of the Institute of Conservator-Restorers in Ireland (ICRI) or Institute of Conservation (ICON) in the UK.

**6.3** As and when all resources are in place, including external and matching funding where appropriate, conservation work is instructed, and reports sought, during and after completion, in accordance with best conservation practice.

**6.4** In procuring conservation services, Mid and East Antrim Museum and Heritage Service will evaluate proposed treatments before work is carried out, with awareness that some treatments could prejudice the future research value of an object.

**6.5** Mid and East Antrim Museum and Heritage Service will follow *Spectrum* standards making sure that all conservation information is available via the object number, including the name of the conservator and the date which conservation treatment was carried out. This information will be available through MODES. Object records will include relevant condition reports and conservation reports will be requested detailing work carried out by conservators on completion of work on the item(s).

**6.6** Objects will continue to be monitored, following conservation, through a rolling programme of inspections.

## 7. Collection Security

(See also [Section 5. Preventative Conservation](#))

### 7.1 Access to collections

**7.1.1** The security of the collection depends on the monitoring and restriction of those who have access to areas in which the collection is housed, and the response to salvaging the collection in the event of an emergency.

**7.1.2** Access to collections in the museum galleries. Collections in the museum galleries are held in secure display cases. Those objects which are not held in cases should be secured in a manner that means they cannot be removed. Access to the cases should be limited to museum staff and, in Ballymena, the building technician. Keys to the cases should be stored securely.

7.1.3 Objects are on open display in Andrew Jackson Cottage, US Rangers Centre, or Arthur Cottage. These sites are invigilated by an interpretative guide.

7.1.4 Surveillance is in place in the museums' permanent and temporary exhibition galleries, and in Larne and Carrickfergus this can be monitored by museum staff. There is no on-site surveillance in Andrew Jackson Cottage, US Rangers Centre, or Arthur Cottage.

7.1.5 Access to collection stores should be limited to museum staff and, in Ballymena, the building technician. The offsite collection store is also visited by the Monitoring Officer. Any other visitors who need access to the collection stores should be accompanied by a member of the museum staff.

## **7.2 Access for researchers**

7.2.1 Access to the collections for the purposes of visiting researchers should be accommodated in a secure manner. Objects should be identified in advance of the visit, and object movement procedures followed to record the items to be made available.

7.2.2 Researchers should fill in the form which lists the objects to be viewed, and records the researcher's contact details. They should be advised of applicable rules regarding reproduction and care of the objects.

7.2.3 Researchers should be given access to the objects to be viewed in small batches which should be checked on return before further items are issued.

7.2.4 Researchers should only use pencil to make notes while handling objects, and gloves may be made available for handling objects if necessary.

7.2.5 Researchers should only be given access to the objects in an area where they can be invigilated by a member of museum staff. Researchers should be advised that they must not remove any objects from the research room.

## **7.3 Security in the case of an emergency**

7.3.1 In the case of an emergency which impact the collections an Emergency Plan is in place for each of the sites which details what steps should be followed to protect and salvage the collections. The Emergency Plan should be followed in the first instance. This section addresses steps that should be taken to ensure the continued security of the collections in the event of an emergency. Health and Safety

assessments should be carried out before the commencement of salvage operations.

7.3.2 In the event of an emergency there may be more people on site who are part of emergency response teams, salvage contractors, and facilities contractors. As part of the emergency response or salvage operations it may be necessary for them to have access to areas where collections are stored or are being removed from. This may be for the protection and avoidance of damage to unaffected collections, or for the salvaging and removal of damaged material. As far as is possible, this should be restricted, and a member of museum staff should remain with collection objects.

7.3.3 As far as is possible, the museum's Emergency Co-ordinator should know who will have access to the collections during this time, and the reason for their presence. Emergency salvage contractors should identify themselves and museum staff should be familiarised with them.

7.3.4 The procedure recorded in the Emergency Plan state that Damage Record forms (Emergency Plan Appendix H) should be completed so that moved items can be tracked and overall damage can be gauged.

7.3.5 After gallery cases are opened to remove priority objects, the cases should be locked again. Cases will then be opened, cleared, and recorded in a methodical manner, with a member of museum staff present while the case is open, and museum staff or salvage contractors accompanying the objects while they are being moved to the triage / holding area.

7.3.6 A suitable triage / holding area for damaged collections should be identified, and access should be permitted only to those who are assisting with the salvage operation. It may be necessary for items identified as priority items to be moved to a secure area to be triaged, or immediately after triage, as these items are often of a high financial value.

7.3.7 Photographs of the scene should be taken before any items are moved (where possible) and photographs taken throughout the operation. Maintain an incident log throughout (Emergency Plan Appendix I).



## Collections Access

### Loans Policy

#### 1. Loans Policy Statement

Mid and East Antrim Museum and Heritage Service is committed to increasing engagement with and access to its collections in balance with its responsibility to preserve the collections in the long-term by minimizing risks of damage or loss.

This policy will manage and regulate all loans of objects both outgoing and incoming to Mid and East Antrim Museum and Heritage Service, for any duration. It covers the entire range of loans from single objects to travelling exhibitions of a number of objects.

#### 2 Principles

2.1 Mid and East Antrim Museum and Heritage Service makes and receives loans for the following reasons:

- To increase access to collections, and reach wider audiences
- To further knowledge, understanding and scholarship relating to the objects in its care
- To enhance the reputation of Mid and East Antrim Museum and Heritage Service and its good standing locally and nationally
- To support other regional museums by the exchange of material and exhibitions, and to develop strategic partnerships

2.2 Mid and East Antrim Museum and Heritage Service will not make any stipulation or request to whom it is lending or borrowing that it would itself regard as unreasonable if roles were reversed.

2.3 Mid and East Antrim Museum and Heritage Service will only lend material if we have full title to the object(s) and the authority to loan the object(s). Likewise, the Museum will, where possible, verify the ownership of all incoming loans to ensure that the current owner is legitimately able to lend the object(s).

2.4 The procedure by which loans, both in and out, are handled is intended to ensure that Mid and East Antrim Museum and Heritage Service acts in a professional and responsible way: agreeing to loan only appropriate objects to appropriate borrowers; minimising all risks and protecting objects whilst out of the Service's direct control; managing all loan arrangements in a consistent and efficient manner and providing full documentation to support loan activities.

2.5 The responsible officer at site level approves all loans. All requests to borrow material from Mid and East Antrim Museum and Heritage Service will be considered individually and on their own merit. The decision to accept or refuse the request is

subject to the following guidelines:

### **3 Procedures for Outgoing Loans**

**3.1** A written request for a loan must be made to the responsible member of staff at each site, with the minimum period of notice being six weeks prior to the start date of the loan. The potential borrower will be notified in writing if their request has been successful or otherwise within 10 working days of receipt of their written request, unless a request has been made by Mid and East Antrim Museum and Heritage Service for further information, in which case each Museum will respond within 10 working days after all required information has been received.

#### **3.2 Loan Out Requests**

Formal loan requests should include as much information as possible to facilitate the approvals process, including information about the subject of the exhibition, other items being displayed, how the requested item fits into the exhibition theme and the likely public benefit that will be derived from the loan. We welcome preliminary discussions about potential loans before a formal request is made.

In the case of loan requests for touring exhibitions, all venues should be listed with dates and name of the organisation with overall responsibility for the exhibition.

To facilitate the provision of information to each museum, the organisation requesting the loan should complete a 'Loan Out Request Form.'

**3.3** Mid and East Antrim Museum and Heritage Service will endeavor to facilitate loans and to agree acceptable standards which are based on the needs of the object(s) and are proportionate to the resources of the borrower. Agreed conditions of loan will include arrangements for packing and transport, display, environmental conditions, insurance, security and copyright. All requirements for loans must be met prior to the release of the object(s).

**3.4** Loans are subject to a formal loan agreement between the borrower and Mid and East Antrim Museum and Heritage Service. A Loans-Out Agreement form must be completed by Mid and East Antrim Museum and Heritage Service and the borrower before release of the objects.

**3.5** Condition checks will be carried out on the object(s) before leaving Mid and East Antrim Museum and Heritage Service and again on returning to Museum premises. Condition of the object(s) is noted on the Loans-Out Agreement form or a separate Condition Report prepared by the Museum, which is counter-signed by the borrower.

**3.6** Loans must be for a finite period, to be agreed in advance by the borrower and lender. The maximum period a loan may last before renewal is one year except in special circumstances at the discretion of the responsible member of staff at each site.

**3.7** The number of objects to be loaned to any one borrower will be restricted to

the number able to be displayed in a manner which satisfies the criteria specified by Mid and East Antrim Museum and Heritage Service, but should not normally be more than 10 objects.

#### 4 Borrowers

**4.1** Loans from Mid and East Antrim Museum and Heritage Service are primarily made to other Accredited museums within the UK (Arts Council of England Accreditation Standard), museums that have been recognised under the *Museum Standards Programme for Ireland* in the Republic of Ireland and occasionally international museums. Loans may be made to other constituted organisations at the discretion of the responsible member of staff at each site. Loans will not be made to private organisations or individuals.

**4.2** Mid and East Antrim Museum and Heritage Service will not knowingly lend objects to any organisation or exhibition where the objects intended for inclusion in the display/exhibition have been stolen, illegally exported or illegally imported from their country of origin (as defined in the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970).

**4.3** **Costs** - Mid and East Antrim Museum and Heritage Service does not normally charge for staff costs for preparing the loan, where these are reasonable and work can be fitted into our existing programmes. The borrower is responsible for all other costs relating to the loan, which may include transport costs, and these will be identified before the formal agreement is made. Loans made as part of a partnership or exhibition agreement may be subject to a separate agreement relating to costs.

**4.4** Loans may be made to approved organisations when:

- The object or objects are available for loan, e.g. they are not on permanent display;
- The objects are deemed by Mid and East Antrim Museum and Heritage Service to be in a stable structural condition and that the Museum Service is satisfied that a loan will not in any way diminish the current condition of the object or objects;
- Borrowers are able to demonstrate that the objects they have requested form an important part of their display or academic research and that either activity is coherently thought through and is intellectually valid;
- The borrower meets requirements for security and environmental conditions as specified for the loan by Mid and East Antrim Museum and Heritage Service. Where applicable, the borrower will complete a UKRG Facilities Report to provide information in this regard.
- The borrower has adequate insurance or indemnity cover and can verify same on request.
- Mid and East Antrim Museum and Heritage Service may require invigilation for some items on loan, to be organised by the borrower. The level of invigilation



required will be determined by the value of the item(s).

**4.5** We may find it necessary to refuse a loan request, for example,

- If there is insufficient time to consider and prepare the loan;
- When suitable environmental or security arrangements cannot be provided by the borrower;
- If the borrower is unable to provide full insurance for the object(s);
- If the organisation has previously breached our loan agreements;
- If the item is fragile, in a poor or unstable condition, or at risk of damage from handling or during transit;
- If the item is required by Mid and East Antrim Museum and Heritage Service for display, research, education or scheduled conservation work;
- If the purpose of the loan does not support the promotion of good relations in the wider community.

Where loans are refused, Mid and East Antrim Museum and Heritage Service will provide an explanation for this decision in writing.

## **5 Packing, Handling and Transport of Outward Loans**

**5.1** Packing and handling requirements will be specified by Mid-Antrim Museum. Objects will be packed for delivery to the borrower by the lending Museum at site level. Where speciality packing materials are required or other costs are anticipated, the borrower may be responsible for these costs. Where it has been agreed that the borrower will re-pack the object(s) at end of loan period, any re-usable packaging must be stored and retained by the borrower. When re-packing the loan, the borrower should follow the packing instructions provided.

**5.2** Mid and East Antrim Museum and Heritage Service will agree transport arrangements with the borrower in advance. The Museum Service may specify the requirement of an approved courier for transport. Transport costs, including those between venues for a touring exhibition, will be met by the borrower.

**5.3** Mid and East Antrim Museum and Heritage Service may require one or more members of our staff to accompany loans to install the object(s) and to monitor the environment where they are to be displayed.

**5.4** Objects shall be unpacked and installed only on exhibition premises, and all unpacking, handling and re-packing shall be carried out only by staff from Mid and East Antrim Museum and Heritage Service or an approved member of staff from the borrowing organisation.

**5.5** After installation, the object(s) may not be handled or removed from the display cases for any purpose, except by authorised staff from Mid and East Antrim Museum and Heritage Service or approved member of staff from the borrowing organisation, unless such handling or removal is essential for the safety of the

object(s) in an emergency.

**5.6** Handling by the general public of loaned objects from the permanent collection will not be permitted. Mid and East Antrim Museum and Heritage Service handling collections may be loaned to bona fide constituted groups and external bodies under the terms of the Museum Service's Loan Box Scheme.

**5.7** Deliveries by van and for large items will be directed to the loading bay at the Braid for access to the service lift if required. Additional Braid staff can be called upon to operate the loading platform and lift.

## **6 Security and Environmental Conditions for Outward Loans**

**6.1** All objects loaned to an external body may be subject to monitoring of object condition and environment during the lifetime of the loan at the discretion of the Mid and East Antrim Museum and Heritage Service.

**6.2** Mid and East Antrim Museum and Heritage Service will specify environmental conditions for each loan. Borrowers must show that these conditions can be maintained. The borrower should control the environment of their storage and display areas and cases to provide a stable climate, avoiding fluctuations in temperature and humidity. This control should operate 24 hours a day.

**6.3** Light sensitive organic objects or objects with dyed or pigmented surfaces should never be exposed to direct daylight. Lights should be turned off when the display area is not in use. Loans will not be made for outdoor events unless the curator deems that the object is suitable for outdoor display.

**6.4** The premises where the objects are to be displayed must be safe and secure. We reserve the right to specify additional security measures (to be agreed before commencing the loan), which the borrower must provide at their own cost.

## **7 Capturing the Benefits of Loans**

Mid and East Antrim Museum and Heritage Service will endeavour to capture and record information to aid future collections use and to assess the benefit of the loan and may request the following information from borrowers:

- Information about the numbers of visitors and range of audiences reached through exhibitions or other events associated with the loan
- Copies of materials associated with the loan; such as any research that was undertaken, labels and text relating to objects and catalogues
- Copies of any publicity materials that relates to the activities the loan was used for, and any resulting press coverage
- Copies of visitor comments or feedback

## **8 Standard Conditions for Outgoing Loans**

1. The borrower undertakes to return the object(s) to the Mid and East Antrim Museum and Heritage Service (hereafter called 'the Museum') at the end of the loan term, adhering to packing, handling and transport arrangements as agreed with the Museum. Requests for extending the period of the loan should be made in writing to the Museum at least 3 weeks before the end of the specified loan term.
2. The borrower will be responsible for the full insurance of the object(s) against all risks to the value specified by the Museum, for the whole period of the absence of the object(s) from the Museum.
3. The borrower undertakes that the object(s) will not pass out of their custody during the loan period.
4. The borrower will use or display the object(s) only in a manner previously agreed by Mid and East Antrim Museum and Heritage Service staff. Agreements may include specifications for security, handling, presentation, environmental conditions and monitoring.
5. The borrower will meet the cost of transporting the object(s) and any other costs agreed with it by the Museum. Transport arrangements must be approved by the Museum.
6. The borrower undertakes to ensure that the objects are kept in a safe, secure and environmentally stable and suitable condition while on exhibition or in storage for the duration of the loan and to return the object(s) to Mid and East Antrim Museum and Heritage Service in good order and condition.
7. The condition of the object(s) will be recorded by Mid and East Antrim Museum and Heritage Service before the loan leaves its premises and after the completion of an agreed loan period.
8. We must be notified immediately in the case of loss or damage to our loans or any breach of security at the borrower's venue. The borrower will not attempt to clean or repair the object(s) without permission.
9. Any costs relating to loss or damage of the object(s), accidental or otherwise, will be met by the borrower.
10. Objects shall be unpacked and installed only on exhibition premises, and all unpacking, handling and re-packing shall be carried out only by staff from Mid and East Antrim Museum and Heritage Service or an approved member of staff from the borrowing organisation.
11. After installation, the object(s) may not be handled or removed from the display cases for any purpose, except by authorised staff from Mid and East Antrim Museum and Heritage Service or an approved member of staff from the borrowing organisation, unless such handling or removal is essential for the safety of the object(s) in an emergency.
12. The object(s) must not be altered in any way without the written agreement of Mid and East Antrim Museum and Heritage Service
13. Where it has been agreed that the borrower will re-pack the object(s) at end



of loan period, any re-usable packaging must be stored and retained by the borrower. When re-packing the loan, the borrower should follow the packing instructions provided.

14. The borrower shall acknowledge Mid and East Antrim Museum and Heritage Service as the source of the loan in its exhibition labels and catalogue, if applicable. Credit line shall read 'On loan from Mid-Antrim Museum.' The borrower may also be required to acknowledge those bodies which contributed to the overall purchase of the item, as specified by the Museum.
15. It is the responsibility of the borrower to observe copyright law. Reproduction of object(s) on loan by photographing, recording or scanning must not be made without written permission from Mid-Antrim Museum.
16. Any research carried out on the object(s) and/or photography of the object(s) by the borrower shall fully acknowledge Mid and East Antrim Museum and Heritage Service as the source of the loan. The credit line shall read: 'Reproduced with permission of Mid and East Antrim Museum and Heritage Service.' Payment of reproduction fees for images will be required.
17. Mid and East Antrim Museum and Heritage Service requests a free copy of any publication in which ever media employed, which contains research relating to and/or images of objects loaned.
18. Mid and East Antrim Museum and Heritage Service reserves the right to terminate the loan at any time, particularly where the conditions in this agreement have been breached by the borrower.

## **9 Objects loaned for commissioned conservation or photography**

**9.1** Objects loaned for the purposes of being conserved or photographed at the request of Mid and East Antrim Museum and Heritage Service shall be treated in the same manner as loans to other organisations.

## **10 In-coming Loans**

Incoming loans will be borrowed by the museum for a specific purpose such as a temporary exhibition, research or photography. All loans will have an agreed return date in advance.

**10.1** Mid and East Antrim Museum and Heritage Service will take the same care of objects lent to it as is taken of objects in its own collections. Each Museum at site level undertakes to keep the loaned object(s) in a safe, secure and environmentally suitable condition for the duration of the loan and to return the object(s) to the lender in good order and condition.

**10.2** Objects will only be borrowed if Mid and East Antrim Museum and Heritage Service has the relevant resources to properly care for and / or display them. The loan period will be agreed in advance with the lender for a specified period of time including a return date, which will be no longer than a period of 1 year or the end of

a temporary exhibition whichever is earlier.

**10.3** Mid and East Antrim Museum and Heritage Service will ensure that all key arrangements are agreed in writing and that each loan is adequately recorded within the Museum's collections management systems.

**10.4** Only objects that are in a stable condition will be borrowed. A member of Museum staff at site level of the receiving museum will check the condition of all loan material on arrival and exit.

**10.5** Mid and East Antrim Museum and Heritage Service will verify the ownership of all incoming loans where possible to ensure that the lender is legitimately able to lend the objects and will apply the same strict ethical criteria to loans as to donations and purchases.

**10.6** Unless the lender elects to maintain their own insurance, Mid and East Antrim Museum and Heritage Service will undertake to provide insurance (via Mid and East Antrim Borough Council) for the object(s) against all risks while in their care and will agree an insurance valuation with the lender before the loan commences.

**10.7** In case of loss or destruction of the loaned object(s), accidental or otherwise, Mid and East Antrim Museum and Heritage Service will pay the agreed insurance value of the object(s).

**10.8** The Lender will be notified immediately in the case of loss or damage to object(s) we have borrowed. We will not attempt to clean or repair the object(s) without permission.

**10.9** Acknowledgements / credits, where appropriate, will be included in relevant display and promotional materials. Wording will be agreed with the lender in advance of the loan.

**10.10** Photographs of the object(s) will not be reproduced without prior written consent from the lender.

**10.11** The cost of transporting the items to and from each museum venue will be paid for by Mid and East Antrim Museum and Heritage Service unless otherwise agreed.

## Use of Collections

### Spectrum Definition

Managing and recording how collections and associated data, including images and other reproductions, are used, whether by you or anyone else.

### Spectrum Minimum Standard:

- A system is in place for making, reviewing, and authorising requests to use objects, reproductions or associated data.
- Each use of an object, reproduction, or data (in line with your policy) is noted and this information can be accessed via the relevant object number or reproduction number.
- The system prevents objects being booked for more than one use at a time.
- Records are kept of who has used specific objects.
- Any knowledge gained and content created while using objects, reproductions or data is added to catalogue records.

### Use of Collections

Mid and East Antrim Museum and Heritage Service is committed to widening access to collections and reaching out to audiences of all ages and interests. Therefore, the Museum and Heritage Service offers the widest and most appropriate forms of access to its collections, expertise, facilities and services. The Museum and Heritage Service promotes access to its Collection and collections information, through exhibitions and displays, loans, learning programmes, publications, events, website and social media, working with key target audiences and a range of community partners.

The Museum and Heritage Service is actively working to overcome any physical, intellectual, cultural, attitudinal, digital and financial barriers, through diverse and inclusive projects.

The Museum and Heritage Service has will reference models of good practice in developing access to collections, for example working on the Kick the Dust programme with 16-15 years olds has given Mid Antrim Museum a fresh perspective on its Collections. The Gallery will manage the competing demands of access and long term collection care in accordance with the collections care policy.

The Museum and Heritage Service will also keep up to date with best practice in the wider sector through research and campaigns by the Museums Association and Northern Ireland Museums Council. The museum will follow sector guidance where issues arise around sensitive collections and undertake training where appropriate.

<https://www.museumsassociation.org/category/black-lives-matter/>



<https://www.museumsassociation.org/campaigns/museums-change-lives/>

<https://www.museumsassociation.org/campaigns/climate-crisis/campaigning-for-more-sustainable-museums/>

### **Physical use**

Objects that are not on display can be viewed in the museum buildings by appointment in advance. Each museum site will consider requests on a case by case basis taking into account the fragility of the items requested. Once health and safety has been assessed, objects, books or photographs will be made available with guidance and supervision from site staff. Researchers are required to fill in an Access Agreement Form detailing the reasons for the request. For requests to film objects, enquirers will be required to fill in Council's filming request form.

### **Virtual use**

Since April 2020, the museum and Heritage Service has increased virtual access to collections and collections information. This has been in response to closure of museum buildings due to Covid 19 in the short term. The service is committed to continuing virtual access and engagement in the medium term as well as online learning programme

### **Use of Data**

Revised definition, making clear that this procedure also covers the use of collections data: Managing and recording how collections and associated data, including images and other reproductions, are used, whether by you or anyone else.

## **Environmental Sustainability and Climate Change Mitigation Statement**

### **1. Environment and Climate Statement**

Mid and East Antrim Museum and Heritage Service acknowledges the detrimental effect of climate change and is committed to raising awareness, changing behaviour, and protecting the museums' collections from the impact of climate change.

This statement will address Mid and East Antrim Museum and Heritage Service's responsibility to be more environmentally sustainable and to address the climate crisis, and will support Mid and East Antrim Borough Council's commitment to achieving net-zero emissions by 2040.

See also: **Climate and Sustainability Action Plan 2023-2027**

<https://www.midandeantrim.gov.uk/council/policies-and-documents/climate-change-sustainability/climate-sustainability-environment-reporting/climate-and-sustainability-action-plan-2023-2027>

**Mid and East Antrim Borough Council - Environmental Policy**

[https://www.midandeantrim.gov.uk/downloads/Environment\\_Policy\\_2023\\_-\\_Signed.pdf](https://www.midandeantrim.gov.uk/downloads/Environment_Policy_2023_-_Signed.pdf)

### **2. Environmental learning**

2.1 Where there is scope, use the collections, programmes, exhibitions, and learning and engagement work to promote climate awareness, and support environmental learning and best practice.

2.2 Ensure employees avail of carbon literacy training to encourage a culture of resource efficiency in the workplace.

### **3. Reducing environmental impact**

3.1 Ensure that the museum service complies with relevant environmental legislation, regulations, and appropriate sector best practice initiatives.

3.2 Deliver our activities and functions in a sustainable manner integrating social, economic and environmental factors when planning or decision making in line with UN Sustainable Development Goals as per MEA Borough Council objectives.

3.3 Waste reduction and efficient resource consumption - reuse of exhibitions, removing dates from exhibition design, and creating exhibitions that can be used throughout the museum service. Consider material used in the production of exhibitions in line with procurement policies.

3.4 Consider sustainability policies of suppliers when carrying out procurement. Council recognises the Three Pillars of Responsible Procurement which are Social



Value, Environmental Sustainability, and Ethical Sourcing.

3.5 Further realise the efficiencies and sustainable benefits of agile working, encouraging virtual meetings and effective journey management.

3.6 Take into account environmental concerns when considering digital collections and documentation, including green website hosting and other mitigation for the impact of digital storage.

3.7 Combine environmental monitoring of the collection storage and display environments with the work of other departments to improve the energy efficiency of the museum buildings.

#### 4. Protecting collections

4.1 Use environmental monitoring to track effects of weather events and climate on conditions in the galleries and stores. Use the data collected to ensure environmental conditions are being adequately controlled.

4.2 Response to severe weather incidents is included in the Emergency Plan for each museum site. These will be updated as necessary, and

4.3 Disaster recovery arrangements are in place for the collections, and alternative facilities are available for storage and processing in the event of an incident. These are included in the Emergency Plan and will be kept up to date, as necessary.

4.4 Contribute to MEA Borough Council Business Continuity and Emergency Planning for mitigation of severe weather incidents and flood risk(Arcpro).

4.5 All paper copies of documentation will be backed up online, including Object Entry forms, Loan Forms, valuations, images of artefacts, and inventories.

4.6 Systems are in place to log locations, decisions, and actions in the event of an incident.

4.7 Protect the collections by mitigation and record measures taken in Mid and East Antrim Borough Council's Climate Adaptation Plan

TOUR01	Review management plans for museum collections and ensure integrations of climate change impacts. <a href="#">Regular review of management plans - MEACO - Environmental Monitoring System and gallery storage provision.</a>	15th April 2025
TOUR02	Continue duty of care provision through good policies and procedures of museum collections. <a href="#">Continued accreditation to UK Museums Accreditation</a>	15th April 2025



	<a href="#">Standard (collections, organisation health and audiences and users).</a>	
TOUR03	Undertake any necessary adaptation and protection measures for collections assets. <a href="#">Continued update of the heritage asset register (for valuation of collections)</a>	15th April 2025
TOUR03	Undertake any necessary adaptation and protection measures for collections assets. <a href="#">Continued insurance provision of cover for up to 10 Council sites - salvage of collection items.</a>	15th April 2025

## Appendix 1

### Collections Rationalisation Plan

#### **Rationalisation and Disposal - a proactive and ethical approach**

##### **Mid and East Antrim Museum & Heritage Service**

Prepared by Jayne Clarke, Museum & Heritage Manager 12 April 2019

#### **Statement of purpose and how collections are used to achieve this purpose**

Our mission is to collect, preserve and interpret with our local communities the heritage of Mid & East Antrim Borough and to provide an accessible and enjoyable service relevant to diverse needs and interests.

Our vision is that Mid & East Antrim Museum and Heritage Service will strengthen a shared sense of local identity through an imaginative use of our collections and services. We aim to make a positive contribution to the lives of local people and inspire visitors to Mid and East Antrim. We will provide a service that is accessible to everyone and reaches out to new audiences.

By definition, the Mid and East Antrim Museum & Heritage Service has a long term purpose and holds collections in trust for the benefit of the public in relation to its stated objectives. The governing body therefore accepts the principle that sound curatorial reasons must be established before consideration is given to any acquisition to the collection, or the disposal of any items in the museum's collection.

The collections and information about them are used to achieve our mission by interpretation delivered through public exhibitions, publications, formal and informal learning events and activities. We also support research into the collections by staff, volunteers and the public.

#### **Overview of collections held by Mid and East Antrim Museums**

##### **1) Mid-Antrim Museum Stores at the Braid**

Around 7000 items - social & industrial history, photographs, books, paper, metal, wood, ceramic, textiles. Items largely catalogues on Modes database.

##### **2) Creevamoy store (off-site leased store for Mid-Antrim Museum), Broughshane**

20-25 items - there are large items e.g. agricultural machinery. Some exhibition material e.g. plinths. A list is available.

##### **3) Larne Museum & Arts Centre store, Victoria Road, Larne**

4578 items on a separate photo inventory, artworks, framed items

#### 4) Ledcom Industrial Estate store (off-site leased store for Larne Museum)

Around 18,000 items including photos, paintings, costume, metal, glass, fossils, tools. An inventory is available. The store also holds exhibition panels and other equipment for events.

#### 5) Carrickfergus Museum store, Civic Centre, Carrickfergus

Around 300 textile items, framed items, 676 items including archaeological material, flint, bone, ceramics, wood, plastics; 1680 loose images in albums, reference image files, 200 books, collection of maps

#### 6) Storage at Andrew Jackson Cottage, Carrickfergus Textile items

### Stage 1 Foundation for Collections Rationalisation

Controlled rationalisation will enable Mid and East Antrim Museum & Heritage Service to develop a systematic and strategic approach to effective management and increased use of our collections, allowing us to maximise resources, refocus collecting activity on behalf of Council and increase public access. Although one clear outcome of a programme of rationalisation can lead to disposal of objects, rationalisation can also provide us with ways of considering new and different uses for collections.

The Accreditation Scheme for museums and galleries in the UK encourages museums to consider rationalisation as a way to address collections management issues facing museums and make collections accessible to visitors and users. Our approach to rationalisation is articulated in the Service's Collections Development Policy approved by Council in 2017, which includes details on our museum's themes and grounds identified for collections rationalisation.

The Museums Association '*Empowering Collections - Collections 2030*' Report (2019) suggests in terms of the next decade of collecting that there is untapped potential in the collections and that museums should do more to uncover the stories they hold, broaden participation, and ensure their long-term relevance.

The strategic aims for effective, dynamic collections over the medium term should therefore be that they bring communities together, promote health and wellbeing, explore place and identity and equip people with facts and understanding that are relevant to contemporary issues. Underpinning this approach, museums need to ensure that collections are well-managed, understood, rationalised and accessible to audiences through technological innovation, partnerships and more collaboration with communities.

Mid and East Antrim Museum & Heritage Service in response to this challenge is taking a more dynamic approach to collection development and collection management/care. We aim for greater engagement with our local communities around developing and using the collections that we hold in public trust.

As a first step a consultant led- storage review was initiated in July 2018. The subsequent storage review report approved by Committee in February 2019 has



created an opportunity to undertake a wider collections review to make Council approved decisions around rationalisation hand in hand with upgrading off-site storage arrangements.

Applying a clear and systematic approach to rationalisation assists museums in clarifying decision making; many museums follow a process of collections review to help structure this process.

Definition of Collections Rationalisation
<b>Rationalisation:</b> The process of refining a collection in line with the museum's statement of purpose and the priorities set out in the Collections Development Policy
<b>Disposal:</b> The physical process of permanently removing an item from the Service's care.
<b>Collections Review:</b> Collections review is the process whereby a museum reviews a collection as part of a wider rationalisation project. In following standardised, moderated and agreed procedures for considering collections and items within them, collections review provides clarity to decisions and recommendations for collections development.
(Accreditation 2011 Glossary)

### Principles of Collections Rationalisation

Rationalisation should be carried out ethically. This can be achieved by adhering to the Museums Association Code of Ethics (2015). The most relevant sections of this Code are set out below:

#### Section 2: Stewardship of Collections

Museums and those who work in and with them should:

- (1) Maintain and develop collections for current and future generations
- (2) Acquire, care for, exhibit and loan collections with transparency and competency in order to generate knowledge and engage with the public with collections
- (3) Treat museum collections as cultural, scientific or historic assets, not financial assets.

#### And 2.8

Acknowledge that responsible disposal takes place as part of a museum's long term collections development policy and starts with a curatorial review and is underpinned by the following principals:

- 1 It is within the framework of a clearly defined collections policy
- 2 It is the advice of a range of staff (not an individual) and is agreed by the governing body

- 3 It is done with the intention that wherever possible items remain within the public domain
- 4 It is unlikely to damage public trust in museums
- 5 It is likely to increase the public benefit derived from museum collections

This rationalisation plan will be tested against these five Principles at all stages of its implementation.

## Policy and Planning Context

### Strategic Context

Mid and East Antrim Corporate Plan 2019-2023 high level Aims:

#### Sustainable Jobs and Tourism

Objective: Create a compelling tourism and economic proposition by developing and investing in our unique heritage assets.

#### High Performing Council

Objective: Be recognised as a leading Council delivering excellent services and facilitates through collaborative working, innovation and continuous improvement.

### Museum & Heritage Service Forward Plan

Council's approval to develop an approach to rationalising the museum collections is consistent with the Collections Development Policy (2017) for the purposes of improving collections management and public benefit on the grounds of lack of legal title, items being hazardous or requiring intensive conservation (beyond economical repair); items that fall outside the geographical area of the borough, or duplication. It is also consistent with the aspirations of the 2016-2019 Forward Plan for the Service under strategic objective one: *Contribute to a common understanding, appreciation and profiling of the heritage of Mid and East Antrim.*

The planned improvement of museum storage, including additional space to allow for future collecting, is the situational context within which rationalisation is taking place.

### The intended outcome from collections rationalisation related to public benefit

Collections rationalisation is part of effective collections management. It can provide many beneficial outcomes for Mid and East Antrim museums and our audiences, which include:

- Ensuring that collections are relevant to the museum's vision and Council's wider strategic objectives which may have evolved over time with historic collections now not fit for the current purpose of the museum
- Developing a clearer understanding of the collections the museum holds
- Determining the significance of objects in a collection

- Enabling effective collections development, including contemporary collecting
- Maximising resources – storage space, staffing and running costs, to care effectively for collections
- Developing priorities for collections care
- Improving storage and management of reserve collections
- Focusing collections, so that they are of high quality and relevant to users and stakeholders
- Providing increased access to collections
- Using collections within the museum and with partners in different ways
- Enhancing knowledge and information about collections and improving documentation
- Managing the disposal of objects both ethically and in response to organisational strategy

## **A methodology for Rationalisation**

### **Aims of our Collections Review**

- To resolve a previously singular approach to collecting across the Service (within the legacy Councils) prior to the establishment of Mid and East Antrim Borough Council, which has resulted in the over collection of large scale duplicate items and a need to decide what should remain in the collections in priority areas.
- To improve knowledge about any areas of the selected collection areas that we have little information about to assess interpretative/engagement value for the public
- To ethically dispose of items where there is no legal transfer or which are hazardous or can not be conserved.
- To understand the storage and care needs of the collections

Questions that a review can help answer are:

- Which objects are of most significance?
- Which objects fit/do not fit with the Collections Development Policy?
- Which objects don't we own?
- What conservation needs do objects have?
- What potential use do these objects have for public engagement?
- How well are we looking after these objects?



At such time as sufficient staff resource are in place the following thematic collection areas will be considered as a priority for a collections review:

- Rural Life
- Domestic Bygones
- Textiles

A collections review provides a first step in making recommendations and decisions about the future of collections, including disposals and it will support the Service in following the SPECTRUM 5.1 procedure for deaccession and disposal. Additional guidance is provided by the Museums Association Disposal Toolkit (2014).

	Significance and relevance to the Collections Development Policy	Public Engagement Potential	Learning and engagement potential	Condition Assessment	Completeness	Interpreting the scores
Maximum Score	30	25	20	15	10	overall total = 100
Score	22-30	20-25	16-20	13-15	9-10	79-100 Excellent object
	<p>of clear national, regional, local or community use and integral to the Collections Development Policy e.g., through historical/cultural value</p> <p>Object known to be unique or rare</p>	<p>Is considered a 'star' object and a focal point of a key exhibition space.</p> <p>High 'wow' factor</p> <p>Deemed 'iconic' by visitors</p> <p>Strongly identified in the public's mind with Council's museum service or museum sites</p> <p>Regularly used in display, public events or outreach</p> <p>Stimulates strong personal/associative response from visitors</p>	<p>Potential to be:</p> <p>Actively used as a learning aid</p> <p>Engaged in outreach teaching programmes widening participation in community e.g., loan box use</p> <p>Regularly used in public events, workshops.</p>	<p>Object in a good, stable exhibition ready condition and any damage is integral to its significance and historical importance</p>	<p>object is either fully complete, or the missing elements are integral to its importance and significance.</p> <p>Object appears to be in its original condition</p>	<p>Likely to be accessioned and in good condition with unique value and rarity.</p> <p>High potential for display and public focus.</p> <p>An object with the 'wow' factor</p> <p>Definitely for retention in the permanent collections</p>
Score	15-20	13-19	10-15	9-12	6-8	76-52 Good object
	<p>Within the Collections Development Policy and of clear local importance and being integral to the museum's educational and social purpose.</p> <p>No other museum is known to have an example.</p>	<p>Engages visitor interest and stimulates gallery discussion and enquiries</p> <p>Important support object in an exhibition space</p> <p>Occasionally used in public events, talks, handling</p>	<p>Has recognised potential for use in outreach and learning activities</p> <p>Has potential to foster aspects of learning.</p>	<p>Object is in a fair, stable condition.</p> <p>Some minor remedial conservation may be required before display or use.</p>	<p>Object is complete or missing only a small number of parts</p> <p>Object is in near original condition, or any adaptations are consistent with its history and use.</p> <p>Any missing parts do not make it unrecognisable.</p>	<p>Regarded as owned by the council and within the collections development policy remit.</p> <p>May be unusual or rare.</p> <p>In good condition with potential for learning and display.</p> <p>For retention in the permanent collections.</p>
Score	7-14	6-12	5-9	4-8	3-5	51-27 Average object
	<p>Of little specific local, community or Council importance</p> <p>No connection to the local area or provenance unknown</p> <p>Outside of the Collections Development Policy</p>	<p>Useful support object for display and handling</p> <p>No current public focus</p> <p>No potential for</p> <p>Not suitable for display or handling use.</p>	<p>Was originally collected and used as a learning/education aid, but is no longer used</p> <p>Little or no potential for future use.</p>	<p>Object appears unstable and/or in poor condition.</p> <p>Significant specialist remedial conservation will be required prior to display use.</p>	<p>Object is incomplete and its original function or appearance is not clear. Object has been significantly adapted and these changes</p>	<p>Outside of collections development policy remit.</p> <p>In poor condition requiring extensive conservation.</p> <p>Very probably acquired as a set dressing and of not historic value to the collections.</p> <p>No real potential identified for display or learning use.</p> <p>May be disposed of.</p>

This will be carried out by measuring collections against a range of criteria arranged in a review grid.

There will be some collections areas which will be reviewed at group level others at an individual level. The appropriate review unit will be employed.

## **Stage 2 Preparing for collections rationalisation**

Assessment criteria will be derived from the motivations for rationalisation identified in Stage 1. The number of criteria is limited to avoid the assessment process becoming unwieldy. It should also be recognised that the criteria may not be equally relevant to all elements of the collections. Including levels to indicate how far the item under assessment meets the criteria is advisable. Guidance in the assessment process will be provided for museum staff undertaking this work.

Below is the template to be used to assess museum items for rationalisation within the selected collection areas. This is a numerical system which allows for rating of individual or group items relevant to each other.

### **Mid and East Antrim Museum & Heritage Service Collections Review Grid**

Based on UCL Collections Review Rubric and the Renaissance East Midlands Significance Assessment Toolkit

(A guide to selecting a review methodology for collections rationalisation: Heather Lomas: Collections Management Network November 2014)



No.	Museum	Location Building	Location Detail bay shelf or box	Review unit description and number of boxes, number of shelves, individual object	Accession Number Temporary Number or Identification number	Est. no. of objects	Significance (30)	Public Engagement (25)	Learning ( 20)	Condition Assessment (15)	Completeness (10)	Total Score 100	Digital Image (tick)	Reviewer Name	Date

### **Staff who will work on collections rationalisation**

Rationalisation will involve museum staff who may need to call on external expertise for certain collection items or groups of items to properly consider their significance. It is also intended to provide a means for local communities of interest to have a voice through consultation and/or site visits.

It is recommended that a Collections Rationalisation working group be established to co-ordinate the assessments, to analysis score ratings and determine proposed disposal routes.

Overall responsibility for the rationalisation project will lie with the Museum & Heritage Manager reporting on progress to senior managers and for the attention of the Economic Growth and Tourism Committee.

All final decisions on disposal from the Council's museum collections will be at Committee level ratified at Council level.

Existing resources will be utilised to support rationalisation including photographic equipment and suitable assessment space. An outlay within existing budget may be required for re-boxing items after assessment if the current box storage is unsuitable.

### **Overall timescale**

It is the intention that further to the implementation of a Mid and East Antrim staffing structure for the Museum & Heritage Service a wider collections review will be carried out on selected parts of the collections.

The total time given to the review will be contained within one year from approval of the rationalisation plan by Committee.

### **Stage 3 Implementing Collections Rationalisation**

#### **Testing the implementation process**

Before rationalisation is formally implemented, it will be tested on a small group of material and the process will be refined as appropriate.

Rationalisation is allowed for in the approved Collections Development Policy (2017) on the following grounds:

- Legal - where transfer of ownership has not occurred or the item is on loan
- Hazardous (Health and Safety)
- Conservation - beyond economic repair

A straightforward assessment of material readily known to each museum that falls into any of the three categories can be undertaken in the period July - September 2019 to allow for items for proposed disposal (with their proposed disposal route) to be presented at the next appropriate Economic Growth and Tourism Committee and before transfer is taken of the collections to an upgraded store. This allows that before rationalisations is formally implemented, it will be tested on a small group of material and the process will be refined as appropriate.

Testing will include using the assessment form and the consideration of decisions

on rationalisation options. Depending on the type of material, other elements of implementation could be covered such as ethical and legal matters.

### **Communication and consultation**

Communication and consultation both inside and outside the museum will take place throughout the rationalisation process as collections rationalisation can become a sensitive area of activity for museums. This will be handled in conjunction with the oversight of senior managers and the Communications Unit of Council.

#### **Purpose**

- to demonstrate openness about the process
- to be a mechanism for advocacy for the museum
- to provide understanding of the process
- to seek views both within and outside the museum
- to provide a channel for involvement in the process

#### **Consultation and communication should involve**

- staff /volunteers /groups /funders /donors /stakeholders /special interest groups /media
- expert advisers

#### **Content**

- consistent with the principles of rationalisation and the rationalisation plan
- appropriate to the audience
- focus on the motivation and public benefits identified in Stage 1
- include information about the process and the evidence emerging from the consultation itself

#### **How**

Methods which should be appropriate to the intended audience might include: open meetings /correspondence /press releases / museum website/newsletters / formal and informal presentations /exhibitions-physical and virtual /events and activities. The resulting feedback can be collected and used to inform future consultation and communication activities.

Implementation of rationalisation will follow the process in the Museum Accreditation standard and the MA's Disposal Toolkit but allow for differences in the case of options such as loans and handling material.

### **Main steps in implementation:**

- 1 Assessment of items including additional research and specialist advice
- 2 Checking ethical and legal considerations
- 3 Deciding on a specific rationalisation option
- 4 Taking formal decisions on rationalisation



## 5 Seeking a new owner if necessary

## 6 Confirming new arrangements or re-evaluating options for rationalisation

### Resources

Collections and Governance: a practical guide (2011) highlights legal issues concerning ownership and disposal under various governance arrangements.

The Museums Association Toolkit (2014) provides practical guidance for museums considering permanent disposal. Based on the Museums Association Code of Ethics (2015) the toolkit provides detailed advice on the process of identifying items for disposal and ensuring that their removal from a museum collection is ethical.

The MA's Disposal flowchart provides an outline of the process for the permanent disposal of an item. A different process will take place when other rationalisation options are followed, for example the return of loans in.

### Stage 4 Post-rationalisation action

Undertaking rationalisation may highlight the need to amend our future plans and policies as well as collections care and management processes with the aim of ensuring consistency across the board and avoiding confusion. Such amendments should also aim to avoid repeating the actions which prompted in the need for rationalisation. Any changes should be properly authorised and be communicated to staff and volunteers. The timing for the review of plans and policies may mean that amendments arising from rationalisation work may take place during the process rather than after rationalisation has been completed. A formal evaluation of the rationalisation process will inform any future rationalisation exercises.

## Section 75 Equality Screening

Part 1	Policy Scoping
Part 2	Screening Questions
Part 3	Screening Decision
Part 4	Monitoring
Part 5	Approval and Authorisation

### Part 1. Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

#### Part 1: Information about the policy

Information about the policy	
Name of policy	Collections Management Policy (2025)
Is this an existing, revised or new policy?	Updates with a new Environmental Sustainability and Climate Change Statement replacing the Museum Collections Management Policy (2021)
What is it trying to achieve? ( <i>intended aims/outcomes</i> )	Mid and East Antrim Borough Council want to grow and develop a thriving Tourism, Arts and Culture offering for the benefit of citizens, businesses, and visitors alike. To create opportunity for learning and experiences that enrich the lives of those who live here, work here and visit here.
Are there any section 75 categories which might	MEA will be inclusive in approach to bridge identified gaps in the collections by acquiring key local items not currently represented in the

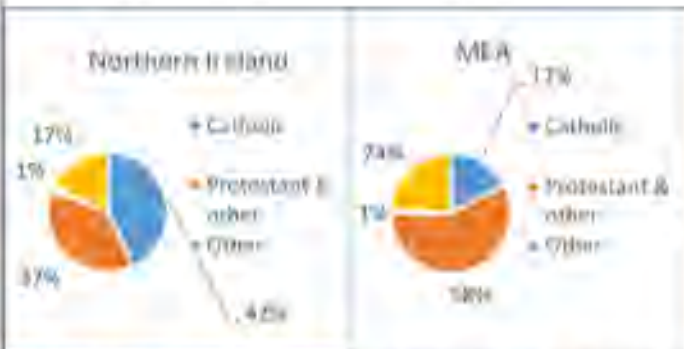
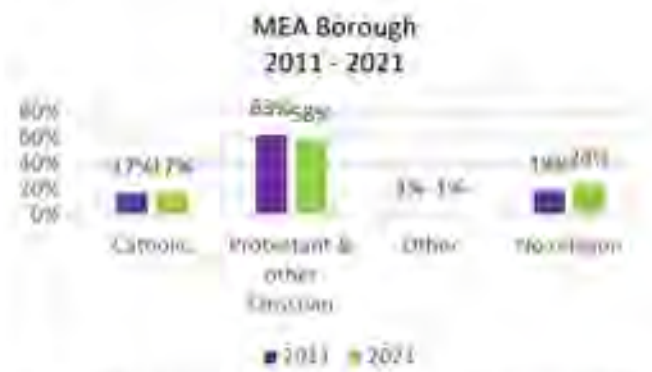
<b>be expected to benefit for the intended policy?</b> <i>If so, explain how.</i>	collections and that reflect the increasing cultural diversity of the Borough.
<b>Policy Lead Officer</b> <i>(who initiated or wrote the policy)</i>	Jayne Clarke, Museum & Heritage Manager
<b>Who owns/implements the policy?</b>	Jayne Clarke, Museum & Heritage Manager Marian Kelso, Heritage Officer Elaine Hill, Heritage Officer Shirin Murphy, Heritage Officer Helen Johnson, Museum Collections Officer
<b>Implementation factors</b>	
<p>Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?</p> <p>If yes, are they <i>(please tick as appropriate)</i></p> <p><input checked="" type="checkbox"/> financial  <input type="checkbox"/> legislative  <input type="checkbox"/> other, please specify _____</p> <p>If spend control measures were reintroduced this would impact the ability to deliver the Collections Management Policy and its associated actions.</p>	
<b>Main stakeholders affected</b>	
<p>Who are the internal and external stakeholders (actual or potential) that the policy will impact upon? <i>(please tick as appropriate)</i></p> <p><input checked="" type="checkbox"/> Staff  <input checked="" type="checkbox"/> Service users  <input checked="" type="checkbox"/> Other public sector organisations  <input checked="" type="checkbox"/> Voluntary/community/trade unions  <input type="checkbox"/> Other, please specify _____</p> <p>Visitors to Mid and East Antrim / residents and businesses in the Borough</p>	
<b>Other policies with a bearing on this policy</b>	
<p>• what are they?          • who owns them?</p> <p>The Tourism, Arts and Culture Interim Plan has been developed to support delivery of Council's new <b>Corporate Plan (2024 - 2028)</b> and existing <b>Community Plan (2017 - 2032)</b> sharing the same strategic themes and objectives</p> <p>In relation to Arts and Culture led by :          Laura Cowen, Strategic Tourism and Regeneration Manager          Ross Hickey, Arts and Culture Manager</p>	



## Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data. The Commission has produced this guide to signpost to S75 data.

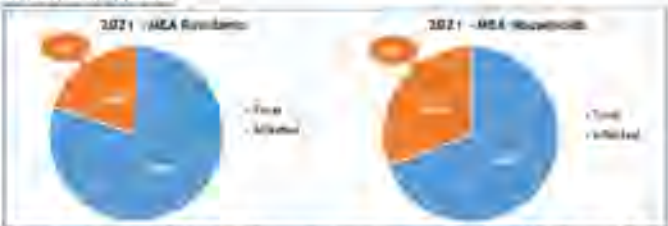
What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Section 75 category	Details of evidence/information
Religious belief	<div>  <p>Protestant and other Christian religions comprise the majority of citizens within MEA Borough at 58% compared to 17% Catholic. Overall NI figures record a majority of Catholic citizens, however this does not apply to MEA Borough. MEA citizens without/did not state religion, accounts for approximately a quarter of MEA Borough.</p> <p><u>2011 - 2021 Census Comparison</u></p>  <ul style="list-style-type: none"> <li>Despite preponderance of Protestant and other citizens, numbers have fallen by 5% within MEA Borough.</li> <li>Catholic and Other have remain unchanged.</li> </ul> <p>No religion has increased by 6%, these figures may possibly account for the decline in Protestant and other numbers.</p> </div>
Political opinion	<p>Local Government Elections took place in May 2023 below highlights the weighting in the Borough's political opinion.</p>



	<table><tr><th>Party</th><th>MEA Borough (%)</th><th>Change since 2019 (%)</th></tr><tr><td>DUP</td><td>30.9</td><td>-1.1</td></tr><tr><td>UUP</td><td>17.3</td><td>-0.9</td></tr><tr><td>Alliance</td><td>18.9</td><td>+3.1</td></tr><tr><td>TUV</td><td>15.9</td><td>+0.7</td></tr><tr><td>Sinn Fein</td><td>9.3</td><td>+2.9</td></tr><tr><td>SDLP</td><td>2.0</td><td>+0.2</td></tr><tr><td>Green</td><td>0.9</td><td>+0.4</td></tr><tr><td>Others</td><td>4.7</td><td></td></tr></table>	Party	MEA Borough (%)	Change since 2019 (%)	DUP	30.9	-1.1	UUP	17.3	-0.9	Alliance	18.9	+3.1	TUV	15.9	+0.7	Sinn Fein	9.3	+2.9	SDLP	2.0	+0.2	Green	0.9	+0.4	Others	4.7				
Party	MEA Borough (%)	Change since 2019 (%)																													
DUP	30.9	-1.1																													
UUP	17.3	-0.9																													
Alliance	18.9	+3.1																													
TUV	15.9	+0.7																													
Sinn Fein	9.3	+2.9																													
SDLP	2.0	+0.2																													
Green	0.9	+0.4																													
Others	4.7																														
Racial group	<p><u>2021 Census</u></p> <table><tr><th>NI Census 2021</th><th>N. Ireland (%)</th><th>MEA Borough (%)</th></tr><tr><td>White</td><td>96.55</td><td>97.78</td></tr><tr><td>Other/None recorded</td><td>3.45</td><td>2.22</td></tr></table> <p><u>2011 - 2021 Census Comparison</u></p> <p>1% increase in white with a 1% decrease in other</p>	NI Census 2021	N. Ireland (%)	MEA Borough (%)	White	96.55	97.78	Other/None recorded	3.45	2.22																					
NI Census 2021	N. Ireland (%)	MEA Borough (%)																													
White	96.55	97.78																													
Other/None recorded	3.45	2.22																													
Age	<table><tr><th>NI Census 2021</th><th>N. Ireland (%)</th><th>MEA Borough (%)</th></tr><tr><td>0-14</td><td>19.19</td><td>17.14</td></tr><tr><td>15-39</td><td>31.23</td><td>28.65</td></tr><tr><td>40-64</td><td>32.43</td><td>34.27</td></tr><tr><td>65+</td><td>17.15</td><td>19.67</td></tr></table> <p>The largest age range in MEA Borough is 40-64 at 34% with 15-39 representing 29% of the Borough. 69% of the Borough is represented by the 15-64 age range.</p> <p><u>2011 - 2021 Census Comparison</u></p> <table><tr><th>Age group</th><th>2011 (%)</th><th>2021 (%)</th></tr><tr><td>0-14</td><td>19.19</td><td>17.14</td></tr><tr><td>15-39</td><td>31.23</td><td>28.65</td></tr><tr><td>40-64</td><td>32.43</td><td>34.27</td></tr><tr><td>65+</td><td>17.15</td><td>19.67</td></tr></table>	NI Census 2021	N. Ireland (%)	MEA Borough (%)	0-14	19.19	17.14	15-39	31.23	28.65	40-64	32.43	34.27	65+	17.15	19.67	Age group	2011 (%)	2021 (%)	0-14	19.19	17.14	15-39	31.23	28.65	40-64	32.43	34.27	65+	17.15	19.67
NI Census 2021	N. Ireland (%)	MEA Borough (%)																													
0-14	19.19	17.14																													
15-39	31.23	28.65																													
40-64	32.43	34.27																													
65+	17.15	19.67																													
Age group	2011 (%)	2021 (%)																													
0-14	19.19	17.14																													
15-39	31.23	28.65																													
40-64	32.43	34.27																													
65+	17.15	19.67																													

	<ul style="list-style-type: none"><li>• Age 15-39 have increased by 3%</li><li>• The 65+ population has fallen by 3%</li></ul> <p>In 2011 it was predicted the 65+ age group will continue to grow by 41% by 2030 however it has fallen in the past 10 years. A possible explanation could be the impact of the Covid pandemic during which over 65's were at most risk.</p>																					
Marital status	<table><tr><th>NI Census 2021</th><th>N. Ireland (%)</th><th>MEA Borough (%)</th></tr><tr><td>Single</td><td>38.07</td><td>33.43</td></tr><tr><td>Married</td><td>45.59</td><td>49.15</td></tr><tr><td>Civil Partnership</td><td>0.18</td><td>0.16</td></tr><tr><td>Separated</td><td>3.78</td><td>3.53</td></tr><tr><td>Divorced</td><td>6.02</td><td>6.83</td></tr><tr><td>Widowed</td><td>6.36</td><td>6.91</td></tr></table> <p>MEABC has a higher proportion of married residents when compared to Northern Ireland figures.</p> <p>There has been changes in the marital status of MEABC residents since the 2011 census.</p> <p>The number of residents who are single, in a civil partnership or divorced has risen. In comparison the number of residents who are married, separated or widowed has fallen.</p>	NI Census 2021	N. Ireland (%)	MEA Borough (%)	Single	38.07	33.43	Married	45.59	49.15	Civil Partnership	0.18	0.16	Separated	3.78	3.53	Divorced	6.02	6.83	Widowed	6.36	6.91
NI Census 2021	N. Ireland (%)	MEA Borough (%)																				
Single	38.07	33.43																				
Married	45.59	49.15																				
Civil Partnership	0.18	0.16																				
Separated	3.78	3.53																				
Divorced	6.02	6.83																				
Widowed	6.36	6.91																				
Sexual orientation	<p>Figures refer to Borough residents aged 16 and over, of which there are 113,075.</p> <table><tr><th>NI Census 2021</th><th>N. Ireland (%)</th><th>MEA Borough (%)</th></tr><tr><td>Straight or heterosexual</td><td>90.04</td><td>91.04</td></tr><tr><td>Gay or Lesbian</td><td>1.17</td><td>0.86</td></tr><tr><td>Bisexual</td><td>0.75</td><td>0.56</td></tr><tr><td>Other Sexual orientation</td><td>0.17</td><td>0.13</td></tr><tr><td>Prefer not to say</td><td>4.58</td><td>4.21</td></tr><tr><td>Not stated</td><td>3.30</td><td>3.19</td></tr></table> <p>Sexual orientation statistical breakdown for Mid and East Antrim 2011 census was not available therefore it is not possible to see if there has been any change in the sexual orientation of Mid and East Antrim residents.</p>	NI Census 2021	N. Ireland (%)	MEA Borough (%)	Straight or heterosexual	90.04	91.04	Gay or Lesbian	1.17	0.86	Bisexual	0.75	0.56	Other Sexual orientation	0.17	0.13	Prefer not to say	4.58	4.21	Not stated	3.30	3.19
NI Census 2021	N. Ireland (%)	MEA Borough (%)																				
Straight or heterosexual	90.04	91.04																				
Gay or Lesbian	1.17	0.86																				
Bisexual	0.75	0.56																				
Other Sexual orientation	0.17	0.13																				
Prefer not to say	4.58	4.21																				
Not stated	3.30	3.19																				
Men and women generally	<p><u>2021 Census</u></p> <p>The population of the Borough is 49% male and 51% female. There has been no change since the 2011 census.</p>																					

<p><b>Disability</b></p>	<p><b>2021 Census</b></p>  <p>There are 138,994 residents within Mid and East Antrim and 25% live with a limiting long term health problem or disability. However the number of households affected by a resident or residents with a limiting long term health problem or disability totals 45% of the 58,283 households within the Borough. Therefore nearly half the number of households in Mid and East Antrim are affected by one of the 50,121 limiting long term health problems or disability recorded for the area.</p>																		
<p><b>Dependants</b></p>	<p><b>2021 Census</b></p> <p>27.07% of MEABC households have 1 or more dependant children. This has fallen from 32.14% recorded in the 2011 census. The age breakdown of the dependant children is as follows:</p> <table border="1" data-bbox="438 907 853 1108"> <thead> <tr> <th>Age</th><th>MEA Borough (%)</th></tr> </thead> <tbody> <tr> <td>0-4</td><td>9.65</td></tr> <tr> <td>5-11</td><td>9.39</td></tr> <tr> <td>12-18</td><td>8.03</td></tr> </tbody> </table> <p>The majority of children within households with dependant children are aged between 0 and 4.</p> <p>Hours of unpaid care provided by residents of MEABC according to the 2021 census.</p> <table border="1" data-bbox="438 1265 853 1556"> <thead> <tr> <th>Unpaid Care (hrs)</th><th>MEA Borough (%)</th></tr> </thead> <tbody> <tr> <td>1 - 19</td><td>25.38</td></tr> <tr> <td>20 - 34</td><td>5.68</td></tr> <tr> <td>35 - 49</td><td>6.39</td></tr> <tr> <td>50+</td><td>17.33</td></tr> </tbody> </table>	Age	MEA Borough (%)	0-4	9.65	5-11	9.39	12-18	8.03	Unpaid Care (hrs)	MEA Borough (%)	1 - 19	25.38	20 - 34	5.68	35 - 49	6.39	50+	17.33
Age	MEA Borough (%)																		
0-4	9.65																		
5-11	9.39																		
12-18	8.03																		
Unpaid Care (hrs)	MEA Borough (%)																		
1 - 19	25.38																		
20 - 34	5.68																		
35 - 49	6.39																		
50+	17.33																		

If you do not have enough data to tell you about potential or actual impacts you may need to conduct a pre-consultation to generate more data and to distinguish what groups are potentially affected by your policy.

## Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision?

Specify details of the needs, experiences and priorities for each of the Section 75 categories below:

Section 75 category	Details needs, experiences and priorities
Religious belief	No evidence of different needs, however Mid and East Antrim Borough Council will seek to promote shared understanding of different back grounds.
Political opinion	No evidence of different needs, however Mid and East Antrim Borough Council will seek to promote shared understanding of different backgrounds.
Racial group	No evidence of different needs, however Mid and East Antrim Borough Council will seek to promote shared understanding of different backgrounds.
Age	No evidence of different needs, however Mid and East Antrim Borough Council will seek to promote shared understanding of different backgrounds.
Marital status	No evidence of different needs, however Mid and East Antrim Borough Council will seek to promote shared understanding of different backgrounds.
Sexual orientation	No evidence of different needs, however Mid and East Antrim Borough Council will seek to promote shared understanding of different backgrounds.
Men and women generally	No evidence of different needs, however Mid and East Antrim Borough Council will seek to promote shared understanding of different backgrounds.



Section 75 category	Details needs, experiences and priorities
Disability	No evidence of different needs, however Mid and East Antrim Borough Council will seek to promote shared understanding of different backgrounds.
Dependants	No evidence of different needs, however Mid and East Antrim Borough Council will seek to promote shared understanding of different backgrounds.

## Part 2. Screening questions

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, and indicate the level of impact on the group i.e. minor, major or none.

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? minor/major/none		
Section 75 category	Details of policy impact	Level of impact? Positive major Positive minor None Negative major Negative minor
Religious belief	This policy aims to impact all Section 75 categories in a fair and consistent manner by providing an accessible and enjoyable service to everyone regardless of religious belief.	None
Political opinion	This policy aims to impact all Section 75 categories in a fair and consistent manner by providing an accessible and enjoyable service to everyone regardless of their political opinion.	None
Racial group	This policy aims to impact all Section 75 categories in a fair and consistent manner by providing an accessible and enjoyable service to everyone regardless of their racial group.	None
Age	This policy aims to impact all Section 75 categories in a fair and consistent manner by providing an accessible and enjoyable service to everyone regardless of their age.	None
Marital status	This policy aims to impact all Section 75 categories in a fair and consistent manner by providing an accessible and enjoyable service to everyone regardless of their marital status.	None
Sexual orientation	This policy aims to impact all Section 75 categories in a fair and consistent manner by providing an accessible and enjoyable service to everyone regardless of their sexual orientation.	None

Men and women generally	This policy aims to impact all Section 75 categories in a fair and consistent manner by providing an accessible and enjoyable service to everyone regardless of their gender.	None
Disability	This policy aims to impact all Section 75 categories in a fair and consistent manner by providing an accessible and enjoyable service to everyone regardless of their disability.	None
Dependants	This policy aims to impact all Section 75 categories in a fair and consistent manner by providing an accessible and enjoyable service to everyone regardless of their having dependents.	None
<b>2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?</b>		
Section 75 category	If Yes, provide details	If No, provide reasons
Religious Belief	MEA will be inclusive in approach to the selection, procurement and development of collections that will reflect the increasing diversity of the Borough.	
Political opinion	MEA will be inclusive in approach to the selection, procurement and development of collections that will reflect the increasing cultural diversity of the Borough.	
Racial group	MEA will be inclusive in approach to the selection, procurement and development of collections that will reflect the increasing diversity of the Borough.	
Age	MEA will be inclusive in approach to the selection, procurement and development of collections that will reflect the increasing cultural diversity of the Borough.	
Marital Status	MEA will be inclusive in approach to the selection, procurement and development of collections that will reflect the increasing cultural diversity of the Borough.	
Sexual Orientation	MEA will be inclusive in approach to the selection, procurement and development of collections that will	

	reflect the increasing cultural diversity of the Borough.	
Men and women generally	MEA will be inclusive in approach to the selection, procurement and development of collections that will reflect the increasing cultural diversity of the Borough.	
Disability	MEA will be inclusive in approach to the selection, procurement and development of collections that will reflect the increasing cultural diversity of the Borough.	
Dependents	MEA will be inclusive in approach to the selection, procurement and development of collections that will reflect the increasing cultural diversity of the Borough.	
<b>3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? minor/major/none</b>		
<b>Good relations category</b>	<b>Details of policy impact</b>	<b>Level of impact?</b> Positive major Positive minor None Negative major Negative minor
Religious belief	Promotion of diverse and inclusive projects that will bridge identified gaps in the collections and reflect the increasing cultural diversity of the Borough.	Minor positive
Political opinion	Promotion of diverse and inclusive projects that will bridge identified gaps in the collections and reflect the increasing cultural diversity of the Borough.	Minor positive
Racial group	Promotion of diverse and inclusive projects that will bridge identified gaps in the collections and reflect the increasing cultural diversity of the Borough.	Minor positive
<b>4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?</b>		
<b>Good relations category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
Religious belief	The aim of Collections Management Policy is to create opportunity for learning and experiences that enrich the lives of those who live here, work here and visit here.	



Political Opinion	The aim of Collections Management Policy is to create opportunity for learning and experiences that enrich the lives of those who live here, work here and visit here.	
Racial Group	The aim of Collections Management Policy is to create opportunity for learning and experiences that enrich the lives of those who live here, work here and visit here.	

**Additional considerations**

**Multiple identity**

<p>Generally speaking, people can fall into more than one Section 75 category: Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?</p> <p><i>(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).</i></p>
<p>Not applicable</p>
<p>Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.</p>
<p>Not applicable</p>

## Part 3. Screening decision

<b>If the decision is not to conduct an equality impact assessment, please provide details of the reasons.</b>
There is no evidence of adverse impact on any of the section 75 categories.
<b>If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced - please provide details.</b>
No mitigation is required
<b>If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.</b>
Not applicable

### Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

<b>Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?</b>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>If so, give the reasons to support your decision, together with the proposed changes/amendments or alternative policy.</b>

**Timetabling and prioritising**

Factors to be considered in timetabling and prioritising policies for equality impact assessment

If the policy has been 'screened in' for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

<b>Is the policy affected by timetables established by other relevant public authorities?</b>
<b>If yes, please provide details.</b>



## Part 4. Monitoring

Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 - 2.20 of the Monitoring Guidance).

Effective monitoring will help the public authority identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

## Part 5 - Approval and authorisation

Equality Screening undertaken by:	
Position/Job Title:	Jayne Clarke, Museum & Heritage Manager
Department:	Tourism, Arts and Culture
Date Completed:	1 July 2025

Equality Screening approved by:	
Position/Job Title:	Laura Cowan, Strategic Tourism and Regeneration Manager
Department:	Development / Tourism, Arts & Culture and Corporate Events
Date Completed:	

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on the public authority's website as soon as possible following completion and made available on request.

**Council/Committee:** Neighbourhoods & Communities

**Date:** 09 September 2025

**Report Title:** Registration of Skin Piercing Businesses

**Publication Status:** Open

**Author:** Patricia Allen, Head of Public Protection, Health & Wellbeing

**Approver:** John McVeigh, Acting Director of Community

## 1. Purpose

- 1.1. The purpose of this report is to seek Elected Members approval for the registration of two businesses under the Council's Skin Piercing Bye Laws.

## 2. Background

### 2.1. Legal Background

Under the Local Government (Miscellaneous Provisions) (NI) Order 1985, the Council is responsible for registering and regulating businesses which carry out skin piercing. This can include ear piercing, cosmetic piercing, semi-permanent skin colouring, tattooing, acupuncture and electrolysis.

### 2.2. Skin Piercing Byelaws

Mid and East Antrim Borough Council in pursuance of section 90 (c) of the Local Government Act (Northern Ireland) 1972 and Article 14(7) of the 1985 Order set

byelaws for the purposes of securing the cleanliness of premises registered under Article 14 of Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985. These byelaws set out the requirements regarding fittings in those premises and of registered persons and persons assisting them and the cleansing and so far as appropriate sterilisation of instruments, materials and equipment used in connection with the businesses of skin piercing activities.

## 3. Key Issues for Consideration

### 3.1. Applications Received

An application for registration has been received from the following premises to be registered under the byelaws for a skin piercing practice:

- Thomas Craig, Studio X, Unit 5a, 38 Scotch Quarter, Carrickfergus for tattooing

- Sarah Law, The Pamper Parlour, Unit 22a Ardilaun House, Pennybridge Industrial Estate, Ballymena for cosmetic piercing.

3.2. In connection with each premises, inspection has found that the fittings and facilities were satisfactory. There were also suitable arrangements for ensuring sterilisation of any instruments, materials and equipment used in skin piercing activities. The requirements of Mid and East Antrim Borough Council Skin Piercing Bye Laws 2015 were found to have been fulfilled.

#### **4. General Considerations / Implications**

##### **4.1. Programmed Inspections**

The premises will be inspected routinely to ensure compliance with Council Skin Piercing Bye Laws.

#### **5. Proposed Way Forward**

5.1. Officers are satisfied that registration can proceed on the basis that all requirements under the appropriate bye laws in relation to both the applications listed within this report have been met.

#### **6. Recommendation or Decision**

6.1. Elected Members are asked to grant approval to register the following businesses under the Council's Skin Piercing Byelaws:

- (i) Thomas Craig, Studio X, Unit 5a, 38 Scotch Quarter, Carrickfergus - for the business of tattooing
- (ii) Sarah Law, The Pamper Parlour, Unit 22a Ardilaun House, Pennybridge Industrial Estate, Ballymena - for the business of cosmetic piercing.

<b>Council/Committee:</b>	<b>Neighbourhoods and Communities</b>
<b>Date:</b>	09 September 2025
<b>Report Title:</b>	<b>DAERA Consultation on new rules for the sale and supply of puppies &amp; kittens in NI.</b>
<b>Publication Status:</b>	Open
<b>Author:</b>	Patricia Allen, Head of Public Protection, Health & Wellbeing
<b>Approver:</b>	John McVeigh, Acting Director of Community

## 1. Purpose

- 1.1. The purpose of this report is to seek Elected Members approval for submission of a consultation response (**Appendix 1**) on the Department for Agriculture, Environment and Rural Affairs (DAERA) proposed new rules for the sale and supply of puppies and kittens in Northern Ireland.

## 2. Background

- 2.1. DAERA have launched a public consultation on proposed new rules for the sale and supply of puppies and kittens in Northern Ireland. It seeks feedback from anyone who has an interest in animal welfare, stakeholders who work within the animal welfare sector, and councils which have responsibility for enforcement of companion animal welfare.
- 2.2. The proposal outlines measures aim to strengthen animal welfare protections by introducing a registration system for persons selling, giving away or otherwise transferring ownership of puppies and kittens aged under 6 months. The consultation also details proposals to end the third-party sale and supply of puppies and kittens.
- 2.3. The public consultation was launched on 2<sup>nd</sup> June 2025 and closes on 25<sup>th</sup> August 2025; however, the Department has extended the consultation time frame for councils to 15<sup>th</sup> September 2025. Full details of the consultation, including all supporting documentation can be found at the following link;

[Public Consultation on proposed new rules for the sale and supply of puppies and kittens in Northern Ireland | Department of Agriculture, Environment and Rural Affairs](#)



### 3. Key Issues for Consideration

- 3.1. The Department are requesting feedback from councils relating to the administration and enforcement of the current proposal, as well as any additional or alternative measures that could be put in place to deliver the objectives of improving the welfare of puppies and kittens.
- 3.2. The Department wishes to deliver a version of Lucy's Law which has already been introduced in England, Scotland and Wales, here, to include measures which would not only ban third-party sales, but that would also make new rules for anyone who decides to sell, give away, or otherwise transfer ownership of a puppy.
- 3.3. A key element of the proposals is the requirement for those wishing to sell, give away or transfer puppies or kittens under 6 months old to register with their local council and comply with a set of statutory conditions. These include ensuring that young animals are not separated prematurely from their mothers and that sales are restricted to take place only on premises where the animals and their biological mother are kept. The proposals also include an end to third party sales, stricter advertising requirements and the creation of a public register of sellers.
- 3.4. It is proposed that councils will be the regulatory body for the proposed new rules and will be given powers to suspend, vary or revoke a registration. Applicants will be required to pay a registration fee, which will be set by the Council, however the current DAERA proposal would be that registration would be free of charge for individuals in the first year but not for businesses.
- 3.5. The Northern Ireland Dogs Advisory Service (NIDAG), which is made up of representatives from each council met with DAERA officials in February 2025 to provide feedback on the proposals. At that time, DAERA were strongly advised of councils concerns around the difficulty of enforcing the legislative provisions, in particular, in relation to cats/kittens, given their roaming nature. Accordingly in the proposed MEA response there is a recommendation that councils should not be given any enforcement responsibility for kittens, believing these measures can be coordinated and delivered more effectively by animal welfare charities.

### 4. General Considerations / Implications

- 4.1. Whilst any legislation to improve animal welfare is welcome, the current consultation proposal does not provide a robust and transparent assessment of the regulatory and financial impacts on Council to take

account of likely volumes of registrations going forward. Cost impacts include the need for investment in a new IT system, administration costs, management of a public facing register, responding to 'freedom of information' requests and additional staff costs. Without DAERA giving due consideration to a sustainable funding package there may have no option but to set the registration fee to ensure full cost recovery, plus link it to inflation. The proposed MEA response does not agree that the first year of registration should be free of charge.

- 4.2. Furthermore, it is the collective view of councils that other reforms need to be addressed prior to the introduction of the proposed registration scheme, and that a full review of dog breeding legislation and the regulation of rescue and rehoming centres remains the main priority in Northern Ireland.
- 4.3. Councils are still dealing with the new legislation relating to XL Bully breed safeguards and are incurring non budgeted and ongoing costs which the Department expect to be absorbed by ratepayers. There is also ongoing litigation with the Department on the withdrawal of funding to councils for the provision of the Animal Welfare Service.
- 4.4. Councils have collectively considered the proposed "new rules" and are concerned that the early feedback sought from councils by DAERA has not been taken into consideration to ensure they will be both deliverable and affordable. This includes the exploration of alternative organisations as a delivery mechanism. In the absence of significant additional funding from Central Government, councils will not have the capacity either in terms of staffing or infrastructure to deliver or enforce the proposed registration scheme effectively and potentially existing regulatory functions could be placed at risk.

## 5. Proposed Way Forward

- 5.1. If approved the consultation response will be submitted as attached to DAERA on behalf of Mid & East Antrim Borough Council. Following consideration by DAERA of the consultation responses it is hoped that further engagement with councils will be sought to accurately scope out a delivery strategy that meets the needs of all stakeholders and citizens.

## 6. Recommendation or Decision

- 6.1. Elected Members are asked to;
  - (i) approve the submission of the consultation response prepared on the new rules for the sale and supply of puppies & kittens in NI (attached as **Appendix 1**) to DAERA.

## 7. Appendices / Links

Appendix 1    MEA Response DAERA Consultation

Appendix 2    DAERA Consultation proposals

## Consultation on new rules for selling and supplying puppies and kittens in Northern Ireland

**Q1. What is your name?**

**Mid and East Antrim BC (MEA)**

**Q2. What is your email address?**

**Q3. Are the views and opinions in your response personal or expressed on behalf of an organisation?**

**Organisation**

If the views and opinions expressed are on behalf of an organisation, please provide the name of the organisation below.

**Mid and East Antrim BC (MEA)**

**Q4. Please indicate if you are happy for your response to be published.**

**Yes**

**Q5. If you are responding on behalf of an organisation, please indicate if you are content for the name of the organisation to be associated with your response.**

**Yes**

**Q6. Do you agree that any person who wishes to sell, give away, or otherwise transfer the ownership of puppies should be required to register with their local council?**

**Yes**

MEA agrees in principle that any individual who wishes to sell, give away, or otherwise transfer the ownership of puppies should be required to register with their local council. However, we must express significant concerns regarding the resource implications for councils. The recent £1.25 million reduction in Animal Welfare funding by DAERA has already placed considerable pressure on council budgets. Without substantial additional funding, councils will not have the capacity either in staffing or infrastructure to deliver or enforce this proposed registration scheme effectively. There is no further capacity to undertake additional duties.

MEA believes that there are more urgent reforms needed in parallel with or prior to these proposals, such as a comprehensive review of dog breeding legislation and proper regulation of rescue and rehoming centres. These areas represent immediate priorities for improving animal welfare and reducing unregulated activity.



The enforcement of new XL Bully regulations is currently consuming significant officer time and resources, particularly with the recent neutering deadlines and the potential for legal proceedings due to non-compliance. Our concern is that these vital responsibilities could be undermined if councils are required to take on additional regulatory burdens without proper resourcing.

MEA wishes to remind DAERA that there were previously agreed positions between councils and DAERA during the consultation and implementation phase of the Welfare of Animals Act (NI) 2011, which did not include adding additional responsibilities upon councils in the future. This proposal reflects a concerning and growing trend whereby central government seeks to devolve enforcement responsibilities to local government without a corresponding transfer of resources, powers, or legal protections. Councils cannot continue to absorb additional responsibilities by default, particularly where they fall outside their core remit and expertise.

MEA recommends that other alternative organisations be explored further to facilitate this new requirement eg DAERA, USPCA and other animal charities. It also advocates that a centralised register is created and maintained for NI. It is noted that the Department of Agriculture, Food and the Marine is responsible for a registration scheme in ROI.

**Q7. Do you agree that any person who wishes to sell, give away, or otherwise transfer the ownership of kittens should be required to register with their local council?**

**No**

MEA does not support extending the registration requirement to kittens. As highlighted by council representatives during the DAERA workshop on 20 February 2025, enforcing such legislation would pose significant practical challenges for local councils. The free-roaming behaviour of cats and the prevalence of feral populations make it difficult to establish ownership, particularly in the absence of consistent and verifiable microchipping.

Given these enforcement limitations, MEA recommends that any proposals involving kittens be excluded from council responsibilities. Instead, such measures should be coordinated by animal welfare charities such as Cats Protection that are already experienced in delivering effective microchipping and Trap, Neuter, Return (TNR) programmes.

MEA also expresses concern about the potential criminalisation of individuals who responsibly rehome pets by giving them to friends or neighbours. While we acknowledge that exempting these informal transfers could create enforcement gaps, it is important to adopt a proportionate and balanced approach that does not penalise well-intentioned behaviour. At the same time, we recognise that allowing transfers without registration could provide opportunities for uncontrolled distribution, including the risk of commercial exploitation. This remains a concern, and any legislative framework must seek to mitigate such risks without imposing disproportionate burdens on responsible pet owners or councils.

**Q8. Do you agree with the proposed list of exempted groups who will be exempt from the proposed new rules?**

**Yes**

MEA supports the inclusion of exemptions to the proposed registration requirements but emphasises the need for these to be clearly defined and tightly managed. We agree that registered animal rescue and rehoming charities should be exempt, given the essential role they play in safeguarding animal welfare. However, to prevent abuse of this exemption, it should only apply to organisations officially registered with the Charity Commission for Northern Ireland.

We also agree that council operated dog pounds should be exempt, as these are subject to existing controls and oversight. Where kennelling services are outsourced to private contractors on behalf of councils, these contractors should be subject to the proposed registration rules to maintain consistent standards.

Furthermore, MEA supports the exemption of individuals who are surrendering animals to a registered charity or rehoming organisation, or who acquired the pet from a legitimate source but later decide they cannot keep it. These individuals are not breeders and therefore should not fall within the scope of the registration requirement.

We also support the proposal to restrict the movement of puppies and kittens under six months old, which would help prevent misuse of exemptions by third-party sellers.

**Q9. Do you agree that the first year of registration should be free of charge, except for businesses?**

**No**

MEA does not agree with the proposal to waive registration fees in the first year. Offering free registration would place a considerable burden on local councils at a time when resources are already overstretched. The implementation and ongoing management of the proposed scheme will require substantial investment in staff, training, IT systems, equipment, inspections, and legal enforcement.



We urge DAERA to provide a detailed financial analysis to fully assess the likely volume of registrations and the associated costs. The registration fee must be set at a realistic level that ensures full cost recovery. This includes communications, administrative and enforcement staffing, IT infrastructure, transportation and equipment, as well as long-term service delivery.

Furthermore, MEA recommends that registration fees be embedded in legislation and linked to inflation to ensure consistency across councils and sustainability over time. A sliding fee scale could be considered to reflect the number of animals being sold or transferred, but care must be taken not to set rates so high that it encourages illegal activity.

**Q10. Do you agree that a person who sells, gives away, or otherwise transfers the ownership of puppies and kittens, should be required to do so at the address where the puppies and kittens, and the biological mother are kept?**

**Yes**

MEA supports the requirement that the sale, transfer, or rehoming of a puppy or kitten must take place at the premises where the animal and its biological mother are kept. This requirement promotes responsible breeding and gives potential buyers confidence that the animal has come from a suitable environment.

However, appropriate safeguards must be in place to prevent individuals from presenting animals that are not actually the biological mother. Without proper verification, this requirement may be undermined in practice.

**Q11. Do you agree with the conditions of registration, as listed in the consultation document?**

**Yes**

MEA agrees with the proposed registration conditions in principle and offers the following comments

**Condition 1** states that a registered person cannot sell, give away, or otherwise transfer ownership of puppies or kittens that were not bred at the registered address. MEA supports this condition, as it would prevent individuals from operating as third-party sellers under the guise of being legitimate breeders. This measure would help ensure transparency and traceability in the sale or transfer of animals.

**Condition 2** prohibits the transfer of puppies or kittens that are unweaned, weaned too early, or under eight weeks old. MEA fully supports this provision as it aligns with best animal welfare practices and reduces the risk of health and behavioural issues that can result from premature separation from the mother.

**Condition 3** requires that any puppy or kitten must be shown to a prospective owner in the presence of its biological mother, with an exemption allowed only in cases where the mother has died. MEA agrees with this condition, which promotes ethical breeding and reassures buyers that the animals have been raised in appropriate environments. However, we highlight the need for measures to verify that the female presented is indeed the biological mother, to prevent fraudulent practices.

**Condition 4** mandates that the actual transfer of ownership must take place in person and at the registered premises, in the presence of both the puppy or kitten and its biological mother. MEA supports this approach as it discourages impulsive or remote transactions and enhances buyer confidence by allowing them to observe the animal's early environment and maternal care.

**Condition 5** requires that the new owner be provided with specific information on caring for the animal, including details of licensing obligations. MEA supports this requirement but emphasises that DAERA should provide standardised information templates. This would ensure consistency across all sellers and remove the burden from individual breeders or rescue organisations to produce these materials themselves.

**Condition 6** states that the registered person must keep and maintain a register of all dogs and cats, including puppies and kittens, on the premises. While MEA supports the intent of this condition, we recommend that the term "register" be replaced with "record," as in many cases it may apply to a single litter. Furthermore, we suggest that there should be a requirement to maintain these records for a defined period after the transfer of ownership, so that they are available for inspection or compliance checks if needed.

In addition to the above, MEA supports the introduction of a cap on the number of puppies or kittens that may be sold, transferred, or given away within a 12 month period. This would help distinguish between occasional and commercial activity, providing a clearer regulatory boundary.

Finally, we reiterate that the implementation of these conditions will create significant operational demands for councils, particularly around inspections to verify compliance. These duties cannot be absorbed within existing resources. Therefore, any proposed legislative framework must be accompanied by adequate funding and a strong public awareness campaign, to ensure both compliance and understanding of the new responsibilities among breeders, sellers, and the general public.

#### **Proposed conditions for advertising puppies and kittens**



**Q12. Do you agree that any advertisement for the sale of, giving away of, or other transfer of ownership of a puppy or kitten must include the information, as listed in the consultation document?**

**Yes**

MEA supports the requirement for all advertisements to include the information outlined in the consultation. However, rather than a warning message, we recommend a factual, informative notice that sets out the responsibilities of pet ownership. This approach would be more constructive and less likely to deter responsible buyers. DAERA should provide a sample advertisement format to assist sellers in meeting the new requirements consistently.

#### **Proposed online publication of Register of Sellers of Puppies and Kittens**

**Q13. Do you agree that an online, public register of sellers and suppliers of puppies and kittens should publish the detail, as listed in the consultation document?**

**Yes**

MEA agrees in principle with the proposal that an online public register should include all the information listed in the consultation document. We believe such a register could be beneficial for prospective buyers, as it would provide assurance that a seller or supplier is operating in compliance with the proposed regulations.

However, we have concerns about the potential data protection implications, particularly in relation to hobby or accidental breeders. The publication of personal home addresses raises issues under GDPR and could also pose risks to individuals' privacy and safety. While the disclosure of commercial premises is generally not an issue, private individuals may be less comfortable with their personal details being made public.

In addition, there may be unintended consequences if registration automatically results in a person's details being published online. MEA suggests that an "opt-out" mechanism be considered, particularly for non-commercial breeders, or that publication of names and addresses be made voluntary in certain circumstances.

We also wish to highlight that if inclusion on a public register is intended to provide assurance to buyers, then councils may be expected to carry out inspections to verify compliance before publication. This would, in effect, make inspections mandatory and would have significant implications for council resources and officer time. These additional responsibilities must be acknowledged and adequately funded by DAERA.

#### **Impact Assessments**

**Q14. Do you have any comments to make in relation to the Regulatory Impact Assessment, and its conclusions, or any additional information regarding impacts/costs?**

**Yes**

MEAs of the view that the Department's suggested costs to councils, as outlined in the Regulatory Impact Assessment (RIA), do not accurately reflect the true financial and operational impact that the proposed legislation would have on local authorities. In our opinion, the cost projections are significantly underestimated and do not take into account the full range of additional duties that councils would be expected to carry out.

The RIA fails to acknowledge concerns previously raised by councils at the DAERA workshop on 20 February 2025, including those related to increased staff demands, administrative and enforcement burdens, and the expectation that councils would undertake inspections and ensure ongoing compliance. These responsibilities will require new staff, training, communications, equipment, and IT infrastructure to administer and enforce the scheme effectively not just at the point of registration but throughout the lifecycle of each case.

MEAs particularly concerned about the assumption that no inspection costs will be incurred in Northern Ireland, based on comparisons with fees set in England. This assumption is not accurate. Councils in Northern Ireland will inevitably need to carry out inspections in order to confirm that conditions are being met particularly in relation to the presence of the biological mother, the condition of the premises, and compliance with recordkeeping and age restrictions. Without inspections, it will not be possible to ensure that the scheme is working as intended.

We also request that DAERA provide a revised financial model that takes into account the full range of expected costs, including communication materials, officer time, vehicle and equipment costs, legal enforcement, and the ongoing maintenance of a central register. Fees should be set in legislation and reviewed annually, with a requirement for fees to be index-linked to inflation, to ensure consistent and fair application across all councils.

MEA maintains that the inclusion of "giving away" puppies or kittens within the registration requirement may result in criminalising individuals who are simply trying to rehome their pet's offspring to a friend or neighbour. While we recognise that this provision may help prevent loopholes and deter unscrupulous breeders from bypassing the law, it needs to be carefully balanced to avoid unintended consequences for responsible pet owners.

Finally, we recommend that the RIA consider the confusion that may arise due to the differing requirements in the Republic of Ireland, where individuals or premises that sell six or more animals per calendar year are required to register. These



discrepancies should be addressed to minimise cross-border enforcement challenges and ensure consistent messaging to the public.

#### **Q15. Do you have any comments to make in relation to the Rural Needs Impact**

##### **Assessment, and its conclusions?**

**Yes**

MEA welcomes the opportunity to comment on the Rural Needs Impact Assessment and its conclusions. From the perspective of animal welfare and rural community life, it is important to highlight the significant role that kittens and pups play in the social fabric and emotional well-being of rural residents.

Pets, particularly young animals like kittens and puppies, are not only beloved companions but also contribute to reducing rural isolation and supporting mental health. In many rural areas, where access to social infrastructure may be limited, these animals offer companionship to elderly residents, families, and children, fostering a sense of care and routine.

Moreover, responsible breeding and rehoming practices for kittens and pups are often supported by small rural businesses and community networks. Therefore, policies that impact veterinary services, transport, licensing, or animal welfare directly influence rural pet ownership and the local economy.

We encourage the assessment to give further consideration to the indirect but meaningful impact of any proposals on rural households that care for animals, particularly young pets. Ensuring accessible, affordable, and well-regulated services for pet owners is a rural need that should not be overlooked.

#### **Q16. Do you have any comments to make in relation to the Equality and Disability**

##### **Screening, and its conclusions?**

**Yes**

MEA does not agree with the consultation's assertion that councils are responsible for enforcing the 2011 Act with regard to the sale of puppies and kittens. Councils enforce certain provisions related to animal welfare, but they do not currently regulate the sale or transfer of puppies. In practice, this role is typically carried out by enforcement officers under different statutory provisions.

It's important that this misunderstanding is corrected in the Equality and Disability Screening document so that roles and responsibilities are accurately reflected.

# Consultation on new rules for selling and supplying puppies and kittens

*2nd June 2025*



Department of  
**Agriculture, Environment  
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil  
agus Gnóthaí Tuaithe**

Department o'

**Fairmin, Environment  
an' Kintra Matthers**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)





This pack is also available on the DAERA website at:

<https://www.daera-ni.gov.uk/consultations>

On request, we can arrange to provide other formats of this document, such as:

- Paper Copy
- Large Print
- Braille
- Other Languages

To request a copy of this document in one of these formats, please contact the Animal Welfare and Dog Control Policy team by emailing: [animal.welfare@daera-ni.gov.uk](mailto:animal.welfare@daera-ni.gov.uk)



# Contents

<b>Ministerial Foreword</b>	<b>4</b>
<b>Chapter 1: Introduction</b>	<b>7</b>
<b>Chapter 2: Background</b>	<b>10</b>
Getting a puppy or kitten in Northern Ireland	10
Rationale for change	10
The laws about selling pets in other jurisdictions	11
<b>Chapter 3: Proposals</b>	<b>14</b>
Proposed requirement to register with council	14
Proposed exemptions	15
Proposed registration fee	17
Proposed application process	18
Proposed conditions for registration	19
Proposed conditions for advertising puppies and kittens	21
Proposed online publication of Register of Sellers and Suppliers of Puppies and Kittens	22
Offences	23
Expected outcomes	23
Impact outside of Northern Ireland	25
Conclusion	26
<b>Chapter 4: How to Respond and When</b>	<b>28</b>
Responses	28
Closing date	28
Confidentiality	29
<b>Appendix 1: List of Consultees</b>	<b>30</b>
<b>Appendix 2: Summary of Proposals</b>	<b>31</b>

# Ministerial Foreword



**I am pleased to launch this public consultation on proposed new rules for selling, giving away, and otherwise transferring ownership of puppies and kittens, in Northern Ireland.**

**Enhancing animal welfare is one of my top priorities. To ensure that our pet dogs and cats receive the best possible start in life, I am committed to introducing changes that will promote their well-being and provide assurances on their welfare and origin to prospective new owners.**

Having carefully considered the numerous appeals for a ban on the sale of puppies and kittens by intermediaries who do not breed the animals (commonly referred to as Lucy's Law), I have also evaluated the evidence underpinning the need to examine all aspects of both the act of giving away, or selling, a puppy or kitten.

While licensed dog breeding establishments and many responsible dog and cat owners adhere to ethical practices when selling puppies and kittens, there are instances where less-responsible individuals breed these animals in poor welfare conditions. These young animals often endure distressing journeys to unsuspecting purchasers who are unaware of the origins of their new pets. Concerns have been raised that many young animals sold by third parties develop health issues and behavioural problems due to early separation from their mothers and exposure to unfamiliar environments, potentially involving multiple journeys. This can result in an increased risk of disease and inadequate socialisation for the puppies and kittens, which may persist throughout their lives.

Therefore, I want to introduce an innovative, yet simple system for selling, giving away, or otherwise transferring ownership of puppies and kittens in Northern Ireland.

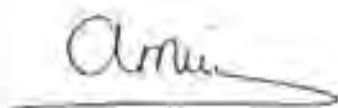
To achieve this, my Department is proposing that anyone who sells, gives away, or otherwise transfers the ownership of puppies and kittens must first apply to their local council to be entered into a Register of Sellers and Suppliers of Puppies and Kittens. Although councils would have powers to carry out an inspection of premises for the purposes of granting



registration, they would not be obliged to do so. Using Northern Ireland's current dog licensing system, councils would be able to establish that the owner of the puppies holds a valid dog licence for the puppies' mother. Finally, it is also my intention that councils will publish a list of sellers and suppliers of puppies and kittens who have registered with them.

Animal welfare will be at the heart of the new system, as the system will aid transparency and make it easier to identify individuals who are operating in ways which compromise animal welfare. Furthermore, it will aim to drive responsible pet ownership by encouraging neutering to avoid unplanned pregnancies, therefore helping to reduce the numbers of dogs and cats and the associated pressures on councils and rescue and rehoming organisations.

I encourage anyone who feels they can contribute to respond to this consultation so that together, we can improve the welfare of our puppies and kittens when going to new homes.



**Andrew Muir, MLA**

Minister for Agriculture, Environment and Rural Affairs





# Chapter 1: Introduction





# Chapter 1: Introduction

The Department of Agriculture, Environment and Rural Affairs (the Department) is seeking views on a proposal to introduce a registration system for persons selling, giving away, or otherwise transferring ownership of puppies and kittens aged under six months old.

A key objective of the Department is to end third-party sales of puppies and kittens.

A third-party sale is a sale that occurs when the seller has not bred the animal themselves but has obtained the puppy or kitten from a breeder so that they can sell it onwards.

The consultation is aimed at anyone who has an interest in animal welfare, stakeholders who work within the animal welfare sector, councils which have responsibility for enforcement of companion animal welfare, and any person or organisation involved in the breeding, sale, or transfer of ownership of puppies and kittens. The list of consultees (**Appendix 1**) is not, however, meant to be exhaustive and responses are welcomed from anyone with an interest in, or views on, the matters covered by this consultation paper.

The consultation paper is divided into four chapters. Chapter two provides some background to selling pet animals in Northern Ireland, and the legislation in place in other jurisdictions. Chapter three details the Department's proposals (a summary can be found at **Appendix 2**) and sets out a series of questions on these proposals. Chapter four outlines the procedure for providing responses to the paper. Equality, rural needs screening, and regulatory impact exercises have been carried out and can be found at:

<https://www.daera-ni.gov.uk/consultations>.

The Department welcomes any comments that consultees might have on any of these exercises.

## Councils

The Department has engaged with local councils on the proposals outlined in this document and acknowledges the concerns raised including the resource implications and extension of enforcement responsibilities to include cats. Therefore, the Department would specifically invite detailed feedback from councils relating to the administration and enforcement of the current proposal, as well as any additional or alternative measures which could be put in place to deliver the objectives of improving the welfare of puppies and kittens and realise the benefits outlined in Chapter Three.





The consultation is being conducted using the online survey tool Citizen Space and will commence on **2 June 2025**. It will run for 12 weeks, closing on **25 August 2025**.

Following analysis of the responses received, the Department will consider and publish a summary of the responses. Subject to the nature of those responses, the Department will then take the steps to introduce legislation to require a registration system for all persons selling, giving away, or otherwise transferring ownership of puppies and kittens in Northern Ireland. Please note that responses from groups will be considered as one response.



## Chapter 2: Background







# Chapter 2: Background

## Getting a puppy or kitten in Northern Ireland

Anyone can sell, give away, or transfer the ownership of, a puppy or kitten in Northern Ireland. Some people operate a licensed dog breeding establishment and sell the puppies they breed, and others sell the offspring of the family pet. The People's Dispensary for Sick Animals PAW Report 2024 indicates that (from a sample of 2,371 owners): 33% obtained their dog from breeders; 25% from private sellers; 17% from rescue and rehoming centres; and 16% from a friend, family, or neighbour.

Since the introduction of Lucy's Law in England<sup>1</sup>, Scotland and then Wales, which each ban the third-party sales of puppies and kittens, there has been significant interest in examining how puppies and kittens are sold or acquired by new owners in Northern Ireland. There have also been extensive calls to end third-party sales of puppies and kittens in Northern Ireland.

## Rationale for change

While it is recommended that the citizens of Northern Ireland carefully consider and conduct research before acquiring a new puppy or kitten<sup>2</sup>, in practice, many make impulsive decisions when confronted with an adorable animal, purchasing it without further deliberation. On many occasions the purchaser will not have any information about the person selling the animal, or the animal itself. At times, this transaction will have a happy ending, as the seller has looked after the animal well, and the purchaser will have gotten a healthy, well-adjusted, and happy animal. Other times, however, the seller may not have given the puppy or kitten a good start in life and might not even have looked after its basic welfare needs.

In some cases, the seller might not even have bred the puppy or kitten, and the purchaser will not really know where it came from. These transactions can have a different ending, as the puppy or kitten might be sick, and might have significant developmental issues.

Research shows that sub-optimal purchasing behaviours such as not viewing a puppy in-person, before purchase, leave owners vulnerable to unscrupulous breeders and dealers whose main goal is profit, and will have produced puppies with little concern for the health and welfare of the puppies they produce, or the dogs they use for breeding.

<sup>1</sup> [Ban of third-party sales of dogs and kittens, known as 'Lucy's Law', confirmed - GOV.UK](#)

<sup>2</sup> [What you need to know before you buy a puppy | InDirect: The Pup Contract - for responsible dog breeding and buying](#)



If a person cannot get a puppy from a rescue and rehoming organisation, they are encouraged to use licensed, and responsible, breeders.

Sourcing directly from the breeder will mean that the puppy or kitten will likely have spent the important early formative weeks with its mother. It is likely that the licensed, or regular, breeder will have made sure the mum is healthy and well, and that the puppy, or kitten, got the best start in life. For example, they may have made sure the puppies were: weaned appropriately; vaccinated and wormed; and socialised properly. Where a person is selling the offspring of the family pet, even though they are not a licensed, or regular, breeder, they too will likely have given the puppy or kitten the best start in life, as far as they know how to.

On the other hand, puppies purchased from someone who did not breed the animal themselves, may have experienced poor welfare conditions, for example: weaned too early; not properly vaccinated or wormed; not socialised; and separated from their mother too soon. They may also have been subjected to multiple journeys before they reach their new owner.

Some buyers may mistakenly believe that their puppy comes directly from a reputable breeder, when in reality it was bred under poor conditions and trafficked through multiple people. This makes it nearly impossible for the final buyer to trace the genetic lineage of the puppy, thereby leaving them unaware of its heritage and potential disease risks.

In summary, acquiring puppies from third-party individuals who are not the breeders themselves may increase the likelihood that the puppies or kittens did not have the best start in life. Similarly, some sellers who bred the puppy themselves may not meet the minimum standards of animal welfare.

## The laws about selling pets in other jurisdictions

Prior to 2018, the systems in place across England, Scotland, and Wales were similar to the system currently in place in Northern Ireland. That is, separate pieces of legislation set out the rules for petshops, and dog breeding establishments.

### England

In England, the Licensing of Activities Involving Animals (England) Regulations 2018 introduced a new single system based around licensable activities, one of which being selling animals as pets in the course of a business. Since then, a licence is required by anyone selling animals as pets in the course of a business, either directly to the public or to any other business that will later sell them as pets, and they must adhere to licence conditions such as not selling puppies or kittens aged under eight weeks.



Lucy's Law was introduced, from 2020, and provides that a person who is licensed to sell animals as pets, is also banned from selling any puppies or kittens that they did not breed. This particular provision takes its name from Lucy, a rescue dog which had suffered from the effects of intensive breeding and mistreatment on an illegal breeding establishment.

## Scotland

Since 2021, Scotland has also operated a system of licensing activities involving animals under the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021. Selling animals as pets in the course of a business requires a licence and the licence conditions are comparable to those in place in England.

## Wales

Similar legislation applies in Wales for selling animals as pets in the course of a business; however, the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021 enacts a Lucy's Law which differs slightly from that in place in England and Scotland, in that the puppy or kitten must be sold from the premises where the animal was bred.

## Republic of Ireland

In the Republic of Ireland, the Animal Health and Welfare (Sale or Supply of Pet Animals) Regulations 2019, require sellers or suppliers of six or more pet animals in a calendar year to be entered into the Department of Agriculture, Food and the Marine (DAFM) Register of Sellers and Suppliers of Pet Animals, and premises used in connection with the sale and supply of pet animals must be entered into the DAFM Register of Premises.





## Chapter 3: Proposals







## Chapter 3: Proposals

The Department wishes to afford a high degree of protections for puppies and kittens, that are sold or supplied in Northern Ireland. To do this, the Department wishes to deliver a version of Lucy's Law which includes measures that would not only ban third-party sales of puppies and kittens but would also make new rules for all people who decide to sell, give away or otherwise transfer ownership of a puppy. While keeping the welfare of our puppies and kittens at its heart, the proposed system will also generate transparency and accountability in the marketplace and enable prospective purchasers to identify where their pet was bred, and by whom.

The Welfare of Animals Act (Northern Ireland) 2011 sets out the enabling powers regarding any new animal welfare legislation and also specifies that the Department is responsible for enforcement in terms of farmed animals; the Police Service of Northern Ireland (PSNI) in terms of animal fighting; and councils in terms of non-farmed or companion animals. Therefore, for the proposed new rules about the sale and supply of puppies and kittens, local councils will be the enforcement and regulatory body.

### Proposed requirement to register with council

It is proposed to require anyone wishing to sell, give away, or otherwise transfer the ownership of puppies and kittens, to apply to their local council to be entered into a Register of Sellers and Suppliers of Puppies and Kittens. Council operated dog-pounds and registered animal rescue and rehoming charities would be exempt from this requirement, as too, would anyone giving puppies or kittens to a registered animal rescue and rehoming charity. Registration will mean that, for the period of one year, the registered person can sell, give away, or otherwise transfer the ownership of all the puppies and kittens bred by him/her, which were born at the registered address during that year.

This registration requirement will extend to:

- businesses, including dog breeding establishments and petshops; and
- anyone not operating as a business.

The Department considers that extending the requirement to people not operating as a business will help prevent any potential loopholes for unscrupulous persons to declare that they are not operating as a business and are therefore exempt from the new registration requirements.

The registration would be valid for a period of 12 months, and will be made public.



### Question 1

**Do you agree that any person who wishes to sell, give away, or otherwise transfer the ownership of puppies should be required to register with their local council?**

### Question 2

**Do you agree that any person who wishes to sell, give away, or otherwise transfer the ownership of kittens should be required to register with their local council?**

## Proposed exemptions

### *Registered rescue and rehoming charities*

Rescue and rehoming organisations play a vital role in rehabilitating unwanted or abandoned puppies and kittens and finding new, responsible owners for these animals. The Department recognises that it is essential that these organisations should be able to continue this work unimpeded. Therefore, it is proposed that any person who gives the puppy or kitten to a rescue or rehoming organisation which is registered with the Charity Commission for Northern Ireland would be exempt from the proposed registration requirement.

### *Council-operated dog pounds*

Councils have powers to establish and maintain dog pounds, and to deal with unwanted and unclaimed straying dogs. Council-operated dog pounds offer several benefits, both for the community and for the animals they care for. For those dogs that cannot be reunited with their owners, council-operated dog pounds facilitate giving dogs new homes, while also helping to reduce the number of excess animals in the community. The Department recognises the operation of this type of dog pound is a matter for councils, and therefore, it is proposed that council-operated dog pounds would be exempt from the proposed registration requirement.





## When a buyer changes their mind

Anyone giving puppies or kittens to an animal rescue and rehoming registered charity would be exempt from the requirement to register with their council. Any person who has acquired a puppy or kitten, either from a registered seller or supplier, from a Council-operated dog pound, or from an animal rescue and rehoming registered charity, and then shortly thereafter, decides that they no longer want to keep it would not be eligible to register with their local council as a seller or supplier, as they did not breed the animal themselves and would therefore be unable to meet all the registration conditions. They could explore giving the puppies or kittens to a registered animal rescue and rehoming charity, or they could potentially seek to return the animal to the person they purchased it from. Alternatively, they could sell, give away, or otherwise transfer the ownership of the puppy or kitten once it reached the age of six months old.

The Department considers it is necessary to restrict the options available to legally move a puppy or kitten under six months old to prevent any loopholes for third-party sellers.

### Question 3

**Do you agree with the proposed list of exempted groups who will be exempt from the proposed new rules?**

**If not, which groups do you believe should be exempted?**



## Proposed registration fee

It is proposed that a person who wishes to be entered into the council's Register of Sellers and Suppliers of Puppies and Kittens must pay a fee.

### Fee for pet owners

The Department recognises that some pet dog and cat owners might find they are faced with an unexpected pregnancy or an unplanned litter, and will not wish to keep the offspring. It is proposed that, for these pet owners:

- the first year of registration will be free of charge. It is considered that this will encourage those pet owners to take action to prevent any further unplanned pregnancies by getting their dog or cat neutered; and
- the second year of registration will attract the fee. The fee will be payable for any second application to be entered into the Register of Sellers and Suppliers of Puppies and Kittens.

### Fee for businesses

For all persons who hold a dog breeding licence or a petshop licence, and are therefore in the business of selling animals, it is proposed a fee should be paid for registration in the Register of Sellers and Suppliers of Puppies and Kittens.

It is proposed that each council should have the ability to set an appropriate fee to recoup the costs of administration, service delivery and enforcement using the principle of "full cost recovery". It is considered that the ability to define fees at a local level is essential to ensure that councils can recover associated expenditure, reducing the risk of subsidies from local ratepayers, and that businesses do not pay more than necessary.

### Question 4

**Do you agree that the first year of registration should be free of charge, except for businesses?**





## Proposed application process

Any person wishing to be entered onto the Register of Sellers and Suppliers of Puppies and Kittens will have to apply to their local council to be registered. Anyone subsequently entered into the council's Register of Sellers and Suppliers of Puppies and Kittens, will only be able to sell, give away, or otherwise transfer ownership of their animals, from the registered address. The mother of the animals must also be at the registered address.

### Links to council dog licence records

Registrations will be linked to the current dog licensing system. Northern Ireland is in a unique position of being the only jurisdiction in the UK that requires owners of dogs to obtain a yearly licence to keep their dog. Anyone wishing to sell, give away, or otherwise transfer ownership of their dog's puppies will therefore already be legally obliged to hold a dog licence for the puppies' mother.

Making use of the dog licensing system can ensure that the puppies are only being sold from their place of birth, by the person who owns the mother and has bred from her.

### Council role: no requirement to inspect premises

It is considered not practical to visit every house/premises from which a person wishes to sell or supply puppies or kittens, and therefore it is proposed that there will be no mandatory inspection of houses/premises, prior to successful registration.

It is proposed that there will be no requirement for local councils to inspect the applicant's premises before entering a person into the Register of Sellers and Suppliers of Puppies and Kittens, but rather they will be required to verify that:

- the applicant who wishes to sell puppies holds a valid dog licence, or block licence, for the pup's biological mother, and that the biological mother is licensed to the address where the puppies were born and will be sold from;
- the dog breeding establishment or petshop that wishes to sell puppies holds a valid licence to keep a dog breeding establishment or petshop, and that the biological mother is licensed to the address where the puppies were born and will be sold from;
- the applicant who wishes to sell kittens, is at an address where the biological mother is kept and where the kittens were born and will be sold from.





Verification will include obtaining the licence numbers regarding the dog licence, dog breeding establishment licence, and petshop licence. As microchipping of dogs is mandatory, it will also include obtaining microchip numbers regarding the puppies.

### Anticipated impact of proposed registration system

Anyone who sells puppies and kittens in Northern Ireland, will be required to be registered with their council. Where that person also sells puppies and kittens in other jurisdictions, they will be required to comply with the legislation in place in that jurisdiction.

#### Question 5

**Do you agree that a person who sells, gives away, or otherwise transfers the ownership of puppies and kittens, should be required to do so at the address where the puppies and kittens, and the biological mother are kept?**

### Proposed conditions for registration

The Department proposes that any person entered into the Register of Sellers and Suppliers of Puppies and Kittens must meet the following conditions:

- the registered person cannot sell, give away, or otherwise transfer the ownership of puppies or kittens **which they did not breed at the registered address**;
- the registered person cannot sell, give away, or otherwise transfer the ownership of puppies or kittens **that are unweaned**, weaned at an age at which they should not have been weaned, or **aged under eight weeks** old;
- a puppy or kitten may only be shown to a prospective purchaser or new owner if it is **together with its biological mother**. There will be an exemption if the biological mother has died;
- the sale of, giving away of, or otherwise transfer of ownership of a puppy or kitten must take place in person and when the puppy or kitten is in the presence of its biological mother and must be **completed in the presence of the prospective purchaser** or new owner at the **registered address**. Exemptions will be in place to accommodate for a change of address;



- the purchaser or new owner **must be provided with specified information** on caring for a puppy or kitten, and with information on dog licensing requirements;
- the registered person must **keep and maintain a register** for all the dogs and cats, including puppies and kittens, on the premises, which must include:
  - the animal's date of birth;
  - the animal's sex;
  - details of any veterinary treatment;
  - the puppy's microchip number;
  - the kitten's microchip number (if applicable), or identification details;
  - the date of the sale, giving away, or otherwise transfer of ownership of the puppy or kitten; and
  - the name, address, and telephone number of the new owner.
- Where an animal is undergoing any medical treatment—
  - this fact must be clearly indicated—
    - in writing next to it, or
    - (where appropriate) by labelling it accordingly, and
  - it must not be sold, given away, or otherwise transferred to a new owner.

The Department considers that these are minimum conditions necessary to allow an inspector to assess compliance or investigate any traceability issues and that they are therefore proportionate.

#### Question 6

**Do you agree with the conditions of registration, as listed above?**





## Proposed conditions for advertising puppies and kittens

It is proposed that any advertisement for the sale, giving away, or other transfer of ownership of a puppy or kitten must:

- include the registration number;
- specify the council that entered the person into the Register of Sellers and Suppliers of Puppies and Kittens;
- include a recognisable photograph of the puppy or kitten being advertised;
- display the age of the puppy or kitten being advertised;
- state the puppy or kitten being sold, given away, or otherwise transferred to a new owner is resident in Northern Ireland;
- state the puppy or kitten being sold, given away, or otherwise transferred to a new owner was born in Northern Ireland; and
- contain a warning about the life-changing decision that buying / getting a new puppy or kitten is.

The Department anticipates that the addition of advertising requirements will enable prospective buyers or new owners of puppies or kittens to verify the legitimacy of the sale, giving away of, or otherwise transfer of ownership prior to purchasing an animal, and it will further aid local councils in identifying any fraudulent activity, for example, selling, giving away, or otherwise transferring ownership without first being entered onto the council Register of Sellers and Suppliers of Puppies and Kittens.

### Question 7

**Do you agree that any advertisement for the sale of, giving away of, or other transfer of ownership of a puppy or kitten must include the information as listed above?**





## Proposed online publication of Register of Sellers and Suppliers of Puppies and Kittens

It is proposed that local councils will be required to publish a Register of Sellers and Suppliers of Puppies and Kittens, and are therefore legally able to sell, give away, or otherwise transfer ownership of puppies and kittens, including the following information:

- registered person's name and address;
- registration number;
- date on which registration was granted;
- date registration was renewed;
- date registration will expire;
- animals the registered person is registered to sell, give away, or otherwise transfer ownership of (i.e. kittens, puppies, or both); and
- if the registration has been suspended.

The Department considers the publication of a register, which would be available online, would provide the public with assurance that their new puppy or kitten came from a suitable breeding environment, as anyone selling, giving away, or otherwise transferring ownership of these animals whose details are not included on the register would be considered an illegal breeder.

### Question 8

**Do you agree that an online, public Register of Sellers and Suppliers of Puppies and Kittens should publish the detail, as listed above?**



## Offences

Under the proposed legislation it would be an offence not to be registered with the council prior to selling, giving away or otherwise transferring ownership of a puppy or kitten under six months old. It would also be an offence to breach any of the conditions of registration. The relevant local council would be able to take enforcement action. The maximum penalty available for the most serious of offences is a fine of £5,000 and/or six months imprisonment.

## Expected outcomes

### Animal Welfare

The proposed legislation will help promote positive change in the lives of Northern Ireland's puppies and kittens, and potentially their parents. Any person selling, giving away, or otherwise transferring the ownership of puppies and kittens will be required to comply with specified conditions, such as sales to be completed in the presence of the purchaser on the registered premises, and the puppy or kitten must be with its mother. These conditions are designed to help breeders to improve the conditions of their animals, and get young animals off to the best start in life.

### Protection of vulnerable animals

The proposed legislation will help protect Northern Ireland's puppies and kittens, including those who are vulnerable. Registered sellers and suppliers will be empowered to sell only puppies and kittens that they have bred themselves at the registered premises, and will be prohibited from selling sick animals. In addition, they will be required to comply with specific conditions that promote animal welfare, such as providing appropriate living conditions, and ensuring they receive adequate veterinary care. They will also be required to comply with specific conditions relating to how any online advertisements should look, so as to give the prospective new owner as much information as possible about the purchasing decision they are about to make.

### Protecting the public

The proposed legislation will help protect prospective pet owners who do not want to support a cruel industry, but are duped by someone offering a cute puppy or kitten, available immediately.





Where the transfer of the animals happens in a car park, or, as in recent times, in a house portrayed as a family home but which is actually a short term rental, the true conditions of where the animal has been bred, and condition of the animals, may not become apparent immediately. If it has been poorly bred there can be complications which are not only costly but emotionally stressful for owners. Additionally, even when prospective owners do realise the puppy has come from a so-called illegal puppy farm, many wish to rescue the puppy from the situation.

Where a prospective purchaser is researching online, the requirement for the seller / supplier to include specified information in the advertisement, will provide an added layer of protection to reassure the purchaser of the legality of the seller/supplier. It will also provide a further reminder to the new owner, of the importance of the purchasing decision they are about to make.

A public register of persons registered as sellers and suppliers of puppies and kittens will mean that the public will be directed to the right place, thereby reducing sales via third-party persons. It will inform the public, and raise awareness, about the importance of acquiring pets from responsible sources, and deter individuals from purchasing animals from unregistered, and therefore illegal, sellers/suppliers.

## Traceability

The proposed legislation will help prospective pet owners identify responsible breeders and sellers. It will help them identify where their new pet has come from, and feel confident in knowing that the seller/supplier is a responsible breeder. That is, if the seller/supplier is not on the Register, it is anticipated that the purchaser will simply walk away from the transaction, and might even report suspected illegal activity. If the seller/supplier is on the Register, they will be subject to registration requirements that are designed to help purchasers know where their puppy/kitten has come from, and to give them confidence that the seller/supplier is operating in compliance with the law.

The proposed policy will also drive compliance with current dog licensing requirements. Dog owners who do not currently obtain the required annual licence to keep their dog, would be forced to obtain that licence before they were able to be entered into the Register of Sellers and Suppliers of Puppies and Kittens.

## Responsible pet ownership

For the potential buyer, the proposed legislation has the potential to raise awareness about getting puppies and kittens from responsible sources. Even when viewing an online advertisement about a new puppy or kitten they are interested in, they will be reminded of the



life-changing decision they are about to make.

For the seller/supplier, the proposed legislation will act as a deterrent to accidental litters. Where a person's dog or cat has an accidental litter and they register with the council in order to sell or supply the offspring, if the person then decides not to neuter the animal and it then has a second accidental litter, they will be required to pay a fee for each subsequent year they wish to sell or supply offspring. Where owners decide to neuter their pet, this will help control pet overpopulation and reduce the number of animals that end up in shelters.

### Identifying illegal breeders

In practice, this proposal will mean the matter of selling puppies and kittens will be much more open and transparent, and all purchasers wishing to get a puppy or kitten will be able to establish that someone who does not hold the required registration status is selling or supplying the animals illegally.

The sale of the puppy or kitten must be completed in the presence of the purchaser on the registered premises, and the animal must be with its mother. This will enable councils to identify premises in their districts which are used for breeding and selling puppies and kittens.

The requirement for advertisements to include the number of the seller/supplier's registration and to specify the council that issued the registration, enables prospective buyers to verify the legitimacy of the sale. In addition, this will provide councils with another tool to enable them to identify any fraudulent activity.

Councils will be empowered to inspect premises if they deem necessary, including in response to a complaint about potential illegal activity. This will help disrupt the activities of illegal breeders and ultimately improve animal welfare.

### Impact outside of Northern Ireland

The proposed legislation will apply to Northern Ireland, and therefore will have an impact on sales, give-aways, and transfers of ownership, which take place in Northern Ireland.

The Department has received calls to end the sales in England, of puppies born in Northern Ireland. However, the proposed legislation will not affect the sale, giving away, or otherwise transferring ownership, of puppies and kittens born in Northern Ireland, where they are taken to another jurisdiction for sale/supply. Regulation of these selling activities will be the responsibility of authorities in those jurisdictions.



## Conclusion

The Department recognises that regulation alone will not stop all third-party sales. That is going to take a concerted effort by members of the public, future dog owners, responsible breeders and enforcement agencies to work together to identify anyone, either registered or unregistered, who is putting financial gain before the welfare needs of their dogs and cats.

However, this proposal clearly sets out the welfare standards with which anyone seeking to sell, give away or otherwise transfer ownership of a puppy or kitten, must comply. More importantly, they provide the powers to allow action to be taken where those standards are not met. Council inspectors will also have clear standards for applying strong enforcement powers that will allow them to take action to prosecute anyone who is without being registered or breaching condition/s of that registration. In addition, the new enforcement powers and tough penalties will act as a deterrent to those taking part in third-party sales, sending out a clear message that no such activities will be tolerated.





## Chapter 4: How to Respond and When







## Chapter 4: How to Respond and When Responses

You can respond to this consultation online by accessing the consultation at the following link:

<https://www.daera-ni.gov.uk/consultations>

If you wish to respond in writing, you can request a copy of the written response template by e-mailing [Animal.Welfare@daera-ni.gov.uk](mailto:Animal.Welfare@daera-ni.gov.uk) or telephoning 028 7744 2140.

Written responses should be sent to:

E-mail: [Animal.Welfare@daera-ni.gov.uk](mailto:Animal.Welfare@daera-ni.gov.uk)

Postal address: Animal Welfare and Dog Control Policy Branch  
Department of Agriculture, Environment and Rural Affairs  
Jubilee House  
111 Ballykelly Road  
Ballykelly  
Limavady  
BT49 9HP

When responding, please state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents, and where applicable, how the views of its members were assembled.

### Closing date

Responses should be submitted by **25 August 2025**.



## Confidentiality

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority, the Department in this case. This includes information provided in response to this consultation.

The Department will publish a synopsis of responses to the consultation. This will include a list of names of organisations that responded but not personal names, addresses or other contact details.

The Department cannot automatically consider information supplied to it in response to a consultation to be confidential. However, it does have a responsibility to decide whether any information provided by you in response to a consultation, including information about your identity, should be made public or be treated as confidential. If you do not wish information about your identity to be made public, please include an explanation in your response. Please be aware that confidentiality cannot be guaranteed, except in very particular circumstances. Please note, if your computer automatically includes a confidentiality disclaimer, it won't count as a confidentiality request.

Should you respond in an individual capacity, the Department will process your personal data in accordance with the Data Protection Act 2018, and the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019. This means that your personal information will not be disclosed to third parties should you request confidentiality.

For further information about confidentiality of responses please contact the Information Commissioner's Office (see its website at: <https://www.informationcommissioner.gov.uk/>).



# Appendix 1: List of Consultees

This consultation document has been sent to statutory consultees and the following organisations:

- Association of Dogs and Cats Homes (ADCH)
- Association of Veterinary Surgeons Practising in Northern Ireland
- British Veterinary Association Northern Ireland
- Canine Breeders Northern Ireland
- DoneDeal
- Facebook
- Find your paws
- Freeads
- Friday-Ad
- Gumtree
- Naturewatch Foundation
- Northern Ireland Companion Animal Welfare Group (NICAWG)
  - Assisi Animal Sanctuary
  - Causeway Coast Dog Rescue
  - Cats Protection
  - Dogs Trust
  - Mid Antrim Animal Sanctuary
  - People's Dispensary for Sick Animals (PDSA)
  - Rainbow Rehoming Centre
  - Rosies Trust
  - Ulster Society for the Protection of Cruelty to Animals (USPCA)
- North Coast Cat Rescue
- Northern Ireland Veterinary Association
- Petify
- Pets4Homes
- Preloved
- The Kennel Club
- The Pet Advertising Advisory Group (PAAG)
- The Society of Local Authority Chief Executives (SOLACE)
- VetNI





## Appendix 2: Summary of Proposals

All persons seeking to:

- sell;
- give away; or
- otherwise transfer ownership

of a puppy or kitten (under six months old) will be required to apply to their local council to be entered onto the Register of Sellers and Suppliers of Puppies and Kittens. Registration will be valid for one year and will have conditions attached.

Applicants will be required to:

- pay a fee, which will be set by the council and will be nil for the first year (for any non-businesses)
- prove that they are the keeper of the mother of the puppies, by producing proof of a valid dog licence for the puppies' mother, or by producing proof of a valid licence to keep a dog breeding establishment or a petshop where the mother of the puppy is kept;
- declare that they are the keeper of the mother of the kittens; and
- comply with the conditions of registration.

Councils:

- will not be required to carry out an inspection;
- will have powers to suspend, vary or revoke a registration;
- will have powers to inspect an address; and
- will have powers to take samples from animals for traceability purposes.



Department of

**Agriculture, Environment  
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil  
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment  
an' Kintra Matthers**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

**Council/Committee:** Neighbourhoods & Communities

**Date:** 09 September 2025

**Report Title:** MEA Response to DfC - Drinking in Public Places Byelaws & Powers

**Publication Status:** Open

**Author:** Patricia Allen, Head of Public Protection, Health & Wellbeing

**Approver:** John McVeigh, Acting Director of Community

## 1. Purpose

- 1.1. The purpose of this report is inform Elected Members of the response sent to Department for Communities in August 2025 in relation to legislative reform proposals for Drinking in Public Places Bye Laws and Powers.

## 2. Background

- 2.1. Council has current byelaws for the control of drinking in public places in which it designates streets and public open spaces within the Borough where the consumption of intoxicating alcohol is not permitted. In circumstances where the bye laws are breached only the PSNI have powers to seize and dispose of alcohol.
- 2.2. Over recent years there has been ongoing consultation by the Department for Communities on anti-social behaviour, including drinking in public. In October 2022 Council provided a response to the Department welcoming a review of the existing powers. The response provided some comments on improving enforcement of the byelaws by PSNI but did not seek joint enforcement powers being given to Council.
- 2.3. Further to a more recent joint public consultation by Department for Communities and Department of Justice and publication in April 2025 of the corresponding response document, Council received correspondence in June (attached as **Appendix 1**) seeking its view on several proposals for legislative reform by 29 August 2025.

## 3. Key Issues for Consideration

- 3.1. Council welcomes ongoing engagement on how best to tackle anti-social behaviour in communities but having carefully considered the proposals does not support provisions to facilitate "opting in" to the proposed extension of powers to Council officers. The reasons for this are expanded upon within



the response (see Appendix 1). The council's position has not changed in this regard from the feedback it provided in October 2022.

- 3.2. Council staff are neither trained nor equipped to deal directly with those causing antisocial behaviour due to the effects of alcohol or drugs. Issuing fixed penalty notices in such a scenario would potentially place staff at increased risk. In addition, the proposals create ambiguity for the public in relation to the different powers given to Council officers and PSNI officers and inconsistency between councils.

#### **4. General Considerations / Implications**

- 4.1. The proposals are another example of central government seeking to develop enforcement powers and responsibilities without a transfer of resources. Council considers that strengthening the enforcement powers and tools of PSNI would provide a more effective legislative framework to deal with this issue.

#### **5. Proposed Way Forward**

- 5.1. The response on behalf of MEA has already been submitted to meet the requested deadline.

#### **6. Recommendation or Decision**

- 6.1. Elected Members are asked to;
  - (i) note this report and the response provided to Department for Communities on Drinking in Public Places Byelaws and Powers.

#### **7. Appendices / Links**

Appendix 1 Letter received from Department of Communities on 6 June 2025

Appendix2 MEA Response to Department for Communities



Department for  
**Communities**  
www.communitiesni.gov.uk

An Roinn  
**Pobal**

Department for  
**Commonities**

180

**From: Carol Reid**

**Level 8  
Causeway Exchange  
1-7 Bedford Street  
Belfast  
BT2 7EG**

Telephone: (028) 9082 3140  
e-mail: [social.policy@communities-ni.gov.uk](mailto:social.policy@communities-ni.gov.uk)  
Date: 6 June 2025

Dear Chief Executive

## **DRINKING IN PUBLIC BYE-LAWS AND POWERS**

The Department for Communities ('DfC'), in collaboration with colleagues in the Department of Justice ('DoJ'), recently undertook a joint public consultation on potential amendments to the legislative framework and powers to deal with anti-social behaviour ('ASB'), including drinking-in-public.

The Consultation sought views on:

- the areas that should be designated in which drinking-in-public is prohibited, and the reasons for their designation;
- whether powers should be provided to police officers and/or authorised council officers to request a person to stop drinking and issue a fixed penalty notice ('FPN') if they fail to do so;
- whether the powers provided should include a power of seizure and/or disposal of alcoholic drinks and if that seizure and/or disposal power should apply to open and/or closed containers;
- the situation the powers may be used in; and
- which legislation should be in place to provide these powers.

Following the conclusion of the consultation a [response document](#) was published by DoJ on the 4 April 2025 outlining a summary of the views shared by respondents regarding drinking-in-public and the current legislation.

The responses to the consultation clearly indicated that the current legislative framework to tackle drinking-in-public and associated ASB needs to be updated to



ensure it is fit for purpose, with an overwhelming majority of respondents agreeing that an explicit power to seize and dispose of alcohol should be available in certain circumstances.

Four councils submitted formal responses to the joint consultation. These responses were dominated by the following positions:

- there is a need for legislative change to streamline the current system, potentially by commencing the powers in the Criminal Justice (Northern Ireland) Order 2008 ('the 2008 Order');
- additional powers to seize and dispose of alcoholic drinks would be beneficial;
- areas where drinking-in-public is prohibited should be confined to an area designated by the council;
- that police officers should have sole responsibility for enforcement of the rules on drinking in public.

This reinforced conversations that DfC has had with strategic partners during the review of Anti-Social Behaviour legislation, including DoJ and PSNI, and our engagement with Councils throughout the delivery of the consultation.

In light of the responses to the consultation, and after undertaking further engagement with DoJ colleagues, it has been proposed that Articles 68-72 of the 2008 Order should be commenced with the following amendments:

- to provide a specific power to police officers allowing the **seizure** and disposal of open and closed containers of alcoholic drinks in designated areas and in certain public order situations. It is **not** proposed that council officers would be provided with this power.
- to extend the powers conferred on police officers requiring individuals to stop drinking alcohol in a designated area, and **surrender** any alcoholic drinks in their possession, to council officers. Anyone refusing will be committing an offence and may be issued with an FPN. However, it should be noted that this will be a power which councils **may** use, and each council district will be provided with the option to "opt in".





Department for  
**Communities**  
www.communitiesni.gov.uk

An Roinn  
**Pobal**

Department for  
**Commonities**

182

Allowing councils to “opt-in” to using this power in the future is intended to enhance the effectiveness and sustainability of the proposed legislative change. Councils may decide that they require this power at some point in the future.

As noted, we have been working with colleagues in DoJ in developing and progressing these new proposals. In the event the proposals for legislative reform are approved, DoJ will be responsible for bringing forward primary legislation amending the 2008 Order.

At this stage I would be grateful if you could consider the proposals detailed above and provide the views of your organisation by 29 August 2025. Should you have any queries please feel free to contact Victoria Trimble [Victoria.Trimble@communities-ni.gov.uk](mailto:Victoria.Trimble@communities-ni.gov.uk)

Yours sincerely

**Carol Reid**  
**Assistant Director of Local Government and Housing Regulation**

Ms Carol Reid  
 Assistant Director of Local Government and Housing Regulation  
 Level 8  
 Causeway Exchange  
 1-7 Bedford Street  
 Belfast  
 BT2 7EG

Dear Ms Reid

**Re: Drinking in Public Places Bye-Laws and Powers.**

Thank you for your letter of 6th June 2025 regarding proposed changes to the Drinking in Public Places Bye-Laws and Powers.

Mid and East Antrim Borough Council responded to the Consultation in January 2024 and were firmly of the view that Police Officers should have sole responsibility for any powers provided by the legislation. This remains the case. Having carefully considered the proposals put forward in your correspondence, the Council does not support provisions to facilitate "opting in" to the proposed extension of powers to Council Officers for the following key reasons:

**1.Lack of Officer Capacity and Resources**

Councils are currently facing significant and sustained pressures on budgets and staffing. The enforcement of public drinking restrictions, particularly in potentially volatile situations, would place an additional burden on already overstretched Council staff. Without a clear, sustainable resourcing strategy for Local Government, Councils are not in a position to assume these enforcement responsibilities.

**2.Inadequate Training and Skills set Compared to Police**

Council officers do not possess the specialist training or operational experience required to safely engage with individuals who may be under the influence of alcohol (or other substances), or displaying disorderly behaviour. The proposed powers would potentially place Council Officers in challenging and sometimes confrontational situations for which they are neither trained nor equipped. This includes:

- Managing refusals to comply with surrender requests. For example, Councils do not have powers of detention, etc.;
- Safely handling intoxicated or aggressive individuals or other anti-social behaviour;
- Assessing public order risks in real-time.
- Managing the issues around issuing Fixed Penalty notices to individuals under the influence of alcohol (or other substances), particularly where the individual may be a minor hence rendering the FPN invalid.

These are skills developed through extensive police training and are not transferable without significant investment in officer development, infrastructure, and legal protections, none of which have been proposed.

### **3. Enforcement Should Remain a Police Responsibility**

The nature of public drinking enforcement, particularly where there is a risk of antisocial or criminal behaviour, makes it inherently a policing function. Councils strongly support the continued enforcement of such matters by the Police Service of Northern Ireland (PSNI), who are properly trained, resourced, and legally empowered to respond to these challenges.

### **4. Continued Devolution of Enforcement Without Resources**

The proposal reflects a concerning and growing trend whereby central government seeks to devolve enforcement responsibilities to local government without a corresponding transfer of resources, powers, or legal protections. Councils cannot continue to absorb additional responsibilities by default, particularly where they fall outside our core remit and expertise.

### **5. Practical Concerns with Fixed Penalty Notice (FPN) Issuance**

The practicalities of issuing FPNs to individuals under the influence of alcohol raise legal, ethical, and operational concerns. These include difficulties in verifying identity particularly age of the individual, likelihood of payment compliance, and potential escalation of conflict, further reinforcing the need for a policing-led approach.

### **6. Ambiguity created for the public and elected members**

The Council is of the view that any "opt in" provision for Councils would create ambiguity for the public and elected members. In addition, should some Councils decide to avail of the "opt in" provisions, this would lead to a lack of consistency in the enforcement regime for drinking in public places.

In light of the above, Mid and East Antrim Borough Council does not support a provision to allow 'opting in' to these proposed powers at this time. We would urge the Department to work closely with PSNI to ensure any legislative reform strengthens the enforcement tools available to the police, while also recognising the limitations and remit of local government.

The Council however, does appreciate the opportunity to provide feedback and welcome ongoing engagement with both DfC and DoJ on how best to tackle antisocial behaviour in our communities.

Yours sincerely,

Yours sincerely



<b>Council/Committee:</b>	<b>Neighbourhood and Communities</b>
<b>Date:</b>	09 September 2025
<b>Report Title:</b>	<b>Revision of MEA Street Trading Policy</b>
<b>Publication Status:</b>	Open
<b>Author:</b>	Patricia Allen, Head of Public Protection, Health & Wellbeing
<b>Approver:</b>	John McVeigh, Acting Director of Community

## 1. Purpose

- 1.1. The purpose of this report is for Elected Members to approve a number of revisions to Council's Street Trading Policy and the adoption of the new policy dated August 2025.

## 2. Background

- 2.1. Under the Street Trading (NI) Act 2001 Councils have the power to regulate various aspects of street trading, including the fees that can be charged for street trading licences and the areas that can be designated for street trading.

- 2.2. There are three types of licence which may be issued by the Council, namely:

### *Mobile*

The Council may issue a licence to a trader who from a vehicle moves from place to place stopping for a time for the purposes of trading, for example, an ice cream van.

### *Stationary*

The Council may pass a resolution designating a street or part of a street within the Borough as suitable for stationary street trading. A licence can then be issued to an applicant to trade from an allocated pitch within the designated street. The Council currently only has small number of streets that are designated for street trading.

### *Temporary*

The Council may issue a temporary licence where a full-term licence may not be appropriate, for example, for special events such as festivals, fairs etc. A temporary licence can last up to 7 days. The same person can be issued with a maximum of 5 such licenses in a 12-month period.

Council's policy on street trading, which underwent a major review in 2018/19, covers a series of issues linked to the operation of the street trading legislation, such as fees, areas designated for street trading, the conditions of street trading

licenses and the enforcement approach where breaches of the legislation are identified.

### 3. Key Issues for Consideration

3.1. The Licensing Team have taken feedback on board from traders and others, alongside a review of the policy where the use of formal enforcement has been considered, in order to ensure that the Council's Street Trading policy remains fit for purpose. The review identified a series of areas where the policy required amendment and the main changes are listed below: -

- Extended explanatory notes relating to specific licenses available for markets have been added (section 3.4)
- An additional section has been added to provide clarity surrounding licence applications from operators with street trading convictions (section 3.11)
- The requirement to remove trading stalls/trailers from a licensed pitch at end of trading each day has been clarified (section 3.18)
- A new section outlining the need for traders to actively make use of any granted licence to trade, otherwise it may be revoked (section 3.20)
- Terms and conditions for mobile licenses now include additional requirements around the use of chimes and complying with the code of practice on chimes (page 21-22)
- More detail has been added to list of matters to be considered by Council when designating new stationary street trading locations. (pages 23-24)
- Changes have been made to licence conditions to reflect the changes in sections 3.18 and 3.20 as above (Page 28)
- Appendices are now included in the policy giving details of street trading fees and trading areas within the Borough

3.2. The full revised policy, dated August 2025, is attached in **Appendix 1**.

### 4. General Considerations / Implications

4.1. It is important that the Council has a fair and reasonable procedure for managing street trading activities in the Borough.

- 4.2. The revised policy has been subject to a screening exercise and no equality or other issues have been identified.

**5. Proposed Way Forward**

- 5.1. Further to this review including feedback from stakeholders, officers consider the series of revisions incorporated into the revised Street Trading Policy will improve clarity and compliance as well as ensuring the policy remains relevant and fit for purpose.

**6. Recommendation or Decision**

- 6.1. Elected Members are asked to approve;

- (i) for adoption the revised Street Trading Policy, dated August 2025.

**7. Appendices / Links**

Appendix 1 Street Trading Policy (August 2025)





**Street Trading Policy**

Policy Number	
Version Number	6
Author	

Date of Screening of Policy	17/05/2018
EQIA Recommended?	NO
Date Adopted by Council	13/08/2019 (Version1)
Date Policy Revised	08/2025 (Version 6)

	Page no
<b>Section 1</b>	
1.1 Policy Statement	4
1.2 Policy Objective	4
<b>Section 2</b>	
2.1 Why do we have street trading?	5
2.2 What does successful street trading look like?	5
2.3 References	6
2.4 Legislative framework	6
<b>Section 3</b>	
3.1 What is street trading?	7
3.2 Exemptions	7
3.3 Types of street trading licences	7
3.4 Designated streets	8
3.5 Applications for grant, renewal or variation of a licence	8
3.6 Grant etc of street trading licences	9
3.7 Duration of a licence	11
3.8 Licence conditions	11
3.9 Revocation etc of Street Trading Licences	12
3.10 Variation of a licence	13
3.11 Notice and Representations	13
3.12 Appeals	14
3.13 Temporary Licences	15
3.14 Identification of street traders	16
3.15 Unlicensed street trading	16
3.16 Seizure, forfeiture and compensation	16
3.17 Employment of assistants	17
3.18 Removal of Receptacles	17
3.19 Licences per designated site	17
3.20 Making use of Licences	17
3.21 Transfer of Licences	17
3.22 Licence conditions and enforcement	17
3.23 Evaluation and review of the policy	18
3.24 Sec 75, Equality and Good Relations	18
<b>Section 4</b>	
4.1 Street trading fees	19
4.2 Fee structure	19
4.3 Application and licence fee refunds	20
<b>Section 5</b>	
Guide to Mobile Street Trading applicants	21
<b>Section 6</b>	
Guide to Stationary Street Trading applicants	25
<b>Section 7</b>	
Guide to Temporary Street Trading applicants	30

## SECTION I

### 1.1 Policy Statement

This policy details how Mid and East Antrim Borough Council will regulate street trading activities within the Borough and how application of these provisions will be proportionate and fair.

Its aim is to provide, insofar as is possible, consistent decision making so as to develop and thereafter maintain public confidence in Mid and East Antrim Borough Council's performance of its duties.

### 1.2 Policy Objective

The purpose of this policy is to provide a single set of basic rules which will be used to inform the various decision making processes for street trading within Mid and East Antrim.

Mid and East Antrim Borough Council understands that street trading is important to both the local environment and the local economy. Street trading can bring vibrancy and interest to the local environment and an opportunity for small businesses to establish themselves and grow.

The Councils vision for Mid and East Antrim is to create a street trading environment which:

- Complements premises-based trading
- Is sensitive to the needs of residents
- Provides diversity and consumer choice
- Seeks to enhance the character, ambience and offering in connection with events and facilities
- Promotes healthy eating
- Improves access to local goods and locally produced products
- Supports local entrepreneurship
- Protects against illegal or unsafe activity

This is the first time the council, in consultation with street traders and major stakeholders, has produced a street trading policy document which consolidates and develops the raft of earlier decisions and resolutions that have been made to regulate and improve street trading.

This policy aims to give clarity and transparency to traders in explaining how 'the rules' will be applied, in order to minimise uncertainty and wasteful disputes. It will also enable Council to control and regulate street trading in the Borough in such a way as to prevent undue nuisance, interference and inconvenience to persons and vehicles.



## SECTION 2

### 2.1 Why do we have street trading?

Street trading has always formed part of the fabric of urban life, and many historic towns throughout the world owe their very origins to the existence of open-air markets. Thriving markets add to the variety and vibrancy of borough life, the diversity of shopping opportunities, and the character of the neighbourhoods in which they are located.

Street trading provides employment opportunities for local people as well as a seedbed of entrepreneurship, allowing new entrants to test their business skills and ideas in an environment which has low start-up costs, minimal overheads and existing customer footfall. Goods on sale in the street provide convenient access to hot and cold drinks, fresh fruit and vegetables, household goods and other services for local communities, those travelling to work, and visitors to Mid and East Antrim.

### 2.2 What does successful street trading look like?

Success in street trading is not to be judged solely in terms of the benefits which accrue to the traders and those who buy their goods.

Street trading ought to comply with the same rules that regulate other comparable economic activities, in terms of fair dealing and impact on the local environment and community. Street trading occupies public places and whether a mobile vehicle, an individual stall or a busy market, it should justify its privileged position by enhancing, rather than detracting from, the street in which it is located. It should not be unsightly, untidy or disorderly. Successful street trading is a good neighbour.

Historically, the question of whether street trading can ever be a good neighbour to conventional shops has been a vexed one. Shopkeepers can be wary of those traders who they perceive as poaching their custom, or 'lowering the tone' of the retail environment.

In the past Councils have adopted elaborate rules to govern the types of goods street traders are allowed to offer, in order to manage this tension between the interests of street traders and those of conventional retailing. Traditionally, such regimes have sought both to limit the goods on offer and to limit direct competition between street traders and nearby shops.

However, rules of this sort are complicated and costly to administer, and their relevance to 'success', as described above, are not always obvious. Some very

successful street traders trade in the very same types of goods as neighbouring shops, to their mutual benefit.

A 'one size fits all' approach to the regulation of goods is likely to be decreasingly relevant in the future, especially if innovation and/or greater specialisation are to be factors in street trading's future success.

We should continue to work for 'neighbourly' street trading, and to protect those things that are of acknowledged and lasting value, such as the distinctive character of established and successful shopping streets, and the quality of the local environment.

But future regulation ought to be less prescriptive, and more open to innovation and imaginative new approaches, if it is to help secure true success.

## 2.3 References

- Street Trading Act (Northern Ireland) 2001
- Guide to the Street Trading Act (Northern Ireland) 2001
- Street Trading (Fixed Penalty) (Notice and Procedure) Regulations (Northern Ireland) 2001

## 2.4 Legislative Framework

The Street Trading Act (NI) 2001 came into operation on 1 October 2001. The Act (accompanied by the Departmental Guide to the Street Trading Act (Northern Ireland) 2001) provides the legislative framework for the regulation of street trading activities through the provisions of a licensing scheme administered by each Council.

Subject to the provisions of the Act, no person shall engage in street trading in any street, unless that person is authorised to do so by a Stationary Street Trading Licence or Mobile Street Trading Licence or a Temporary Licence granted by the Council.

The Act repeals most of the provisions of the 1929 Street Trading (Regulation) Act, except Section 10 which contains the provisions whereby Market Rights can be acquired or extinguished.

All legislative references such as section and sub section are to the Street Trading Act (Northern Ireland) 2001 (the Act) unless otherwise stated.

## SECTION 3

### 3.1 What is Street Trading?

The Act defines street trading as *"selling any article or thing, or supplying a service in a street, whether or not in, or from, a stationary position."*

A street includes any road, footpath or public place (in the open air), and these terms take on their normal everyday meaning.

A public place is defined as all land (subject to several exceptions) within 10 metres of a road and may include what might normally be regarded as private land.

The legislation sets out a general prohibition on street trading unless the trader has a licence issued by the Council for the area in which he wishes to trade.

### 3.2 Exemptions

The Act lists a number of trading activities that are not 'street trading' and so are not regulated by the Act. These include:

- ✓ Lawful markets
- ✓ Roundsmen (e.g. milk, bread, coal)
- ✓ Door-to-door sales
- ✓ Sales and collections for charitable purposes

### 3.3 Types of street trading licences

There are three types of licence which may be issued by the Council namely, mobile and stationary licences (also known as full term licences) and temporary licences.

#### a) Mobile

The Council may issue a licence to a trader who from a vehicle moves from place to place stopping for a time for the purposes of trading, for example, an ice cream van. The Council will agree the areas in which the applicant may trade.

#### b) Stationary

The Council may pass a resolution designating a street or part of a street within the Borough as suitable for stationary street trading. A licence can then be issued to an applicant to trade from an allocated pitch within the designated street.

#### c) Temporary

The Council may issue a temporary licence where a full-term licence may not be appropriate, for example, for special events such as festivals, fairs etc. A



temporary licence can last up to 7 days and only 5 such licences can be issued to the same person in a 12 month period.

### **3.4 Markets**

In order to facilitate the hosting of various market type of events to help with the regeneration of borough's towns and villages we have adapted the licence types to create additional fee categories.

#### Stationary licence for markets

This is available for regular organised markets in a designated street. Each trader must apply for a stationary licence every year but only pays a fee towards the licence each time they trade.

#### Temporary Licence for organised markets

For one off markets especially around Christmas and other festivals we will grant an organiser of a market a temporary licence. This licence can cover multiple traders at one location in accordance with regular temporary licence. The organiser must have policies and in place around the criteria and application procedure for trading at the market.

### **3.5 Designated streets**

Section 3 of the Street Trading Act allows a district council to pass a resolution to designate specific streets in its area as being suitable for stationary street trading (special arrangements are provided for 'mobile traders' and those operating under a temporary licence).

The legislation prevents Council from granting a licence to permit street trading by stationary traders in any street which is not so designated. A designating resolution can also specify which goods or services may or may not be offered for sale in a designated street.

Council may rescind or vary any resolution (by passing further resolution) where Council regards that a street is no longer suitable for street trading. This requires notification of all affected existing licence holders and consider representations made. Further details of the process to designate trading sites is in Section 6.

A list of the locations of designated sites is given in Appendix B

### **3.6 Applications for grant, renewal or variation of a licence**

Applications for the grant or a renewal of a street trading licence, or the variation of the conditions of a licence, must be made in writing using the application form provided by Council, with all sections fully completed.

The duty of Mid and East Antrim Borough Council is to make sure that each street trading licence application is fairly and objectively assessed and that all relevant factors are considered.

All applications will be determined as soon as reasonably practicable, and tacit consent will NOT apply. It is in the public interest that Council must process your application before it can be granted. PSNI, DfI (Roads), local residents, local shops and other street traders have a legitimate interest in the outcome of street trading applications.

This will also minimise the risk of a licence being granted inadvertently and subsequently resulting in public disorder, removal of protection to the public and/or a cumulative adverse environmental impact on the vicinity of the trader.

Whilst Tacit Consent does not apply, we will strive to notify all applicants of the outcome of their application, including issuing the licence, within 5 working days of the decision made in relation to the application.

Further guidance on the criteria to be used in the determination of applications can be found in the latter sections of this policy document.

### 3.7 Grant, etc of street trading licences

There is an onus on Council to grant, or renew, a street trading licence unless one of the mandatory or discretionary grounds for refusal applies.

#### A) Mandatory grounds for refusal (no right of appeal):

- The applicant is not an individual
- The applicant is under the legal school leaving age
- Trading is prohibited by means of other legislation;
- The application is for a licence to trade as a **stationary trader** in a street which has not been designated
- The application is for trading in goods which are excluded by a designating resolution.

#### B) Discretionary grounds for refusal:

Council may decide to refuse an application for the grant, renewal or variation of a licence within a designated street where: -

- The location where a stationary trader wishes to trade is unsuitable. This permits Council to take into account site specific issues which may have changes or were not evident at the time the street was designated as suitable for trading.
- The space in a designated street is not sufficient to permit trading by a stationary trader without causing undue interference or inconvenience to persons or vehicles e.g. where there are already enough traders operating in the area.

- The area/areas where a *mobile trader* wishes to trade are regarded as unsuitable for trading without causing undue interference or inconvenience to persons or vehicles.
- There are already enough persons trading in the articles, things or services in which the applicant wants to trade (street traders as well as shop traders).
- The nature of the articles, things or services in which the applicant wishes to trade would adversely affect the general amenity of the area.
- The applicant has made a false declaration on application form.
- The applicant is considered an unsuitable person because of misconduct or some other reason such as a previous conviction under Street Trading Act (related to trading activities only).
- The applicant failed to use a previous licence to a reasonable extent (normally applies where demand exceeds spaces available for trading)
- The applicant was previously the holder of a licence which was revoked or could have been revoked because fees/charges had not been paid.
- The applicant has not supplied information required by Council to enable it to process the application.
- The applicant has not made suitable arrangements for the storage of goods and receptacles.

When licence applications are received, Council may consult other persons/organisations, as it considers appropriate. Such Consultees may include the following:

- PSNI
- DfI (Roads)
- Chamber of Trade and Commerce or local Traders Association
- Council's Town Centre Management Team

Without prejudice to its right to take account of any relevant consideration in determining the suitability of each Street Trading Licence, the Council will take into account:

- (a) The safety of the public and any risks which may arise.
- (b) The number and size of vehicles/stalls/receptacles and their position in relation to the location
- (c) The appropriateness and suitability of the street or part thereof and commodities in relation to the location.
- (d) The potential adverse impact that Street Trading may have upon the character and appearance of the area in question
- (e) The extent to which the sale of the commodity will provide a useful service to the event or occasion not otherwise provided in the area;
- (f) The potential environmental effects such as additional litter, cleansing requirements, odour and noise.
- (g) The potential for the proposed said Street Trading Licence to have an adverse effect in terms of anti-social behaviour and public disorder



- (h) Previous complaints arising from any street trading activities in that street or part thereof
- (i) Any other Statutory provision which would be appropriate to consider

### 3.7 Duration of licence

Mid and East Antrim will issue full term licences (for stationary and mobile street trading) for the duration of one year, falling due for renewal on the 1<sup>st</sup> January of each year.

Applications for licences will be accepted by Council at any point throughout the year. Successful applicants will be charged a fee on a pro rata basis for a part year if applicable. Annual renewal licences will be issued subsequently from 1<sup>st</sup> January for successful applicants.

A temporary licence can authorise trading in streets which have not been designated and can be granted for a period not exceeding 7 days (see section 7 )

### 3.8 Licence conditions

Street trading licences are granted subject to certain conditions which fall into two categories.

Firstly, there are standard conditions which specify the minimum which must be included on every licence.

In addition council may attach further conditions under its discretionary powers. A right of appeal is provided against any condition on a licence.

It is important to note that, in most cases, a breach of the **standard conditions** will constitute an offence but breaches of the **further conditions** will not. However, breaches of the further conditions may be regarded as grounds for revoking a licence.

#### a) Standard Conditions

The standard conditions which a council **must** include on each licence are:

- the location in a designated street where a trader may operate under the authority of the licence. In the case of a trader operating from a stationary position, this may be a precise location within that street. If the licence holder is permitted to operate as a mobile trader, a district council will specify the areas within its district where trading is permitted or prohibited;
- the type(s) of goods or services which the licence holder may sell or supply. These details may be as narrow or as broad as a council decides are appropriate in each case;
- the days and the times during which a licence holder is permitted to trade;

- the type, size and form of any receptacle (stall, table, vehicle, etc.,) which may be used by a licence holder. A council should also specify the number of such stalls, tables, vehicles, etc., which may be used. The purpose of this provision is to permit a council to control the space being occupied by a trader on a particular site and to ensure that the trading is not causing undue nuisance, interference or inconvenience to persons or traffic;
- that any receptacle used in trading should bear the name of the licence holder and the licence number. In order to aid council officials in their work, the provision further requires these details to be displayed in a prominent position on the receptacle;
- the requirements for the storage of goods and receptacles. This condition applies during the period of trading and extends to the storage of goods, etc., after the close of trading. It covers the arrangements to be made for storage of items to replenish stock during trading;
- details as to the trader's responsibilities in relation to rubbish, litter, etc., and the containers which are to be used to hold this until it is removed;
- the requirement that the trader avails of the licence to a reasonable extent. For example, where the number of requests for licences outweighs the available locations, it seems reasonable that traders who have been granted a licence should use it to as full an extent as possible; and
- the details regarding the payment of fees and charges.

#### b) Further conditions

The Act gives council a power to attach any further conditions it considers reasonable. The further conditions that have been agreed by Mid and East Antrim Borough Council (as of the date of this policy) are detailed for mobile, stationary and temporary licences in Sections 5, 6 and 7 of this document.

### 3.9 Revocation Of Street Trading licences

Mid and East Antrim Borough Council may revoke a *stationary or mobile* licence at any time and not just at the date of renewal of the licence. In practice this is likely to happen when changes occur which may render an area no longer suitable for street trading or not suitable for trading in certain commodities.

Circumstances for revocation include:

- the location at which the stationary trader is trading has become unsuitable, for any reason
- the space in the street has become inadequate to permit trading without causing undue interference or inconvenience to persons or vehicles,
- the area/areas in which a *mobile trader* is trading are regarded as unsuitable for trading without causing undue interference or inconvenience to persons or vehicles,
- the licence holder is trading in a street which the Council subsequently decides by resolution should no longer be a designated street,

the licence holder is failing to make use of the street trading licence to a reasonable extent and has offered no reasonable excuse for this, the licence holder made a statement which was determined to be false in a relevant detail

- because of misconduct or some other reason the licence holder is considered to be unsuitable to hold a licence,
- the licence holder has failed to pay fees or charges,
- the licence holder has persistently failed to meet the requirements set out for the storage of goods/equipment,
- the licence holder has persistently failed to comply with any of the conditions specified on the licence (i.e. failed to comply with two written warnings in respect of the same matter)

### 3.10 Variation of a licence (as an alternative to revocation)

The Act provides an alternative to revoking a street trading licence where a council decides the licence could be revoked because:

- the location of a street trading pitch of a stationary trader or the area in which a **mobile trader** is trading is no longer suitable or the space in which a stationary trader is trading has become inadequate;
- the council rescinded or varied a designating resolution to the effect that it is no longer appropriate for street trading to take place in that street or in the goods or services sold or supplied by that trader; or
- the licence holder is, without good reason, not using the licence to a reasonable extent

If any of the circumstances above apply, Council may, instead of revoking a licence, vary the conditions of that licence, at any time, by:

- reducing the number of days in a week or the number of hours in any day during which trading may take place,
- relocating the trader,
- restricting the range of goods or services supplied

### 3.11 Street Trading Convictions

Anyone who has been convicted of a street trading offence in Northern Ireland will not be granted a street trading licence in MEABC for a minimum of 5 years after conviction date.

All applicants will be required to confirm on their application form if they have had any street trading convictions. If applicants are found to have provided incorrect information on any street trading convictions their licence application will be refused or licence revoked as they made a statement which was determined to be false as per the stated discretionary reasons of refusal.



### 3.12 Notice and Representations

Where Council proposes to refuse an application for a licence or intends to revoke or vary (or refuse to vary at the request of the licence holder), Council will give the applicant or licence holder advance notice of its intentions and invite representations.

Advance notice must be given where Council proposes to:-

- refuse an application for a licence other than on mandatory grounds;
- grant a licence but because the person did not make use of a previous licence to a reasonable extent, the grant of the licence is to be subject to certain other conditions;
- revoke a licence because it considers that any of the grounds specified above have been satisfied;
- vary the conditions on an existing licence;
- refuse to vary the conditions specified in a licence on application by licence holder.

Notification must be in writing and must set out all the grounds on which the proposed decision is based. It must also set out the right of the person affected to make representations on the proposed course of action, including the period during which representations should be made (this must be at least 21 days from the date of the notice). Representations must be considered before reaching a final decision. Council must write to the person affected giving the grounds on which its final decision is based, setting out the right of appeal against that decision.

### 3.13 Appeals

There is a right of appeal against:-

- any condition attached to the issue of a licence,
- the refusal of an application for Street Trading Licence other than where the refusal is based on mandatory grounds,
- the grant of a licence subject to certain other conditions because the person did not make use of a previous licence to a reasonable extent,
- the revocation of a licence,
- varying the conditions on an existing licence,
- refusing to vary the conditions specified on a licence,

Circumstances where there is no right of appeal

- Council's decision regarding the designation of streets in its borough,
- the rescinding or varying of a designating resolution regarding a street or the goods or services,
- the refusal of a licence application because of one of the mandatory grounds,
- the level of fees and charges determined by Council

Appeals must be lodged within 21 days from the date on which notice of the final decision of the Council is given. An appeal to a Magistrates' Court to be made by a notice under Part VII of the Magistrates' Court (NI) Order 1981. The appeal must be made to the Clerk of Petty Sessions for the district and copied to the Council.

A Magistrates' Court may come to any decision it considers appropriate and Council must bring that decision into effect. The Magistrates' Court Order allows an appeal to a County Court by any person affected by the decision of a Magistrates' Court and either the Council or the appellant may make use of this right.

Where the application for the renewal of a licence is refused or where an existing licence is to be revoked the existing licence must remain valid:

- until the end of a period of 21 days, wherein an appeal can be made,
- where an appeal is lodged within 21 days until a decision is given or the appeal is abandoned,
- where an appeal to renew a licence is successful, until the Council renews the licence.

### **3.14 Identification of street traders**

All street traders are required to have their licences with them at all times when they are trading, and, on being asked by a council official or a police officer, to produce that licence for inspection.

### **3.15 Unlicensed street trading**

The Acts provides that anyone engaging in street trading without a licence, trades at a different location, or on a day or time not specified in the licence or trades in a place or on a day not specified in a temporary licence is guilty of an offence which is punishable by a fine of to £1,000.

### **3.16 Seizure, forfeiture and compensation**

Council officers may seize goods etc from persons where they suspect unlicensed trading has been taking place. Items seized will be returned to the owner unless action is taken to secure their forfeiture. The owner of the goods etc will be entitled to seek compensation if the goods were found to have been unlawfully seized.

### **3.17 Employment of assistants**

Street traders may employ anyone to assist in the running of the business provided they are over the legal school leaving age. However if that employee fails to comply with the conditions of the trader's licence, the licence holder will also be held responsible.

### **3.18 Removal of stalls, trailers and other receptacles**

It will be a licence condition that traders must remove their trailer, vehicle or stall from the trading location at the end of each days trading. Failure to comply with the condition may result in the licence being revoked.

Council may remove any receptacle used by a street trader to a place of storage after trading has finished after trading has finished for the day if that trader has breached his obligation regarding the storage of receptacles. Where this occurs, council may charge the trader the cost of storage before the receptacle is returned, and if not claimed by the trader, may dispose of it as it wishes.

### **3.19 Licences per designated site**

It shall be the policy of Council to issue one street trading licence for each designated street trading site.

### **3.20 Making use of licences**

All sites will be monitored with a view of establishing occupancy of the site in regard to days/times as licensed as part of ensuring compliance with the licence conditions. Such findings will be considered at the licence renewal stage with a view to allowing other traders to occupy the site on days/times not in use or to restrict trading days/times.

If a stationary licence is not used at all for a period of at least 3 months the licence holder will receive a warning letter and if they continue not to make use of the site then the licence will be revoked.

### **3.21 Transfer of licences**

Street trading licences cannot be inherited, sub-let, sold on, or transferred.

### **3.22 Licence Conditions and Enforcement**

Standard conditions will be attached to every street trading licence detailing the holder's responsibilities to maintain public safety, avoid nuisance and generally preserve the amenity of the locality.

Further conditions may also be attached such as the days and hours when street trading is permitted, etc..

It shall be the duty of the holder of mobile street trading licence to comply with all conditions attached to each licence, and all the provisions of the Act.



#### a) Breach of standard conditions

In most cases, a breach of the standard conditions specified in the legislation will constitute an offence subject to prosecution or fixed penalty notice and will be dealt with in accordance with the Council's Regulatory Generic Enforcement policy.

#### b) Breach of further conditions

Breaches of the further conditions created by Council, whilst not specific offences under the Act, may be regarded as grounds for revoking or non-renewal of a licence. Traders who breach any licencing condition will be provided with two written warnings after which a recommendation may be made to Council to revoke the licence for the remainder of the licenced period and/or refuse to renew a licence, having regard to the Council's Regulatory Generic Enforcement Policy.

Note: persons trading on the street without a licence will be subject of enforcement action in accordance with the Council's Regulatory Generic Enforcement policy. Under the Street Trading Act, our officers can also seize any property, goods, holders, equipment, stalls or vehicles if they have reasonable grounds to suspect that someone is trading illegally.

Illegal traders can be fined up to £1,000 and can have the seized goods destroyed.

### 3.23 Evaluation and Review of the Policy

This policy shall be reviewed on an annual basis by the Environmental Health Manager.

### 3.24 Section 75, Equality and Good Relations

Mid and East Antrim Borough Council is committed to meeting its obligations in relation to Equality and Good Relations under Section 75 of the Northern Ireland Act. In this regard this policy will be screened using section 75 guidelines and will be subject to Equality Impact Assessment if found necessary as a result of the screening process.

## SECTION 4

### 4.1 Street Trading Fees

This section relates to the setting of discretionary level of fees under the Street Trading Act (NI) 2011.

The aim is to ensure that the setting of discretionary fees for street trading licences under The Street Trading Act (NI) 2001 is carried out in a consistent manner and includes all relevant factors.

The purpose of this section of the policy is to provide guidance on matters that should be considered when deciding fees for street trading licences.

Under Section 15 of the Street Trading (Northern Ireland) Act 2001, the Council may determine fees for the grant or renewal of a street trading licence; for the grant of a temporary licence; or for varying the conditions specified in a street trading Licence.

In determining such fees the Council may recover from the holders of licences such amounts as may be sufficient in the aggregate, taking one year with another, to recover any reasonable administrative or other costs in connection with its functions under the Act.

The Act restricts the maximum level of fee, to that required to cover the Council's costs in administering the scheme. Case Law <sup>(1)</sup> has emphasised that Councils cannot charge for the cost of enforcing the requirements of the Act incurred against unlicensed activities.

The Application and Licence Fees will be reviewed as necessary or within a period of three years. In reviewing the scale of fees the Council will determine a fee which provides for cost recovery where possible.

(1) (R Hemming & others v Westminster Council)

### 4.2 Fee Structure

The following four elements have been included in the calculation of the proposed fee structure:

#### a) Designation/Rescinding of Streets

Costs associated with the review of the designation of streets which will be carried out every 3 years. The cost for designation process, including advertising, will be spread over 3 years and any additional costs accrued from intervening designations will be considered in the next 3 year review.

#### b) Review of Fees

The legislation sets out the administrative procedure for the review of fees which includes the publication of notices in newspapers.

**c) Administration Costs**

This factor includes costs for staff time for the administration and processing of a licence application.

**d) Compliance Monitoring**

Compliance monitoring costs consist of the cost of inspecting licensed traders throughout the term of their licence to ensure adherence to licence conditions. This cost does not include enforcement action taken against unlicensed activity.

### **4.3 Application and Licence fee refunds**

In the event of an application for a street trading licence being refused or revoked, the applicant or licence holder will receive a partial refund (excluding all administration costs).

Refunds will be in accordance with the requirements of the Street Trading Act

### **4.4 Current Fees**

The street trading fees are listed in Appendix A



## SECTION 5 GUIDE TO MOBILE STREET TRADING

### Mobile Street Trading

Any mobile trader e.g. ice cream van or mobile shop, will require a street trading licence issued by Council in order to trade in Mid and East Antrim Borough.

Council may grant to a person a mobile street trading licence authorising him/her to go from place to place, **stopping for a maximum time 15 minutes**, for the purpose of trading in an area, or areas of the Borough. Traders will also need to comply with Code of Practice on Noise from Ice Cream Van Chimes etc 1982, a summary of which is set out in Appendix D and will be attached to all licences.

The purpose of this section of the policy is to provide further guidance on matters which should be considered when deciding whether to grant or refuse an application for a Mobile Street Trading Licence within the borough of Mid and East Antrim.

Its aim is to provide, in so far as is possible, consistent decision making so as to develop and thereafter maintain public confidence in MEA Borough Council's performance of its duties.

### Applications for a mobile trader's licence

MEA Borough Council will consider all applications for mobile trading within the borough on receipt of a completed prescribed application form. Applications for mobile licences will be accepted by Council at any point throughout the year. Successful applicants will be charged a fee on a pro rata basis for a part year if applicable. Annual renewal licences will be issued subsequently from 1<sup>st</sup> January for successful applicants.

Historically, mobile licences specified streets in which individual mobile vehicles could trade however, this process has been found to be unnecessarily prescriptive and costly to administer. Council no longer wishes to specify individual streets but rather open trading opportunities across the entire Borough, outside of town and village centres.

In order to ensure that mobile trading vehicles are safe, aesthetically appealing and add value within the Borough, Council require that the following minimum standards are met by applicants before a mobile street trading licence application can be processed, considered and issued.

An application will only be considered valid if the following minimum standards are met:

Minimum Standards for application
<p>1. All relevant Certification accompanies application</p> <p>All relevant certification has been provided along with the fully completed application form, and meets the required standards, namely;</p> <ul style="list-style-type: none"> <li>• Gas safety certificate for all gas appliances, connections, flues etc associated with the vehicle/trailer dated within the last year (where applicable)</li> <li>• Public liability insurance (£5m)</li> <li>• Electrical safety certificate - periodic inspection certificate or Portable appliance testing certificate within the last 3 years for all vehicles/trailers which have an electrical system/electrically powered appliances including generators</li> <li>• Relevant MOT test certificate for any vehicle used in the trading activity.</li> <li>• Evidence that vehicle is in good repair and condition (i.e. submit photograph of Vehicle/trailer taken within the last year)</li> <li>• Must have a Food Hygiene Rating of at least 3 or above</li> </ul> <p>Licence fee included with application</p>

## Award criteria for a mobile licence

Council will consider all applications for mobile street trading (including renewals and variations) in accordance with the requirements of the Street Trading Act. The Act stipulates that Council is required to refuse an application under Section 8, Mandatory Grounds for refusing an application, and may refuse under Section 9 Discretionary grounds for refusing an application (see section 3.6 Mid and East Antrim Borough Council Street Trading Policy)

Each application will be considered on its own merits, and it is the duty of Mid and East Antrim Borough Council is to make sure that each mobile street trading licence application is fairly and objectively assessed and that all relevant factors are considered.

In addition to the mandatory and discretionary criteria, Council will also consider:-

- The safety of the public and any risks which may arise;
- The appropriateness and suitability of the street or part thereof and commodities in relation to the location;
- The potential adverse impact that Street Trading may have upon the character and appearance of the area in question;



- The extent to which the sale of the commodity will provide a useful service to the area;
- The potential environmental effects such as additional litter, cleansing requirements, odour and noise;
- The potential for the proposed said mobile Street Trading Licence to have an adverse effect in terms of anti-social behaviour and public disorder;
- Previous complaints arising from any street trading activities in the area or part thereof;
- Any previous history of illegal trading or breach of any licence condition by the applicant;
- Any other statutory provision or relevant guidance which would be appropriate to consider.

Council also reserve the right to consult with

- (a) The District Commander of the PSNI in which the streets are situated;
- (a) The Department for Infrastructure as regards that Department's functions with respect to roads and regulation of road traffic;

in relation to suitability of applications received.

### **Further conditions for Mobile Street Trading**

The Act gives council a power to attach any further conditions to a mobile street trading licence it considers reasonable. The following further conditions will form part of all mobile licences issued by Mid and East Antrim Borough Council;

1. An application for mobile street trading will be deemed valid only if it is in the approved application form, fully completed and accompanied by all requested documentation and payment of fees (see minimum standards for application above).
2. A trader must obtain a separate licence for each vehicle used for the purpose of mobile trading.
3. Mobile licences cannot be inherited, sub-let, sold on, or transferred.
4. A mobile trader must give notice in writing to Council where trading has ceased. The licence fee may be reimbursed on a pro rata basis subject to the exclusion of the administrative fee.
5. Mobile traders will not be permitted to trade within the following areas:
  - Any designated site
  - Within 50 metres of a retailer selling similar goods
  - Council land, unless by separate agreement
6. Mobile licence holders must not stop to trade in one place for longer than 15 minutes. The vehicle shall not return to the same street within 4 hours.
7. For the purpose of enforcement, a mobile trader will be deemed to be stationary trading if the vehicle remains at the same location for more than 15 minutes.



8. Council will give notice to all existing mobile traders of the licence renewal deadline. All licence renewals will be required to be lodged with Council not less than **6 weeks** prior to the expiry of the existing licence.
9. A trader will be deemed to be not licensed should they fail to renew their licence prior to the expiry date of the previous licence.
10. Licences will be issued annually and will permit trading seven days per week from 12noon until 10pm. These times may be altered providing approval by Council.
11. All mobile licence holders must comply with the DOE(NI) Code of Practice on Noise from Ice-cream Van chimes etc 1982. Summary of requirements listed below
  - This requires that mobile traders must not use their chimes before 12pm (midday) and after 7pm.
  - For longer than 4 seconds at a time;
  - More often than once every 3 minutes;
  - When the vehicle is stationary; except on approach to a selling point;
  - When in sight of another vehicle which is trading;
  - When within 50 metres of schools (during school hours), hospitals, and places of worship (on Sundays and other recognised day of worship);
  - More often than once every 2 hours in the same length of street;
  - Louder than 80 dB(A) at 7.5 metres;\*
12. Mobile trading will be permitted throughout the Borough of Mid and East Antrim provided the conditions specified within the licence are met.
13. Mobile trading will not be permitted in commodities such as hot food, or offer for sale or supply of any product which would have a detrimental effect on the surrounding area.
14. All vehicles used for mobile trading will be required to be registered by a Council Environmental Health Department to trade in such commodities being offered for sale.
15. Mobile street traders supplying food must maintain a current Food Hygiene Rating Score of 3 or above, and this must be displayed on the vehicle.
16. Traders selling tobacco products must be registered with Tobacco Register NI
17. All mobile traders will be subject to the strict adherence to the Highway Code.
18. All licence administration fees are non refundable
19. An application for a mobile licence may be refused or revoked if the applicant is found to be unsuitable to hold a licence by reason of having been convicted of a relevant offence, or for any other reason.

## SECTION 6 GUIDE TO STATIONARY STREET TRADING

### Stationary Street Trading

#### Management of Stationary Street Trading

Section 3 of the Street Trading Act allows Council to pass a resolution to designate specific streets in its area as being suitable for stationary street trading (special arrangements are provided for 'mobile traders' and those operating under a temporary licence).

The legislation prevents Council from granting a licence to permit street trading by stationary traders in any street which is not so designated. A designating resolution can also specify which goods or services may or may not be offered for sale in a designated street.

Mid and East Antrim Borough Council has designated a number of streets within the borough for the purposes of stationary street trading. The effect of this designation is that street trading is prohibited, subject to legal exemptions, without first obtaining a street trading licence from the council for one of designated sites. Licences are issued annually and run from January to December.

The Council will maintain a list showing the location of designated trading pitches in appendix B.

Council may rescind or vary any resolution (by passing further resolution) where Council regards that a street is no longer suitable for street trading. This requires notification of all affected existing licence holders and consider representations made.

The Council will review all designated areas for stationary street trading every 3 years.

#### Designation of new stationary pitches

The Council will consider individual requests to designate certain areas but this does not give the requester any preference or right to trade in the location if designated.

In determining whether to create a street trading pitch the Council will have regard to:

- An overriding public interest
- Any effect on road safety, either arising from the siting of the pitch, or any loss of amenity caused by traffic, noise or smell,
- Any potential obstruction of pedestrian or vehicular access
- Any obstruction to the safe passage of pedestrians
- The safe access and egress of customers and staff from the pitch and immediate vicinity
- Any land owner's permission which may be required from a private landowner or a relevant Council service
- The need for the sale of the particular goods or services in that area,
- The Council will normally prioritise existing permanent retailers or caterers that already trade in that area

The duty of the Council is to make sure that each location is fairly, independently and objectively assessed and that all relevant factors are considered with each case considered on its own merits.

The Council will not normally consider requests to designate trading pitches within town or village centres or in predominately residential areas.

The Council will carry out a public consultation in relation to the designation process through required public notices in local newspapers and also on the Council website which will give details of proposed area to be designated.

In respect of Designated site applications, Council will consult with

- (a) The District Commander of the PSNI in which the streets are situated;
- (b) The Department for Infrastructure (DFI) as regards that Department's functions for roads and regulation of road traffic

The Council may also choose to consult with the following:

- (i) A Chamber of Trade and Commerce or local Traders Association
- (ii) Council's Town Centre Management Team
- (iii) Nearby Street Trading Licence holders who may be affected
- (iv) Business and Commercial premises in the vicinity of the site in respect of which the application has been received
- (v) Emergency Services

If the PSNI or DFI indicate they would not support the designation of a particular area the Council reserve the right not to proceed with the public advertisement or any further consultations.



The final decision on the designation on any new stationary sites will be made by relevant Council committee taking account of the outcome of the consultation process.

The Council will normally carry out the designation process for new street trading areas at least once per year (or twice a year if significant demand). It will aim to ensure all requests to designate a new site are considered within 6 months of requests being made.

List of Council's designated sites is given in Appendix B

### **Applications for a stationary street trading licence**

Licences for stationary trading at designated sites are issued by Council on an annual basis. Existing stationary licence holders may renew their licence each year. The licence permits the trader to set up daily in a designated pitch and trade for prescribed times during the day with the unit removed overnight.

There is one trading pitch per designated site, and where the pitch is awarded, the successful applicant may renew his application each year for the pitch.

### **Award criteria for a new or existing vacant stationary pitch**

When a new or existing pitch becomes available, the Council will publish details of the vacancy-inviting applications for the pitch. The details will be published on the street trading page of Council's website for a period of at least 21 days.

Selection criteria will then be used to determine the successful applicant where multiple applications are received. Where there is only one applicant, the pitch may be awarded provided the minimum standards (Stage 1) are achieved.

The following pre-set criteria have been developed to determine applications, where multiple applications for a particular site are received.

The selection process is a two stage process, and only those applicants who meet stage one will proceed to stage two.

Only applicants who meet stage one will proceed to stage two

## Stage 1

### Minimum Standards for application

1. All relevant Certification accompanies application  
All relevant certification has been provided along with the fully completed application form, and meets the required standards, namely;

- Gas safety certificate for all gas appliances, connections, flues etc associated with the vehicle/trailer dated within the last year (where applicable)
- Public liability insurance (£5m)
- Electrical safety certificate - periodic inspection certificate within the last 3 years for all vehicles/trailers which have an electrical system/electrically powered appliances including generators and/or Portable Appliance Testing (PAT) certification
- Evidence that vehicle is in good repair and condition (i.e. submit photograph of vehicle/trailer taken within the last year)
- Must have a Food Hygiene Rating for 3 or above if selling food

2. Licence fee included with application

## Stage 2

Additional criteria	Score weighting
Food Hygiene Rating Scheme <ul style="list-style-type: none"> <li>• Score 5</li> <li>• Score 4</li> </ul>	<ul style="list-style-type: none"> <li>• +2</li> <li>• +1</li> </ul>
Applicant's residential address is within Mid and East Antrim Borough	+2
Any previous history of illegal trading or breach of any licence condition	-3
Substandard Vehicle appearance (cleanliness and repair of exterior not of the desired standard)	-2
Health related Added value	+2

Health related added value are those initiatives or activities which are consistent with the Council's Community Plan objective to "improve health, including the wider factors and causes of ill health"	
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

The applicant with the highest score will be awarded the pitch.

In the event of a tie in scores in stage 2 then a process of random selection will be used to choose successful applicant.



## Further conditions for Stationary Street Trading

The Act gives council a power to attach any further conditions to a mobile street trading licence it considers reasonable. The following further conditions will form part of all stationary licences issued by Mid and East Antrim Borough Council;

It shall be the policy of Mid and East Antrim Borough Council that;

1. An application for stationary street trading will be deemed valid only if it is in the approved application form, fully completed and accompanied by all requested documentation and payment of fees (see minimum standards for application above).
2. A trader must obtain a separate licence for each vehicle used for the purpose of stationary trading.
3. Stationary licences cannot be inherited, sub-let, sold on, or transferred.
4. A stationary street trader must give notice in writing to Council where trading has ceased. The licence fee may be reimbursed on a pro rata basis subject to the exclusion of the administrative fee.
5. Council will give notice to all existing stationary street traders of the licence renewal deadline. All licence renewals will be required to be lodged with Council not less than 6 weeks prior to the expiry of the existing licence.
6. A trader will be deemed to be not licensed should they fail to renew their licence prior to the expiry date of the previous licence.
7. Licences will be issued annually and will permit trading on dates and times deemed appropriate for the specific site.
8. All vehicles/trailers used for stationary street trading will be required to be registered by a Council Environmental Health Department to trade in such commodities being offered for sale.
9. Stationary street traders supplying food must maintain a current Food Hygiene Rating Score of 3 or above, and this must be displayed on the vehicle.
10. Traders selling tobacco products must be registered with Tobacco Register NI
11. All stationary street traders will be subject to the strict adherence to the Highway Code.
12. All licence administration fees are non refundable
13. An application for a mobile licence may be refused or revoked if the applicant is found to be unsuitable to hold a licence by reason of having been convicted of a relevant offence, or for any other reason.
14. The stall/trailer/vehicle must be removed from trading site at end of every days trading
15. The Licence holder should make use of the site as per the trading days and hours they have been granted. The licence may be revoked if trader has not made any use of the licence for period of 3 months or more

## SECTION 7 GUIDE TO TEMPORARY STREET TRADING

### Temporary Street Trading Licence

The Council may issue a temporary licence for trading on the street where a full-term (mobile or stationary) licence may not be appropriate, for example, for at special events such as festivals, fairs etc.

*Note: this is a separate activity to trading in council owned/controlled car parks for which a separate process exists; this is managed by Parks and Open Spaces department of Council along with Council's Procurement Services.*

In granting a temporary licence, Council can authorise the holder to trade anywhere in the council borough or in any goods and services the council may choose.

Council is given the discretion to allow temporary street trading at any place or any street within the Borough and in such manner as appears appropriate to the council.

The temporary licence may remain in force for 7 consecutive days and no more than 5 licences may be granted to an individual during any period of 12 months.

The restrictions on the frequency and duration of temporary licences represent a balance between the number of days when special events/occasions may occur and the need to prevent an unreasonable level of trading in an area which may not have been designated.

Residents and business people in such areas will not be provided with an opportunity to make representations to the council about street trading being permitted in that area. It is considered, therefore, that the use of temporary licences in these areas should be restricted to a small number of events. It is also important that the holder of a temporary licence should not have an unfair advantage over the holder of a full-term (stationary) licence who may only trade in designated streets.

The Council will also make sure there is a balance between the existing retailers and catering outlets in the location and therefore may prioritise existing town centre retailers/caterers when considering the number and type of goods for temporary licence applications.

For temporary licences in town and village centres the Council may refuse applications from traders selling certain types of goods or with trailers or stalls above a certain size.

### **Refusal of application for temporary licence**

The mandatory grounds for refusing an application i.e. because the applicant is not an individual, because of the age of the applicant, or because trading would be unlawful, will apply equally to an application for a temporary licence. However, unlike a full term stationary licence, a temporary licence can permit trading in a street that is not a designated street or in goods or services not designated by Council.

### **Revocation of temporary licence**

Council may revoke a temporary licence where the licence holder has failed to comply with any of the conditions on the licence following consideration of any representations made to it by the holder of the licence.

### **Appeal for refusal of temporary licence**

Any person who is unhappy with the decision of Council to refuse an application for a temporary licence may appeal to a Magistrates' Court. The appeal must be lodged within 21 days from the date on which the decision of the council is given. The procedures for lodging the appeal and the action which is to be taken by the court and the council are the same as those applying to a full-term licence.

On hearing an appeal, a Magistrates' Court may come to any decision it considers appropriate and Council must, generally, bring that decision into effect. However, the Magistrates' Courts Order also allows an appeal to a county court by any person affected by the decision of a Magistrates' Court and either the district council or the appellant may make use of this right.

### **Seizure**

It should be noted that, where trading is taking place under a temporary licence in a place or on a day not specified in that licence, any goods, stall, etc., may be seized by a council official or a police officer under the provisions of the Act.

### **Appeals and Complaints**

If an applicant is not happy with the outcome of the selection process they are entitled to appeal the decision to the County Court as per the legislation requirements. However the time scale for the Council to formally refuse an application at Committee and then applicant to lodge an appeal with court may not be possible before the date for event occurs. In these circumstances the applicant can lodge a complaint with Council which will be dealt with in line with Councils Complaints process.



## Types of events

### *a) Repeat events*

Within Mid and East Antrim there are a range of repeat events which have traditionally attracted requests to Council for temporary street trading licences. These include Christmas light switch-on events, cultural parades/events etc.

Mid and East Antrim Borough Council has now identified a number of pitches within the borough's towns and villages for the purposes of temporary street trading at repeat events.

The effect of this process is that street trading is prohibited at festival, fairs etc other than at pre-identified pitches for which a street trading licence will be issued by Council. The list of location is outlined in Appendix C

### *b) One-off events*

Examples of these types of event include Armed Forces Day or a Freedom of the Borough Event. These sorts of events attract applications for street trading in a wide variety of commodities. It is difficult to identify in advance the arrangements that may be appropriate in relation to street trading.

When an event is proposed, licencing staff from Council will work closely with PSNI and DfI Roads where appropriate along with the event organiser to identify, in advance, suitable pitch locations and retail offerings for the purposes of temporary street trading at these one-off events.

As with repeat events, the effect of this process is that street trading is prohibited at one-off events other than at pre-identified pitches,

Note: all potential traders must apply for individual licences. It is not permissible for event organisers to apply on behalf of individual traders unless a temporary market licence is being applied for.

## Applications for a temporary licence

Where there are more applicants than available temporary pitches, it will be necessary to have a selection process to determine successful applicants. For some temporary events the Council can expect to get large numbers of applications for limited number of pitches.

When temporary pitches for an event become available, the Council will publish details of these on their website, inviting applications for the pitch.

In the first instance applicants will be limited to one application only for each event, with additional applications only invited where empty pitches remain.

Selection criteria will be used to determine the successful applicant where multiple applications are received. To ensure a suitable mix of traders the Council reserves the right to limit the number of food and non-food traders at events with multiple pitches available.

The selection process is a two stage process, and only those applicants who meet stage one will proceed to stage two. Where there is only one applicant for a particular pitch, the pitch may be awarded provided the minimum standards (Stage 1) are achieved.

### Stage 1

Minimum Standards for application
<p>1. All relevant Certification accompanies application</p> <p>All relevant certification has been provided along with the fully completed application form, and meets the required standards, namely;</p> <ul style="list-style-type: none"> <li>• Gas safety certificate for all gas appliances, connections, flues etc associated with the vehicle/trailer dated within the last year (where applicable)</li> <li>• Public liability insurance (£5m)</li> <li>• Electrical safety certificate – periodic inspection certificate within the last 3 years for all vehicles/trailers which have an electrical system/electrically powered appliances including generators</li> <li>• Evidence that vehicle is in good repair and condition (i.e. submit photograph of Vehicle/trailer taken within the last year)</li> <li>• Must have Food Hygiene Rating of at least 3 or above if selling food</li> </ul>
<p>2. Licence fee included with application</p>

An application for a temporary pitch may be refused or revoked if the applicant is found to be unsuitable to hold a licence by reason of having been convicted of a relevant offence such as a conviction under Street Trading Act .

### Stage 2

In the event of more than one application for a particular pitch or more applicants than pitches available, the successful applicant(s) for each pitch will be chosen by a random selection process.

The random selection process is carried out by numbering each successful application and using an online random number generator to select a number for each of the pitches available.

## Further conditions for Temporary Street Trading

The Act gives council a power to attach any further conditions to a mobile street trading licence it considers reasonable. The following further conditions will form part of all temporary licences issued by Mid and East Antrim Borough Council;

1. Applications for temporary street trading licences must be received by Council not less than **6 weeks** before the date of the first day of the proposed special event/trading date.
2. A temporary licence shall remain in force for such period, not exceeding 7 days, as may be specified in the licence.
3. A temporary licence will be subject to such conditions as Council may specify in the licence and as set out in Temporary Street Trading Licence criteria.
4. Temporary trading will not be permitted outside of the allocated times specified in the licence.
5. Council will grant no more than five temporary licences to an applicant during any one year period.
6. All stalls/vehicles/trailers used for temporary street trading will be required to be registered by a Council Environmental Health Department to trade in such commodities being offered for sale.
7. It shall be the policy of MEA Borough Council that a trader must obtain a separate licence for each stall/vehicle/trailer used.
8. Council retains its right to amend or replace this policy at any given time.
9. All licence application administration fees are non-refundable
10. Temporary licences cannot be sold on, sub-let or transferred



## Appendix A Street Trading Fees

Licence type	Fee	Non refundable part of fee
Stationary	£300	£260
Stationary - market	£10 per event	n/a
Mobile	£180	£105
Temporary	£110	£70
Temporary - market	£300	n/a
Variation	£60	n/a

Last revised in May 2022

## **Appendix B Designated Stationary Street Trading locations**

### Currently active

Meadowbank Road Carrickfergus

Moorfields Road (A36) lay-by Ballymena

Crankill Road (A26) lay-by Ballymena

### No longer suitable for trading - to be revoked

Linn Road Larne

Kilmakevit Road Cullybackey

## **Appendix C Temporary Trading Locations for Established Events**

Royal Landings event - Marine Highway and Joymount Carrickfergus

Christmas lights switch on events - Market Place Carrickfergus

- Byran Street Ballymena

- Main Street Larne

## Appendix D

### Summary of the code of practice on noise from ice cream van chimes etc. 1982

It is an offence to sound your chimes before 12.00 noon or after 7.00 pm. It is also an offence to sound your chimes in such a way as to give reasonable cause for annoyance. A code of practice approved by the Government gives guidance on methods of minimising annoyance caused by your chimes. The main points of the code of practice are:

#### Do not sound chimes

1. for longer than 4 seconds at a time;
2. more often than once every 3 minutes;
3. when the vehicle is stationary;
4. except on approach to a selling point;
5. when in sight of another vehicle which is trading;
6. when within 50 metres of schools (during school hours), hospitals, and places of worship (on Sundays and other recognised day of worship);
7. more often than once every 2 hours in the same length of street;
8. louder than 80 dB(A) at 7.5 metres;\*
9. as loudly in quiet areas or narrow streets as elsewhere.

**REMEMBER:** *It is an offence to sound your chimes before 12.00 noon or after 7.00 pm*

*It is an offence to sound your chimes at any time in a way which gives reasonable cause for annoyance*



<b>Council/Committee:</b>	<b>Neighbourhoods and Communities</b>
<b>Date:</b>	09 September 2025
<b>Report Title:</b>	<b>Ending Violence Against Women and Girls Grant Applications</b>
<b>Publication Status:</b>	Open
<b>Author:</b>	Catherine Black, Acting Head of Community Planning & Development
<b>Approver:</b>	John McVeigh, Acting Director of Community

## 1. Purpose

- 1.1. The purpose of this report is to update Elected Members on the grant funding awards made through the Ending Violence Against Women and Girls Local Change Fund 2025/26.

## 2. Background

- 2.1. The Ending Violence Against Women and Girls (EVAWG) Strategic Framework was launched by The Executive Office (TEO) in September 2024. It intends to bring together a whole of society and whole of government response to address this issue which impacts the lives of far too many women and girls across our society. The focus of this strategy is on prevention. This recognises that tackling the underlying causes of violence, abuse and harm towards women and girls and stopping it before it starts is vital.
- 2.2. The Change Fund is being delivered in partnership with all 11 local councils in Northern Ireland. Funding from (TEO) will enable each council to support community groups contributing to the Prevention Outcomes of the EVAWG Strategic Framework.
- 2.3. These are:
  - Outcome 1: Changed attitudes, behaviours and culture  
Everyone in society understands what violence against women and girls is, including its root causes, and plays an active role in preventing it.
  - Outcome 2: Healthy, respectful relationships  
Everyone in society is equipped and empowered to enjoy healthy, respectful relationships.
  - Outcome 3: Women and Girls are Safe and Feel Safe Everywhere  
This outcome emphasizes the importance of creating environments where women and girls feel secure and are protected from violence and

abuse. This involves embedding prevention strategies in organizations and institutions across government and society.

- 2.4. On 27 March 2025 the Ending Violence Against Women and Girls Change Fund 2025/26 opened for applications through the online grants portal Submit.com, with a budget of £100,000.
- 2.5. The levels of funding and eligibility criteria for the Change Fund were supplied by TEO. They stipulated that Councils could provide grant funding up to a maximum of £25,000 to successful community groups operating within their local government district. The minimum grant awarded should be £1,000, and funding can be applied for within three tiers of support:
  - Tier 1: grants between £1,000 and £5,000
  - Tier 2: grants between £5,001 and £15,000
  - Tier 3: grants between £15,001 and up to £25,000
- 2.6. At the closing date of 9 May 2025, the Ending Violence Against Women and Girls Change Fund 2025/26 received 6 applications, 5 of which were successful at assessment. The one unsuccessful application did not support the outcomes of the Fund. Prior to the awards communication also took place with the Executive Office as the main funder. Awards were approved by MEABC Senior Management Team and Letters of Offer issued to successful applicants on 08/08/2025. The total amount of funding awarded through the scheme is £100,000, which is the full allocation of the MEABC Local Change Fund.

### 3. Key Issues for Consideration

- 3.1. Ending Violence Against Women and Girls Change Fund 2025/26 Applications

See attached summary report for breakdown of awards at **Appendix 1**.

### 4. General Considerations / Implications

- 4.1. Financial - All proposed funding awarded through the Ending Violence Against Women and Girls Change Fund 2025/26 is in line with the budget allocated from The Executive Office and has been assessed in line with criteria outlined within the relevant grant scheme.
- 4.2. Governance - As always, the Grants Programmes maintain robust governance arrangements around the allocation of any public funds.
- 4.3. Supporting the community / voluntary sector – As per normal arrangements recipients will be able to avail of an advance payment (Maximum 50%) when their signed Letter of Offer is returned to MEABC Grants Team.

## 5. Recommendation or Decision

5.1. It is recommended that Elected Members:

- (i) note the awards for the Ending Violence Against Women and Girls Local Change Fund 2025/26 grant applications as per the summary report at **Appendix 1**.

## 6. Appendices / Links

Appendix 1      Summary Table of Awards - EVAWAG Change Fund 2025.26



**Appendix One - Summary Ending Violence Against Women and Girls Change Fund 2025/25 Awards**

227

Ending Violence Against Women and Girls Change Fund 2025/25 Tier 3 Grants between £15,001 and up to £25,000			
Name of Applicant	Project / Event Title	Amount Requested	Awarded Grant
Women's Aid ABCLN	<p>Heading for Healthy Relationships Schools Programme</p> <p>Women's Aid ABCLN's Heading for Healthy Relationships schools programme is a preventative education initiative targeting Year-7 pupils in up to 60 primary schools across Mid and East Antrim. The programme aims to equip approximately 2,500–3,000 children with the knowledge, skills and confidence to form healthy, respectful relationships.</p>	£24,960	£24,960
Larne Well-Being Hub	<p>The Athena Project</p> <p>A series of educational workshops will explore the roots of Violence Against Women and Girls (VAWG), including social, cultural, and historical influences. A trauma-informed course and six specialist workshops will be offered across two hubs, reaching up to 90 participants. Frontline services include a Listening &amp; Signposting program delivered by trained volunteers, aiming to support up to 1,080 people annually. This initiative integrates Internal Family Systems (IFS) and Sensorimotor Psychotherapy to support healing and empowerment within communities.</p>	£24,170	£24,170

Irish FA Foundation	<p>NI Football Ending Violence Against Women &amp; Girls</p> <p>The NI Football Ending Violence Against Women &amp; Girls project is a collaborative initiative involving the Irish Football Association, Women's Aid Federation NI, PSNI, Ulster University, and Mid/East Antrim football clubs. It aims to harness the influence of football—the most popular sport in Northern Ireland—to challenge and prevent violence against women and girls (VAWG).</p>	£24,860	£24,860
Turning Point NI	<p>EmpowerHER</p> <p>EmpowerHER: Building Safe Futures is a community-led initiative focused on preventing violence against women and girls (VAWG) in Mid and East Antrim. Aligned with Tier 3 of Northern Ireland's Ending VAWG Strategic Framework, the programme takes a multi-layered approach—working at individual, family, and societal levels to challenge harmful gender norms and interrupt cycles of abuse. Key components of EmpowerHER include:- School-Based Workshops: Delivered in post-primary schools, these interactive, youth-led sessions educate students about healthy relationships, consent, gender norms, digital safety, and active bystander behaviour.</p> <p><i>NB. Awarded proportion of counselling element in line with available budget and in agreement with TEO that it represented an unbalanced proportion of the total applied for.</i></p>	£24,959	£18,110
Northern Domestic and Sexual Violence Partnership/Onus	<p>Domestic Abuse Specialist (Hospital based)</p> <p><i>NB This project does not support the outcomes of this Fund. Panel and Funders were both in agreement of this.</i></p>	£25,000	£0.00

Ending Violence Against Women and Girls Change Fund 2025/25 Tier 2 Grants between £5,001 and up to £15,000			
Name of Applicant	Project / Event Title	Amount Requested	Awarded Grant
CHILL (Carrickfergus Hub Improving Lives Locally)	<p>CHILL-Out Reach</p> <p>Small-group sessions will explore violence causes, behaviours, and local culture, while involving youth justice and probation services to identify vulnerable young women willing to share experiences. Violence Prevention Workshops, Youth-led education will tackle causes of violence, consent, drugs, addiction, healthy relationships, and protective factors. Sessions will use storytelling and drama therapy to build resilience and shift harmful attitudes.</p> <p><i>NB Awarded for elements supportive of the outcomes of this Fund. The panel and funders agreed other elements requested do not support this Fund's outcomes</i></p>	£14,850	£7,900
	<b>TOTALS</b>	<b>£ 138,799</b>	<b>£ 100,000</b>





**Mid & East  
Antrim**  
Borough Council

230

**Council/Committee:** Neighbourhoods & Communities

**Date:** 09 September 2025

**Report Title:** Access to Jointure Bay, Greenisland Public Consultation

**Publication Status:** Open

**Author:** Lisa Kirkwood, Outdoor Recreation Officer

**Approver:** John McVeigh, Acting Director of Community

## 1. Purpose

- 1.1. This report is to update Elected Members on the information gathered during the public consultation into the opening of pedestrian only access to Jointure Bay, Greenisland

## 2. Background

- 2.1. In 2020 Council were contacted by a local resident who was concerned that their daughter had been walking along the foreshore in Greenisland and had been cut off by the tide. This resulted in their daughter and her friend having to climb a gate at the access to NIW's Greenisland pumping station situated beside 103 Shore Road, Greenisland.
- 2.2. This incident raised concerns at the lack of safe public access between a lane known as The Gut at Silverstream and Trooperslane, some 2.65km as the crow flies away, see map in **Appendix 1**.
- 2.3. The access to NIW's pumping station was identified as a possibility to be opened up to the public. The lands at the pumping station, were originally owned by Council, but vested in August 1992 under the Greenisland Sewerage Order 1910 by the Department for the Environment for Northern Ireland.
- 2.4. At this time senior management had discussions with NIW, Elected Members and the then Minister for the Department of Infrastructure in relation to opening the access point here. NIW wanted Council to take on full responsibility for the lane to the pumping station and maintenance to a standard safe for their vehicles to use. Council declined to accept this as the only access required is for pedestrian access and not the full length of the access lane. As a result, negotiations halted.
- 2.5. In 2024 Council were approached by a local resident, along with their local MLA, to pursue options for additional access to the foreshore. Under the instruction of the Direct for Communities within Council negotiations

reconvened with NIW and a possible alternative was put forward. This would involve opening the gate access, erecting a fence and gate further into the lane and providing an access, possibly via steps, from the lane down to the foreshore (**Appendix 1**).

- 2.6. In order to gauge the necessity and needs of the local community it was agreed at N&C committee in April 2025 to carry out a public consultation. This was carried out by using an online form being promoted on Council's social media platforms, a maildrop to residents within 200m and advertised in local press outlets. It was brought to Council's attention that some people who live along the lough side of the Shore Road may not be aware of the consultation, so they were subsequently sent hard copies of the forms.

### 3. Key Issues for Consideration

- 3.1. Council received 423 responses, 40 of which were opposed to opening additional access and 383 in favour of it.
- 3.2. In relation to those opposed, 31 live on the shore side of the road, 1 lives on the opposite side of the road, with the rest living elsewhere in the Greenisland/Carrickfergus area, 4 of whom are Elected Members.
- 3.3. Of those in favour of the access point, 87 live on the opposite side of the Shore Road. 229 live elsewhere in the Greenisland/Carrickfergus area. 47 within the Borough but outside of Carrickfergus wider area. 20 live along the Shore Road in Antrim and Newtownabbey Borough Council.
- 3.4. The reasons for opposing the opening of the route include environmental concerns, health and safety reasons, anti-social behaviour and privacy/home security.
- 3.5. Environmental – Council commissioned an independent Habitats Regulations Assessment in 2025 (Appendix 2). The conclusion of the assessment was that there would be no significant effect on the designations.
- 3.6. Health & Safety – one of the main concerns was in relation to the area between Jointure Bay and the Gut, as well as towards Trooperslane is tidal and cuts people off very quickly. An independent risk assessment was carried out (Appendix 3). The overall conclusion is that the H&S risk of the tide can not be removed therefore Council should not proceed. However, should Council wish to open the access then there are a number of measures recommended in the report which will need to be implemented along with additional assessments to reduce the H&S risks.

- 3.7. Anti-social behaviour & Home Security – PSNI provided statistics of reported crime in the area (<https://www.police.uk/pu/your-area/police-service-of-northern-ireland/larne/?yourlocalpolicingteam=about-us&tab=crimemap>). 2 reports have been made in 2025 within 250m of the access point. 1 reported burglary and 1 anti-social behaviour.

#### **4. General Considerations / Implications**

- 4.1. Financial implications – Council officers have yet to determine the overall costs for the works to be carried out. There will be some ongoing maintenance, but the cost will depend on the finishing material of the access steps.
- 4.2. Human Resources – no additional recruitment will be needed as Council Officers can work on this.
- 4.3. Equality Screening – Due to the nature of the existing access to the foreshore the access will be steps, which will limit the accessibility of certain populations within the Borough.
- 4.4. Assets – Council would take on responsibility for an additional access and need to enter into an agreement with NIW.
- 4.5. Rural Proofing and Environmental Impact – This is a semi-urban area. The access would give local residents additional access to the foreshore, which at present is limited. In relation to the environmental impact the attached HRA states that there will be no significant impact.

#### **5. Recommendation or Decision**

- 5.1. Elected members are asked to:
- (i) note the consultation responses received by Council
  - (ii) provide direction on the way forward for Officers

#### **6. Appendices / Links**

Appendix 1 Design concept of the access steps

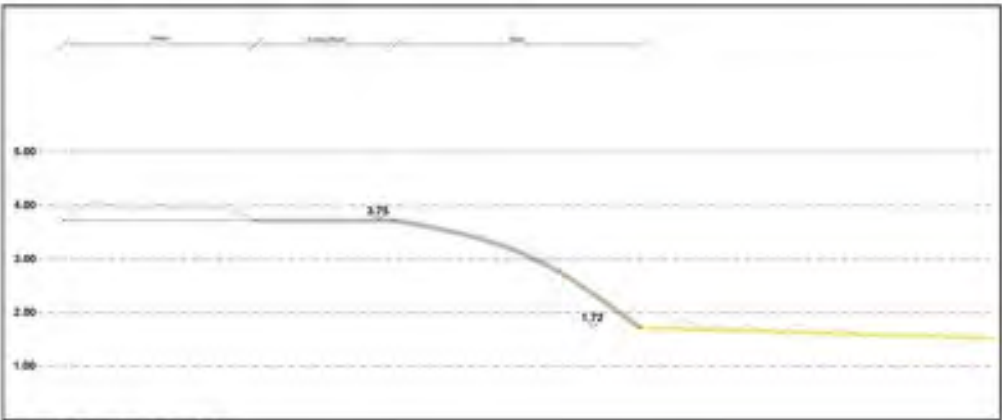
Appendix 2 Habitat Regulations Assessment

Appendix 3 Independent Risk Assessment

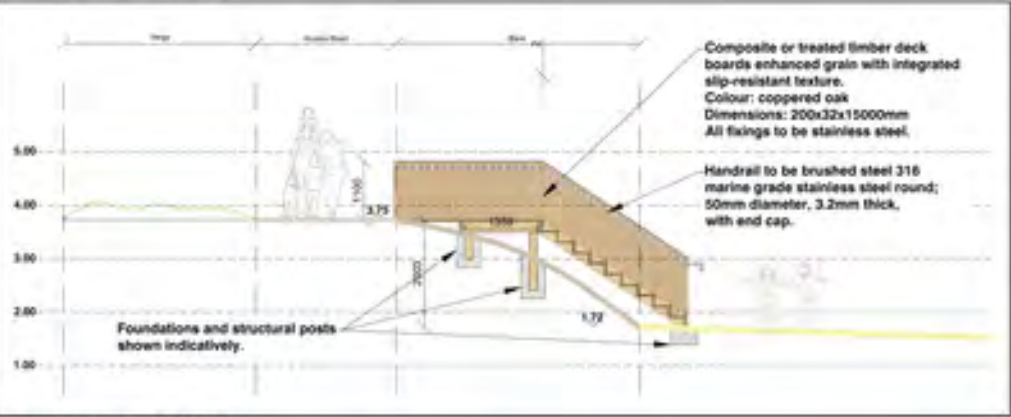
Appendix 4 PSNI Crime Map Statistics <https://www.police.uk/pu/your-area/police-service-of-northern-ireland/larne/?yourlocalpolicingteam=about-us&tab=crimemap>







Existing Section A-A - 1:50



Proposed Section A-A - 1:50



3D Visual 1 - Not to scale



3D Visual 2 - Not to scale



Proposed Block Plan 1:500



Proposed Block Plan 1:100

**Habitat Regulations Assessment Stage 1 Screening :  
Opening of access point to coastal path  
Jointure Bay, Greenisland, Belfast Lough, Co. Antrim  
Updated review August 2025**

**Report by:**

**Ian Enlander**

**☎ 07849853549**

**💻 [ian.enlander1@hotmail.com](mailto:ian.enlander1@hotmail.com)**

**For:**

**Mid and East Antrim Borough Council  
Outdoor Recreation**

**Date:**

**26/08/2025**



**Habitat Regulations Assessment Stage 1 Screening :  
Opening and development of coastal path with provision of access to beach area  
Jointure Bay, Greenisland, Belfast Lough, Co. Antrim  
Updated review August 2025**

CONTENTS:

BACKGROUND:	1
SURVEY DETAILS	2
SITE DESCRIPTION:	3
NATURA 2000 DESIGNATIONS:	4
RISKS TO THE DESIGNATION FEATURES:	10
PROPOSAL SUMMARY	10
MEASURES WITHIN THE PROPOSAL THAT WILL PROTECT THE MARINE ENVIRONMENT	11
POTENTIAL PATHWAYS FOR IMPACTS UPON FEATURE HABITATS OR SPECIES	11
SCREENING	12
POTENTIAL IMPACT - STAGE 1: TEST OF LIKELY SIGNIFICANCE	12
APPENDIX 1: PHOTOGRAPHS	18
APPENDIX 2: DEVELOPMENT PROPOSAL DESIGN	24
APPENDIX 3: UTILISATION OF JOINTURE BAY/GREEN ISLAND BY NON-BREEDING FEATURE (SPA) SPECIES	25

Habitat Regulations Assessment Stage 1 Screening :

Opening and development of coastal path with provision of access to beach area

Jointure Bay, Greenisland, Belfast Lough, Co. Antrim

Updated review August 2025

Background:

An earlier current proposal relating to the opening of an access point to an existing path at Jointure Bay, Greenisland, Co. Antrim on the shore of Belfast Lough, was assessed through the HRA process in August 2021. Subsequently, more detailed plans have been developed. Given the time that has elapsed since the original screening exercise, and the more specific plans relating to the access proposal, Mid and East Antrim Borough Council wished for a review and update of the HRA Stage 1 Screening document. This is now presented.

Given the sites position adjoining a number of Natura 2000 sites and the potential for the project to result in adverse impact on the feature species of these sites, the requirement has been identified for a Habitat Regulations Screening Assessment under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) in compliance with European Commission Habitats Directive (92/43/EEC) to assess the potential for impacts upon Natura 2000 sites.

The assessment has been commissioned by Mid and East Antrim Borough Council.

The aims of this report are:

1. Amend and update as necessary the original HRA document.
2. Confirmation of the designation (selection) features that the proposal must be screened against.
3. Identification of potential risks to the specified features and of any standard environmental precautions that may be necessary irrespective of the threat to N2K designations.
4. Provide the HRA Screening Assessment.

Legal Framework:

E.U. Directives	
Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora ('the Habitats Directive')	Provides a requirement and framework for the conservation of habitats and species identified as being of EU importance, in designated Special Areas of Conservation (SACs). Article 6 sets out Appropriate Assessment tests of the predicated effects of developments likely to impact upon SACs (and SPAs). These tests now known as a Habitat Regulations Assessment (HRA)

NB the above evaluation procedure is still in force post-Brexit.

### Survey details:

This report is based on an additional information provided by Mid and East Antrim Borough Council. In addition a further field survey visit was undertaken which provided information to inform the HRA review and update. Additional information used is identified in the Screening section.

11/08/2021 15/08/2025	Ian Enlander
--------------------------	--------------

#### **Statement of Authority:** Ian Enlander BSc, MSc, DIC.

Before leaving the Civil Service, Ian was senior ornithologist at NI Environment Agency, leading on Northern Ireland's statutory ornithological site designation programme (ASSI, SPA and Ramsar). He produced the conservation objectives and related documentations for the series of SPAs in Northern Ireland.

His work included assessment and evaluation of development proposals in relation to designated sites throughout Northern Ireland including HRA and related procedures.

Ian has over 30 years of organising, co-ordinating and delivering ornithological and related terrestrial and marine habitat surveys including WeBS, BBS, breeding waders, raptors, WBBS, breeding seabirds and heronries (NI coordinator for BTO).

He has been involved as a surveyor in a number of long-term ornithological surveys on Belfast Lough including BTO Wetland Birds Surveys (WeBS) and Low Tide Surveys.

Since retiring, Ian has worked with a number of ecology consultancies carrying out ornithological surveys, mainly in relation to planning applications and other development proposals.

**Statement of Objectivity:** The data have been collected and presented impartially. Payment or other favour is not dependent upon any particular planning outcome, and there is no other vested or personal interest in any particular outcome, or any commercial products mentioned.



## Site Description:

### Setting:

The proposal is for open access to an existing path off the Shore Road. The path, which currently serves a Northern Ireland Water pumping facility, is on the west side of Jointure Bay and adjoins private gardens on the inland side. A number of these gardens have access via gates on to the path while these, and other gardens associated with properties on Island Park, overlook the shoreline and Green Island. The latter site is an important high tide roost for various waterbirds outside the breeding season. Jointure Bay and adjoining inter-tidal areas provide foraging opportunities for a number of these birds.

It is understood that the proposal will not involve any construction activities with regard to the path. The path length is approximately 175m. The main development is provision of a system of wooden steps to provide access from the path to the beach i.e. 'bridging' the existing concrete and stone bank along the northern side of the path. Access will be open and year round. Signage will address 'code of conduct' as well as site H&S issues with regard to tides and other potential 'threats'.

The design for the 'bridge' is shown in Appendix 2.

## Consideration of Natura 2000 Designations to evaluate

A 'rapid' evaluation was undertaken to determine which N2K sites to include within the formal HRA screening process. Consideration was given to N2K feature relevance/vulnerability in context of the project proposal, pathways and processes between the development and each N2K site and distance between the development area and nearest point of the N2K site boundary

The project does not involve any significant discharge or alteration to natural marine or coastal processes and so any impacts will be limited to the immediate area.

For this reason, the North Channel SAC (designated solely for the Harbour Porpoise population) which includes the marine area at the mouth of Belfast Lough (from Whitehead to Orlock Point) has been excluded from the process.

Sites deemed relevant on the basis of general location, potential relevance and connectivity are shown in the table below.

Jurisdiction	Site type	Site - feature	Considerations	Outcome
Northern Ireland	Special Protection Area	Belfast Lough, Non-breeding waterbirds	Immediately adjoining area of the access point and path – Inter-tidal	Include
		Belfast Lough Open Water, Non-breeding waterbirds	From low water mark seawards <100m from project area.	Include
		East Coast (Northern Ireland) Marine, Non-breeding waterbirds + marine area used by breeding Seabirds	Proposed SPA which will encompass Belfast Lough open Water hence same consideration	Include

## Natura 2000 Designations:

### Selection Features and Conservation Objectives

Natura 2000 sites are a part of an international network of sites designated to protect species and habitats identified as being at risk in Europe and the Overseas Territories of current and former EU Member States. They are therefore designated for specified species or habitats which are termed the qualifying features.

Article 2 of The Habitats Directive outlines that habitats and species qualifying Features protected by the Directive must be maintained in 'favourable conservation status' within their range.

The conservation status of a Habitat Feature is regarded as 'favourable' when:

- The natural range, and area it covers within that range, is stable or increasing;

- The specific structure and functions which are necessary for its long term maintenance exist and are likely to continue to exist for the foreseeable future; and the conservation status of its typical species is favourable.

Favourable conservation status of a Species Feature is normally achieved when:

- Population dynamics data on the species concerned indicate that it is maintaining itself on a long term basis as a viable component of the sites natural habitats.

- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future.

- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long term basis.

To target Favourable Conservation Status, a set of conservation objectives relating to each Selection Feature has been compiled for each Natura 2000 site.

The Habitat Regulations Assessment (HRA) is undertaken to determine if the proposed development or project has the potential to impact on the Favourable Conservation Status of the selection features for the sites evaluated as set out in the sites Conservation Objectives.

### Proposed Natura 2000 sites.

Prior to the UK's decision to leave the EU, site selection for the Natura 2000 site series was still ongoing, especially with regard to the SPA's (Birds Directive). A series of renotifications of existing SPA's (to update and extend as necessary selection feature) together with entirely new SPAs (based on species/aspects of life cycle not previously addressed) were at various stages of implementation. The current statutory obligations towards N2K sites still applies including the decision that planned site renotifications and additional designations, should be treated as if these planned actions had been implemented. Hence the current exercise addresses the extended site features for Belfast Lough SPA as well as the proposed marine East Coast Marine SPA (which will subsume the Belfast Lough open Water SPA as well as designating an additional marine area).

## N2K designations in relation to the proposed Jointure Bay project



**Belfast Lough SPA (UK 9020101) and Belfast Lough Ramsar (7UK117)** is a large intertidal sea lough situated at the mouth of the River Lagan on the east coast of Northern Ireland. The inner part of the lough comprises a series of sand and mudflats, shell dominated banks and artificial lagoons. The outer lough is mainly rocky shores with a number of sandy bays on the southern shore with more extensive mixed sediment intertidal areas on the northern side.

On renotification the Belfast Lough Special Protection Area boundary was unchanged. Marine areas below mean low water are not included.

The Special Protection Area boundary is entirely coincident with that of the Belfast Lough Ramsar Site. The selection features for the SPA and Ramsar designations are the same. For purposes of the HRA process, addressing the requirements for the SPA also covers those for the Ramsar site.

The principal interests are the breeding colony of Common and Arctic Tern and the wintering populations of Redshanks, Bar-tailed Godwit and Black-tailed Godwit.

Renotification dated 23<sup>rd</sup> November 2015



# **Belfast Lough SPA Selection Feature and Objectives:**

Feature	Component Objective
Common Tern <i>Sterna hirundo</i> (breeding population) Annex I species	<p>To maintain or enhance the population of the qualifying species</p> <p>Fledging success sufficient to maintain or enhance population</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Arctic Tern <i>Sterna paradisaea</i> (breeding population) Annex I species	<p>To maintain or enhance the population of the qualifying species</p> <p>Fledging success sufficient to maintain or enhance population</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Bar-tailed Godwit <i>Limosa lapponica</i> (non-breeding population) Annex I species	<p>To maintain or enhance the population of the qualifying species</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Redshank <i>Tringa totanus</i> (non-breeding population) Regularly occurring migratory species	<p>To maintain or enhance the population of the qualifying species</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Black-tailed Godwit <i>Limosa limosa</i> (non-breeding population) Regularly occurring migratory species	<p>To maintain or enhance the population of the qualifying species</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>

	the species
Habitat Extent*	To maintain or enhance the area of natural and semi-natural habitats used or potentially usable by Feature bird species subject to natural processes
Habitat Extent*	Maintain the extent of main habitat components subject to natural processes
Roost sites*	Maintain or enhance sites utilised as roosts

\* Non feature SPA Objectives

For further information see [www.daera-ni.gov.uk/publications/special-protection-area-belfast-lough](http://www.daera-ni.gov.uk/publications/special-protection-area-belfast-lough)

NB Features listed above are taken from the renotification documentation for Belfast Lough SPA – the NIEA Conservation Objectives have not been updated to reflect the additional selection features

[www.daera-ni.gov.uk/sites/default/files/publications/doe/belfast-lough-spa-citation-documents-map.pdf](http://www.daera-ni.gov.uk/sites/default/files/publications/doe/belfast-lough-spa-citation-documents-map.pdf)

**Belfast Lough Open Water SPA (UK9020290)** comprises the marine area below the mean low water mark. Seawards it extends to a notional boundary between the eastern limits on the north and south shores of the Outer Belfast Lough Area of Special Scientific Interest at Kilroot and Horse Rock respectively. The boundary towards the head of the lough is a notional line between Greencastle on northern shore and Holywood Bank on the southern shore. Water depths within the site are generally between 1m and 10m. Shallow waters, less than 5m in depth, dominate the area with deeper waters confined to the central area of the lough, east of a line between Greenisland and Cultra.

The principal interest is the non-breeding population of Great Crested Grebe.

**Belfast Lough Open Water SPA Selection Feature and Objectives:**

Feature	Component Objective
Great Crested Grebe <i>Podiceps cristatus</i> (non-breeding population) Regularly occurring migratory species	To maintain or enhance the population of the qualifying species To maintain or enhance the range of habitats utilised by the qualifying species To ensure that the integrity of the site is maintained; To ensure there is no significant disturbance of the species and To ensure that the following are maintained in the long term: <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Habitat Extent*	To maintain or enhance the area of natural and semi-natural habitats used or potentially usable by Feature bird species subject to natural processes
Habitat Extent*	Maintain the extent of main habitat components subject to natural processes

\* Non feature SPA Objectives

For further information see [www.daera-ni.gov.uk/publications/special-protection-area-belfast-lough-open-water](http://www.daera-ni.gov.uk/publications/special-protection-area-belfast-lough-open-water)

**The East Coast (Northern Ireland) Marine proposed Special Protection Area** (not yet classified) includes coastal and near shore waters from Ringfad near Carnlough, Co. Antrim in the north, the marine area of Lorne Lough, the marine area of Belfast Lough, waters around the Copleand Islands and offshore of the Ards Peninsula to Cloghan Head, near Ardglass in the south.

The proposed SPA covers a diverse range of seabed habitats, from extensive coastal fringing reefs of various lithologies to the fine silt of inner Belfast Lough.

To the north of Belfast Lough, fringing reef is notable, with substantial areas of coarse sediments and boulders and cobbles offshore from Islandmagee. Further north, towards Ballygally and Carnlough, the glacial till dominates the seabed but also with important areas harbour maerl, a coralline algae (mostly *Phymatolithon calcareum*), known for its associated high biodiversity and for acting as a scallop nursery ground. Rippled sands and gravels are also notable between the relic drowned drumlins that are present off much of the 'Glens of Antrim' coastline. Bedrock outcrops with near vertical sides are found at the Maidens; these reefs and the surrounding sand banks form part of the designated Maidens SAC.

Within Belfast Lough muds grade into muddy sands toward the outer Lough, with extensive areas of cobbles and shell debris overlying the muddy sand. Part of the muddy sand in the outer Lough is bioturbated by Dublin Bay prawn (*Nephrops norvegicus*), and also harbour the Seapen *Virgularia mirabilis*. Topographically complex reef areas surround the Copeland Islands.

To the south of Belfast Lough, the seabed off the Ards Peninsula is dominated by stony reef and mixed sands and gravels (often with a notable silt content). The gravelly sands support commercially harvestable seed mussel in geographically limited areas (affected by local hydrography), and further offshore support a scallop fishery (*Pecten maximus*). Mobile bedforms, such as extensive sand waves and banks, are found at Rigg Bank and extending south of the bank.

Offshore of Belfast Lough and off the Maidens Islands the seabed within the site reaches a depth of 125m.

The boundary adjoins the following existing Special Protection Areas -

- Larne Lough SPA
- Belfast Lough SPA
- Outer Ards SPA
- Copeland Islands SPA
- Strangford Lough SPA

This site also subsumes the existing Belfast Lough Open Water SPA

The landward boundary for this marine area is the mean low water mark, medium tide

The principal interests are the marine area used by non-breeding populations of Red-throated Diver and Elder Duck, rafting Manx Shearwater involving breeding birds originating from the colony at Copeland Islands SPA and foraging Sandwich, Common and Arctic Tern originating from adjoining tern colonies in Larne Lough, Belfast Lough, the Outer Ards and Strangford Lough.

### East Coast (Northern Ireland) Marine proposed Special Protection Area

Selection Feature and Objectives:

Feature	Component Objective
Great Crested Grebe	To maintain or enhance the population of the qualifying species.
Podiceps cristatus	To maintain or enhance the range of habitats utilised by the qualifying species.
(non-breeding population)	To ensure that the integrity of the site is maintained;
Regularly	To ensure there is no significant disturbance of the species and
	To ensure that the following are maintained in the long term:
	• Population of the species as a viable component of the site.
	• Distribution of the species within site.



occurring migratory species	<ul style="list-style-type: none"> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Red-throated Diver <i>Gavia stellata</i> (non-breeding population) Annex I species	<p>To maintain or enhance the population of the qualifying species</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Elder Duck <i>Somateria mollissima</i> (non-breeding population) Regularly occurring migratory species	<p>To maintain or enhance the population of the qualifying species</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Sandwich Tern <i>Thalasseus sandvicensis</i> (breeding population) Annex I species	<p>To maintain or enhance the population of the qualifying species</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Common Tern <i>Sterna hirundo</i> (breeding population) Annex I species	<p>To maintain or enhance the population of the qualifying species</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Arctic Tern <i>Sterna paradisaea</i> (breeding population) Annex I species	<p>To maintain or enhance the population of the qualifying species</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Manx Shearwater <i>Puffinus puffinus</i> (breeding population) Regularly	<p>To maintain or enhance the population of the qualifying species</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species</p> <p>To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and</p> <p>To ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> </ul>

occurring migratory species	<ul style="list-style-type: none"> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> </ul>
Habitat Extent*	To maintain or enhance the area of natural and semi-natural habitats used or potentially usable by Feature bird species subject to natural processes
Habitat Extent*	Maintain the extent of main habitat components subject to natural processes

\* Non feature SPA Objectives

For further information see [www.daera-ni.gov.uk/consultations/east-coast-northern-ireland-marine-special-protection-area-consultation](http://www.daera-ni.gov.uk/consultations/east-coast-northern-ireland-marine-special-protection-area-consultation)

## Risks to the designation features:

### Proposal Summary

The proposal is for open access to an existing path off the Shore Road. The path, which currently serves a Northern Ireland Water pumping facility, is on the west side of Jointure Bay and adjoins private gardens on the inland side. A number of these gardens have access via gates on to the path while these, and other gardens associated with properties on Island Park, overlook the shoreline and Green Island.

It is understood that the proposal will not involve any construction activities with regard to the path. The path length is approximately 175m. The main development is provision of a system of wooden steps to provide access from the path to the beach i.e. 'bridging' the existing concrete and stone bank along the northern side of the path. Access will be open and year round. Signage will address 'code of conduct' as well as site H&S issues with regard to tides and other potential 'threats'. The design for the 'bridge' is shown in Appendix 2.



## Measures within the proposal that will protect the environment

As the project is limited to provision of access via existing path and provision of a small set of wooden steps, no actions have been specified with regard to the statutory sites or the wider environment.

## Potential Pathways for Impacts upon Feature Habitats or Species

The path comes within approximately 10m of the nearest designated site (Belfast Lough SPA). However with construction activities limited to provision of a set of wooden steps and associated foundations/structural supports, there is no risk of direct impacts arising.

People using the path or accessing the beach/inter-tidal areas may be an issue in terms of disturbance of foraging birds (inter-tidal area most important outside the breeding season) and roosting birds (Green Island is a very important high tide roost for a range of waterbirds again outside the breeding season). The area is also regularly used by large numbers of Eider Duck undergoing their post-breeding moult.

The path is separated from the beach and inter-tidal areas in Jointure Bay by a section of 'informal' rock armouring (see photographs) and by the small unnamed stream. There is an existing 'rough' path leading from the project path. This is partially underwater at high tide making disturbance of roosting birds on Green Island unlikely.

It should be noted that there are existing informal access routes into the area. At low tide, the area can be reached from the Loughshore (west) area. Similarly, access via the Trooperslane/Tory Town area allows walkers to access the area via beach/ground in front of Seapark House.

See Appendix 3 for fuller assessment of use of the Jointure Bay area by SPA feature species outside the breeding season.

## Additional (non-statutory) ornithological considerations

It is understood that NIEA raised concerns about potential for impacts on breeding birds on Green Island.

Both survey dates are outside any recognised period for assessment of breeding birds (British Trust for Ornithology – BBS guidance<sup>1</sup>). A combination of personal familiarity with the site together with an assessment undertaken on the survey dates highlighted the limited potential for breeding birds to use Green Island. A significant part of the island is within the inter-tidal zone leaving a limited area exposed at high tide. This is dominated by rank grasses, reflecting the very high nitrogen inputs from roosting birds.

Only 2 potentially breeding species were noted during the surveys, Rock Pipit and Pied Wagtail. The latter included a family party (2021 visit) which may have bred locally. There was plenty of suitable nesting habitat for Rock Pipit as well so they may also have bred. Given existing access to the area together with tidal limitations, it is unlikely that the current project will alter the potential for these species to breed on Green Island. Both species are tolerant of human presence.

<sup>1</sup> <https://www.bto.org/nor-science/projects/bto/research-conservation/methodology>



## Screening

Assessment of significance may be based on a number of factors, as outlined in EC (2001). Such as:

- the character and perceived value of the affected environment;
- the magnitude, spatial extent and duration of the anticipated change;
- the resilience of the environment to cope with change; and
- confidence in the accuracy of predictions of change.

An effect is considered significant if an activity seriously disrupts the lifecycle (breeding, feeding, migration or resting behaviour) of an ecologically meaningful proportion of the population of the species.

In summary, any element of a plan or project that has the potential to affect the conservation objectives of a Natura 2000 site, including its structure and function, should be considered significant (EC, 2006).

### Potential impact : Stage 1: Test of Likely Significance

#### Natura 2000 sites at potential risk:

Belfast Lough SPA and Ramsar, Belfast Lough Open Water SPA and East Coast (Northern Ireland) Marine proposed SPA

#### Summary Description of the proposal:

- **Size and scale;**

The project does not involve any construction activity along the line of the existing path (approx. 175m in length). The amended proposal will comprise construction of a system of wooden steps to provide access from the path to the beach i.e. 'bridging' the existing concrete and stone bank along the northern side of the path. Access will be open and year round. Signage will address 'code of conduct' as well as site H&S issues with regard to tides and other potential 'threats'. The design for the 'steps' is shown in Appendix 2.

- **Land-take;**

The actual footfall within the designated site is not stated but will be of the order of 1 - 2 meters squared. This will relate to base of the steps on the beach.

- **Distance from Natura 2000 site or key features of the site;**

The seaward element of the steps will encroach onto the beach, by a few meters at most.

- **Resource requirements (water abstraction etc);**

None

- **Emission (disposal to land, water or air);**

None,

- **Excavation requirements;**

Limited excavation for step supports and selective repositioning of loose rock/shingle as required – this to provide suitable footing for the steps on to the beach.

- **Transportation requirements;**

None.

- **Duration of construction, operation, de-commissioning etc;**

No timescale provided but this is a small-scale highly localised project..

**Is the proposal directly connected with or necessary to management of the site for conservation of N2K features?**

No

**Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 site as a result of:**

- **Habitat loss;**

Not stated but estimated at 1 -2 m<sup>2</sup>.

- **Reduction of habitat area;**

As above, Loss relates to existing area of loose rock and shingle – habitats not used by feature species.

- **Disturbance;**

The project will result in people using the path and beach area at Jointure Bay - note there is existing informal access to the area. The area would be most vulnerable to disturbance (greatest potential impact) outside the breeding season i.e. in autumn and winter when feature species use the area mainly for roosting (on Green Island) at high tide and for foraging (Jointure Bay and adjoining areas) on inter-tidal habitats as the tide permits.

Green Island is not accessible at high tide and is sufficiently distant to minimise any significant disturbance due to the relative position of the path, beach area and the island.

The island is overlooked by a private garden which is much closer to the island than the current proposal will allow for (at high tide)

Density of foraging waterbirds is relatively low in Jointure Bay (this is not an important foraging area for feature species) with areas for birds to relocate to temporarily as necessary. The feature species regularly present here include Redshank and Bar-tailed Godwit (personal observation). See Appendix 3 for further assessment of non-breeding feature (SPA) species using this area.

Moulting Eider Duck flocks are susceptible to disturbance but again the relative distance from the path together with the large area used by the flocks (highly mobile and occurring anywhere from Carrickfergus to Macedon Point on the north shore and Crawfordsburn to Holywood on the southern shore) means their use of the Green Island area is not consistent.

Great Crested Grebe utilise offshore marine areas for foraging and loafing but with a limited presence in this section of the Lough.

Of the seabird species (Red-throated Diver, Manx Shearwater and Tern species) the former 2 species use offshore marine areas for foraging and rafting – this latter behaviour exhibited by Manx Shearwater in marine areas close to the Copeland Islands.

Terns will use inshore waters but the East Coast Marine pSPA should be viewed as a resource area i.e. most terns from adjoining breeding colonies are predicted to forage within the site.

Prey distribution is not associated with any particular area within the proposed marine area and is not fixed in time. As such the terns will use this as an 'area of search' opportunistically taking prey (principally sand eel species).

Foraging Terns are highly mobile such that any activity which causes them disturbance (which tends to be highly localised e.g. a boat moving through) are easily avoided with birds relocating to another suitable area or waiting for the disturbance to pass and resume foraging.

- **Habitat or species fragmentation;**

None

- **Reduction in species density;**

None.

- **Changes in key indicators of conservation value (e.g. water quality, climate change).**

None



## Summary assessment of Project Impacts against individual designated features

Site	Feature	Comment	Projected Impact
Belfast Lough SPA Belfast Lough Ramsar	Common Tern (breeding population) Annex I species	Refers to breeding site – Belfast Harbour area.	No significant effect
	Arctic Tern (breeding population) Annex I species	Refers to breeding site – Belfast Harbour area.	No significant effect
	Bar-tailed Godwit (non-breeding population) Annex I species	See Appendix 3	No significant effect
	Redshank (non-breeding population) Regularly occurring migratory species	See Appendix 3	No significant effect
	Black-tailed Godwit (non-breeding population) Regularly occurring migratory species	See Appendix 3	No significant effect
Belfast Lough Open Water SPA	Great Crested Grebe (non-breeding population) Regularly occurring migratory species	Using offshore marine area See Appendix 3	No significant effect
East Coast (Northern Ireland) Marine proposed Special Protection Area	Great Crested Grebe (non-breeding population) Regularly occurring migratory species	Using offshore marine area See Appendix 3	No significant effect
	Red-throated Diver (non-breeding population) Annex I species	Using offshore marine area See Appendix 3	No significant effect
	Eider Duck (non-breeding population) Regularly occurring migratory species	See Appendix 3	No significant effect
	Sandwich Tern (breeding population) Annex I species	Highly mobile and opportunistic foraging strategy. Adapted to short-term disturbances.	No significant effect
	Common Tern (breeding population) Annex I species	Highly mobile and opportunistic foraging strategy. Adapted to short-term disturbances.	No significant effect
	Arctic Tern (breeding population) Annex I species	Highly mobile and opportunistic foraging strategy. Adapted to short-term disturbances.	No significant effect
	Manx Shearwater (breeding population) Regularly occurring migratory species	Using offshore marine area	No significant effect

Only standard environmental protection measures built in to the proposal have been considered at this stage. No specific impact mitigation measures will be required.

<b>Describe any potential effects on the Natura 2000 site as a whole in terms of: interference with the key relationships that define the structure or function of the site</b>	<b>Effect considered significant/non-significant; Finding of No significant effects Matrix</b>
None	No significant effect

<b>Provide details of any other projects or plans that together with the project or plan being assessed could (directly or indirectly) affect the site.</b>	<b>Provide details of any likely in-combination effects and quantify their significance -</b>
It is not anticipated that the Greenisland project will have any impact on any Natura 2000 site. Given there will be no impact, then it follows that there will be no contribution to cumulative impacts.	No significant effect on N2K Features.

<b>Is the potential scale or magnitude of any effect likely to be significant?</b>	
<b>Alone?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>In-combination with other projects or plans?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

<b>List of Agencies Consulted: Provide contact name and telephone or email address.</b>	None
Above consultee response:	N/A

<b>Conclusion: Is the proposal likely to have a significant effect on an N2K site?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>IT HAS BEEN DETERMINED THAT THE PROPOSAL WILL NOT HAVE A SIGNIFICANT EFFECT</b>	

#### Data collected to carry out the assessment

<b>Who carried out the assessment?</b>	Ian Enlander
<b>Sources of data</b>	Site visit: 11 <sup>th</sup> August 2021 and 15 <sup>th</sup> August 2025 Information provided by MEA BTO website NIEA website JNCC website
<b>Level of assessment completed</b>	Stage 1 – Screening

#### Additional References

EC (2001) *Guidance on EIA Screening*, June 2001 Office for Official Publications of the European Communities, Luxembourg.

EC (2006) *Managing NATURA 2000 Sites*. The provisions of Article 6 of the 'Habitats' Directive 92/43/CEE Office for Official Publications of the European Communities, Luxembourg.



## Appendix 1: Photographs

2021

Access gate



View from gate towards shore



Continuation of path along Jointure Bay.





Shoreline below path towards Green Island



View east across Jointure Bay towards Seapark House



Green Island





2025

Green Island high tide



Jointure Bay high tide



View to west from Green Island area low tide



Green Island at low tide



Jointure Bay low tide line of path at left

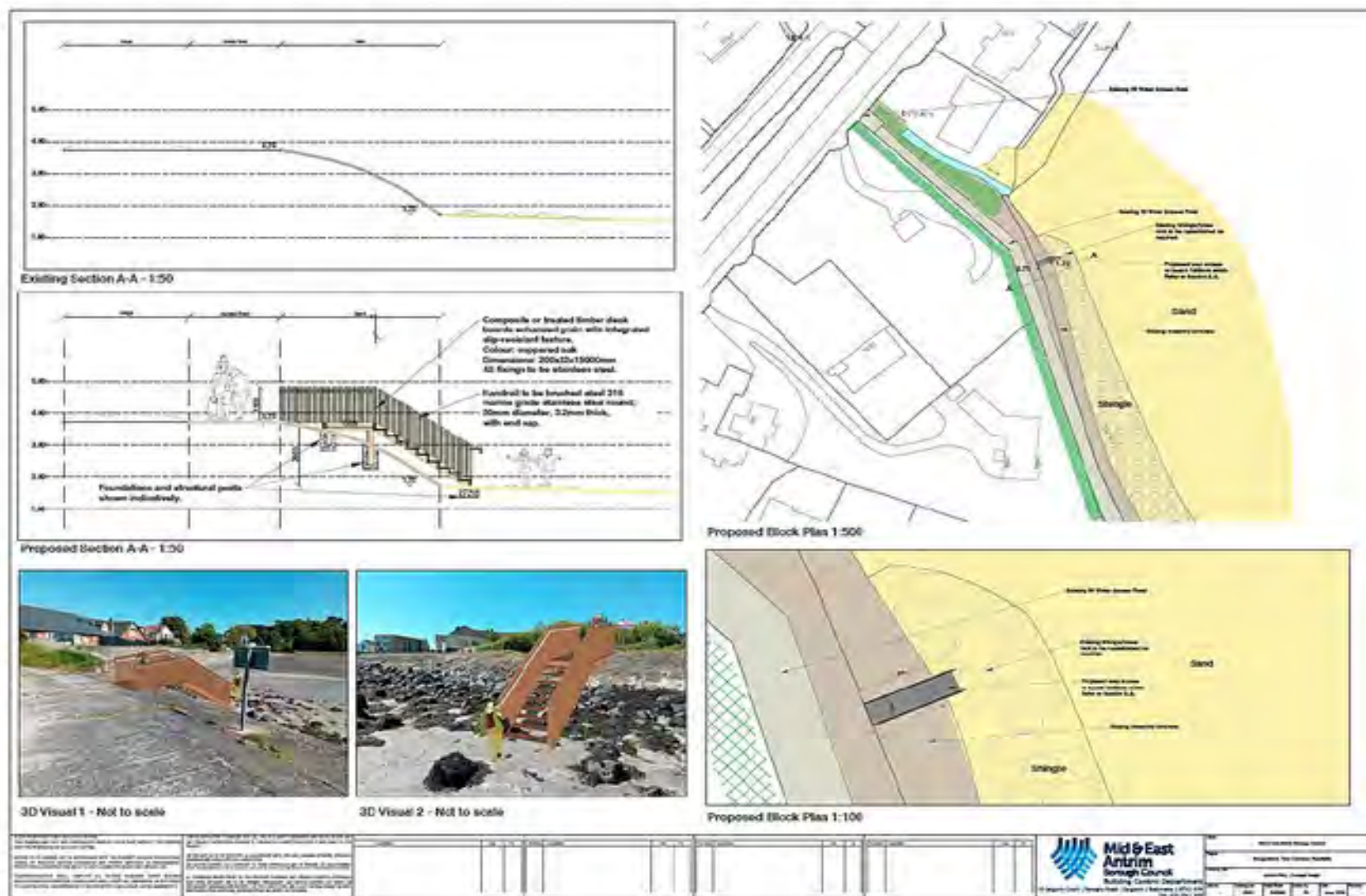


Jointure Bay view to east, low tide





## Appendix 2: development proposal design



**Appendix 3:** Utilisation of the Jointure Bay/Green Island area by non-breeding feature (SPA) species. Source: <https://app.bto.org/webs-reporting/lowtides.jsp>

Redshank distribution – BTO Belfast Lough Low Tide data – survey periods 2023/24 and 2022/23. Inset of Jointure Bay and Green Island



Black-tailed Godwit distribution – BTO Belfast Lough Low Tide data – survey periods 2023/24 and 2022/23. Inset of Jointure Bay and Green Island





# Bar-tailed Godwit distribution – BTO Belfast Lough Low Tide data – survey periods 2023/24



Eider Duck distribution – BTO Belfast Lough Low Tide data – survey periods 2023/24 and 2022/23. Inset of Jointure Bay and Green Island



Great Crested Grebe distribution – BTO Belfast Lough Low Tide data – survey periods 2023/24 and 2022/23. Inset of Jointure Bay and Green Island





Red-throated Diver distribution – BTO Belfast Lough Low Tide data – survey periods 2023/24 and 2022/23. Inset of Jointure Bay and Green Island



Assessment of non-breeding waterbird feature species based principally on Low Tide distribution data above. Comments regarding population trends are taken from BTO WeBS on-line data which can be found at <https://app.bto.org/webs-reporting/numbers.jsp>

Note that the BTO WeBS (high tide) and Low Tide data do not provide coverage for the breeding SPA feature species (Terns and Manx Shearwater). These species are covered under the Stage 1 Screening section in the main report.

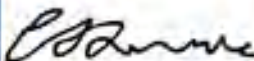
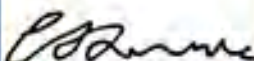
Site	Feature	Comment
Belfast Lough SPA	Bar-tailed Godwit (non-breeding population) Annex I species	Highest numbers and density occur in Inner Belfast Lough. Birds utilise Jointure Bay area in much smaller numbers both for foraging and roosting (Green Island). Potential short-term disturbance events while foraging but extensive equivalent adjoining inter-tidal habitat available. Site context is 25 year declines for this species across Northern Ireland and UK accepted to be changes in post-breeding migratory distributions related to climate change.
	Redshank (non-breeding population) Regularly occurring migratory species	Highest numbers and density occur in Inner Belfast Lough on the north shore area east of Seapark (Troopers Lane). Birds utilise Jointure Bay area in smaller numbers both for foraging and roosting (Green Island). Potential short-term disturbance events while foraging but extensive equivalent adjoining inter-tidal habitat available. Site context is 25 year declines for this species across Northern Ireland and UK accepted to be changes in post-breeding migratory distributions related to climate change.
	Black-tailed Godwit (non-breeding population) Regularly occurring migratory species	Highest numbers and density occur in Inner Belfast Lough. Birds appear to rarely utilise Jointure Bay area. Potential short-term disturbance events while foraging but extensive equivalent adjoining inter-tidal habitat available. Site context is 25 year increase for this species across Northern Ireland and UK but with more recent declines across both regions causes of which are unclear. Some evidence of this species using other sites in Northern Ireland to a greater extent.
Belfast Lough Open Water SPA	Great Crested Grebe (non-breeding population) Regularly occurring migratory species	Principally using open water in the Inner Belfast Lough area. Limited use of waters off the Jointure Bay area. An offshore species. Site context is 20 year declines for this species across Northern Ireland and UK with some indications of a slight increase in numbers more recently. Reason for

		decline at site and wider scales are unknown.
East Coast (Northern Ireland) Marine proposed Special Protection Area	Great Crested Grebe (non-breeding population) Regularly occurring migratory species	As above
	Red-throated Diver (non-breeding population) Annex I species	Not well represented by shore based survey methods – have been shown to mainly use mid-lough waters from Carrickfergus to the mouth of Belfast Lough. Limited use of waters off the Jointure Bay area. An offshore species. Site context is 20 year declines for this species across Northern Ireland and UK with some indications of a slight increase in numbers more recently. Reason for decline at site and wider scales are unknown.
	Eider Duck (non-breeding population) Regularly occurring migratory species	Principally using open water in the Inner Belfast Lough area (main flocks off Loughshore and Whiteabbey areas) and much of the Co. Down shoreline. Significant numbers often off the Carrickfergus - Kilroot shore. Small numbers in the Jointure Bay - Green Island area. The nearshore waters around Green Island (but not exclusively) is an important moulting area post-breeding. Timing of this (mid - late summer) means their distribution is not captured by the WeBS and Low Tide surveys (September - March). The moulting flock is highly mobile (personal observation) so not tied specifically to the Green Island area. Belfast Lough hosts the largest non-breeding population of Eider Duck in Northern Ireland and in all-Ireland. Following a major increase in population in Belfast Lough, numbers are now relatively stable.





**Risk Assessment & Feasibility Assessment**  
**Greenisland Proposed Access**

Visited by:	Jamie Cooper Donnelly Safety Services Ltd	Signature:		Date:	20/08/2025
Written by:	Jamie Cooper Donnelly Safety Services Ltd	Signature:		Date:	20/08/2025

Date for review: This report should be reviewed within 12 months or sooner if additional risks not covered are identified.

DATE – 20.08.25

1 Review and Amendment List

Amendment Client Name (Taken Out) e:	By	Date

DATE – 20.08.25

271

## 1.1 Executive Summary

Mid & East Antrim Borough Council (MEABC) requested Donnelly Safety Services Ltd to carry out an independent health and safety risk assessment on the feasibility of opening an additional public access point to the Belfast Lough foreshore at Greenisland, near [///yarn.juggled.tumblers](#) (What3Words).

The purpose of this review was to consider the potential benefits, risks, and control measures associated with developing such an access, and to advise whether it would be sensible to proceed from a health and safety standpoint.

### 1.1.1 Key Findings

- **Tidal Hazards:** The Belfast Lough foreshore is characterised by a wide tidal range and a fast-moving incoming tide. There is a real risk of members of the public becoming cut off if they are unfamiliar with tidal conditions. The nearest alternative exit points are more than 1 km away, which means formal retreat routes are limited once the tide begins to return.
- **Infrastructure Constraints:** While the access road at [///yarn.juggled.tumblers](#) (What3Words) provides a potential route to the shore, it also serves Northern Ireland Water's pumping station at [///climate.brief.crunching](#) (What3Words). Without suitable segregation and barriers, public access could interfere with operational requirements or pose additional security risks.
- **Environmental Sensitivity:** Increasing footfall onto the foreshore carries the likelihood of habitat disturbance, erosion, and potentially irreversible environmental damage.
- **Social Considerations:** There is a credible risk of antisocial behaviour such as littering, fires, and misuse of the area, particularly during unsupervised/low footfall evening use.

### 1.1.2 Arguments in Favour

Opening the access could bring benefits by formalising existing informal entry points, improving community access, supporting recreation, and providing an additional point of reference for emergency response. With carefully designed infrastructure (steps, fencing, signage, handrails), some of the hazards could be reduced compared to unmanaged access.

### 1.1.3 Arguments Against

The overriding concern remains the tide. Unlike other risks, which can be managed through engineering or signage, the speed and extent of the incoming tide cannot be controlled. Once individuals are cut off, they may face serious danger with limited opportunities for escape. This presents an ongoing and unremovable hazard. Coupled with the environmental sensitivity of the foreshore and potential for antisocial behaviour, the overall risk profile remains high.

### 1.1.4 Controls if Proceeding

Should the Council decide to move forward despite the identified concerns, it would be essential to implement a package of robust measures, including:



DATE – 20.08.25

272

#### 1.1.4.1 Physical Safety Measures

- Vehicle barriers to restrict general traffic but allow NI Water access.
- High fencing (20–30m away from the pumping station in it's current position) to segregate the pumping station from public access.
- A purpose-built stairway with handrails to provide safe descent to the foreshore.
- Clearing and levelling of the foreshore immediately at the stair base to reduce slips, trips, and falls in line with required permissions.
- Handrail along the access road wall to protect against falls.

#### 1.1.4.2 Information & Signage

- Prominent signage at the access point warning of:
  - Tidal ranges and the speed of the incoming tide.
  - Distances to alternative exit points (>1 km).
  - General hazards (slips, mud, unstable ground, currents).
- Emergency information signage with What3Words location and emergency contact guidance.

#### 1.1.4.3 Surveys & Assessments

Prior to any construction or opening, a number of surveys should be undertaken to ensure risks and impacts are fully understood:

- Tidal Risk Assessment – to model tide ranges, cut-off risks, and safe periods of access.
- Hydrodynamic/Current Flow Survey – to confirm whether dangerous currents exist near the proposed access point.
- Geotechnical Survey – to assess ground stability, erosion potential, and suitability for construction works.
- Environmental Impact Assessment (EIA) or Habitat Survey – to understand the effect of increased footfall on sensitive coastal habitats, wildlife, and protected species.
- Structural/Engineering Survey – to determine feasibility and safety of installing steps, fencing, and handrails.
- Crime Prevention Through Environmental Design (CPTED) Review – to consider measures against any possible antisocial behaviour, security of NI Water assets, and site misuse.

#### 1.1.4.4 Management Controls

- Regular inspection and maintenance schedule for all installed structures and signage.
- Time based restrictions on access (e.g., closure during darkness or adverse weather).
- Engagement with NI Water regarding operational access and asset protection.
- Ongoing liaison with emergency services to ensure rescue feasibility and inclusion of the site in local response planning.

DATE – 20.08.25

273

### 1.1.5 Overall Conclusion

From a health and safety perspective, the preferred course of action is **not to proceed** with developing this access point, as the tidal hazards represent a significant, ongoing, and unmanageable risk to members of the public.

If Council wishes to proceed on wider community or amenity grounds, it must be recognised that these risks cannot be eliminated, only reduced. Full implementation of the recommended control measures, together with active liaison with NI Water, emergency services, and environmental stakeholders, would be essential.

## 2 Table of Contents

1	Review and Amendment List.....	2
1.1	Executive Summary.....	3
1.1.1	Key Findings.....	3
1.1.2	Arguments in Favour.....	3
1.1.3	Arguments Against.....	3
1.1.4	Controls if Proceeding.....	3
1.1.5	Overall Conclusion.....	5
2	Table of Contents.....	6
3	Introduction.....	7
4	Risk Assessment with Methodology.....	9
4.1	Risk Assessment Methodology.....	9
4.2	Conclusion.....	10
4.2.1	Risk Evaluation.....	11
4.3	Introduction.....	12
4.4	Site Context.....	12
4.5	Arguments in Favour of Proceeding.....	13
4.6	Arguments Against Proceeding (Expanded).....	13
4.7	Proposed Control Measures.....	14
4.7.1	Engineering and Physical Controls.....	14
4.7.2	Signage and Information.....	15
4.7.3	Required Surveys Before Construction.....	15
4.7.4	Management and Operational Controls.....	15
4.8	Conclusions and Recommendations.....	16
4.8.1	Conclusions.....	16
4.8.2	Recommendations.....	16
4.8.3	Final Position.....	17



DATE – 20.08.25

275

### 3 Introduction

Mid & East Antrim Borough Council (MEABC) is exploring the possibility of opening an additional public access point to the Belfast Lough foreshore at Greenisland, near [yarn.juggled.tumblers](http://yarn.juggled.tumblers). Donnelly Safety Services Ltd has been asked to carry out an independent health & safety risk assessment and provide advice on the feasibility of this proposal.

This report considers:

- **The potential risks and hazards** associated with a new access point.
- **Arguments in favour** of developing the access.
- **Arguments against** proceeding.
- **Possible control measures** should the Council decide to progress.
- **A reasoned recommendation** from a health & safety perspective.

#### Disclaimer

This Risk Assessment is based on information gathered during the site visit from observations at the Greenisland location, documents reviewed and from conversations with people during the area visit. The risk assessment only covers the areas and activities as detailed within the report.

The Risk assessment report has been produced in good faith by a Donnelly Safety Services consultant, familiar with the risk assessment process and competent to assess the associated risk and activities, when working in conjunction with Company employees and other competent people, as necessary. However, there is no guarantee that inspectors with statutory powers will not find other non-compliant issues.

Although Donnelly Safety Services are competent to undertake the risk assessment; the Acts, the Regulations and the Approved Codes of Practice can only be authoritatively interpreted by the courts of law.

Risk Assessment: Mid & East Antrim Borough Council  
DATE – 20.08.25

Site Plan;



Entry Point to Proposed Access Road



Shorefront perspective & Beach / Access Perspective



Northern Ireland Water Pumping Station



Risk Assessment: Mid & East Antrim Borough Council  
DATE – 20.08.25

## 4 Risk Assessment with Methodology

### 4.1 Risk Assessment Methodology

Risk Assessment requirements are based on established risk assessment principles for management of significant hazard in order to maintain a safe system of work for all relevant persons. This is a systematic process and entails key steps. The emphasis is on identifying significant hazards that might cause harm and taking appropriate measures to eliminate or reduce the risk.

Hazard	Who may be harmed	Risk description	Existing controls	Further actions required	L	S	Residual Risk
Rapid incoming tide / tidal cut-off	General public, children, dog walkers, anglers	Users trapped on foreshore by fast rising tide, no safe retreat (>1 km to other exits), potential drowning	None at present	Tidal risk survey; clear warning signage; signage showing tide times; education campaigns; restrict access at certain times; consider tide-gated access	4	5	20 (VH)
Strong currents / sudden depth changes	Bathers, children, anglers	Entrapment, drowning due to currents or sudden seabed drop-offs	None	Hydrodynamic survey; signage warning of currents and not suitable for swimming	3	5	15 (VH)
Slips, trips, falls (algae, wet rocks, uneven foreshore)	All users	Broken bones, head injury, sprains	None	Designated stairway with handrails; clear landing area at base; regular inspection; anti-slip surfacing	4	3	12 (H)
Falls from access road wall	Walkers, children	Risk of fall from height leading to injury	Existing wall	Install handrail/barrier; signage warning of fall risk	3	4	12 (H)
Access road misuse by vehicles	Pedestrians	Collision or near miss with vehicles	Currently open	Install removable vehicle barrier; design for NI Water authorised access only	2	5	10 (H)
Public access to NI Water pumping station	Public, NI Water staff	Trespass, security risks, potential interference with infrastructure	None	20-30m of high fencing; liaison with NI Water; secure gated access	3	4	12 (H)
Antisocial behaviour (fires, drinking, littering, vandalism)	Public, council, environment	Fires, broken glass, damage to infrastructure, intimidation of other users	None	CPTED review; lighting; signage; council/community patrols; bins and regular cleaning	3	3	9 (M)
Environmental damage (erosion, habitat loss, disturbance of wildlife)	Local ecology, wider community	Irreversible loss of habitats, damage to foreshore ecology	None	Environmental survey; seasonal access restrictions; protective fencing in sensitive areas; awareness signage	3	4	12 (H)
Lack of emergency access / response delays	Stranded users, emergency services	Injuries escalated by slow response; difficulty reaching casualties	Limited road access	Emergency services consultation; ensure road allows emergency vehicle access; signage with What3Words	3	5	15 (VH)
Night-time access / poor visibility	Public	Trips, falls, unsafe behaviour, crime	None	Lighting or restricted hours; signage warning of dangers in dark	3	3	9 (M)
Weather exposure (storm surge, high winds, icy surfaces)	All users	Sudden risk of waves, flooding, slips	None	Restrict access in severe weather; inspect for ice/algae; provide warning signage	3	4	12 (H)
Overcrowding / high footfall	Public	Pressure on infrastructure, accidents on narrow stairs/paths	None	Capacity assessment; wide stair design; handrails both sides; flow management	2	3	6 (M)



Risk Assessment: Mid & East Antrim Borough Council  
DATE – 20.08.25

Lack of lifesaving equipment Construction/installation hazards (if project proceeds)	Public	Delay in rescue if fall into water	None	install throwlines and shebuoys; regular inspection and replacement	2	3	10 (H)
	Contractors, public	Injuries during works (falls, plant, lifting)	None	CDM compliance; construction phase risk assessment; barriers during works	3	4	12 (H)

4.2 Conclusion

The assessment highlights that the dominant hazard is tidal entrapment, which carries a very high residual risk even with mitigations. While many risks can be reduced through design, signage, and management, the tidal hazard cannot be eliminated and will remain the key limiting factor.

From a strict health & safety perspective, the safest course of action is not to proceed with developing the new access point. If the Council chooses to progress for amenity reasons, all recommended surveys, engineering solutions, and management measures must be implemented, with clear public communication that risks remain present and cannot be fully controlled.

4.2.1 Risk Evaluation

Risk Value Matrix

LIKELIHOOD (L)	VALUE	SEVERITY OF OUTCOME (S)
Negligible	1	Negligible
Low	2	Slight damage to property Minor injury (cuts/bruises)
Medium	3	Moderate damage to property Injury to occupants – medical attention required
Significant	4	Large scale damage to property Occupants require hospitalisation
High	5	Major loss of property Loss of life

LIKELIHOOD

SEVERITY	1	2	3	4	5
	2	4	6	8	10
	3	6	9	12	15
	4	8	12	16	20
	5	10	15	20	25

Note: Beware of low likelihood but high severity

RISK RATING	ACTION
1 – 5	Record findings; review in twelve months
6 – 12	Risk should be reduced where reasonably practicable
15 – 25	Stop! Implement additional controls immediately.

Risk Assessment: Mid & East Antrim Borough Council  
DATE – 20.08.25

280

### 4.3 Introduction

Mid & East Antrim Borough Council (MEABC) is exploring the possibility of opening an additional public access point to the Belfast Lough foreshore at Greenisland, near [///yarn.juggled.tumblers](#) (What3Words). Donnelly Safety Services Ltd has been asked to carry out an independent health & safety risk assessment and provide advice on the feasibility of this proposal.

This report considers:

- **The potential risks and hazards** associated with a new access point.
- **Arguments in favour** of developing the access.
- **Arguments against** proceeding.
- **Possible control measures** should the Council decide to progress.
- **A reasoned recommendation** from a health & safety perspective.

### 4.4 Site Context

The proposed location for an additional access point to the Belfast Lough foreshore lies at [///yarn.juggled.tumblers](#) (What3Words), accessed from Shore Road in Greenisland. The foreshore in this area is characterised by:

- **Wide tidal range** – Belfast Lough has a significant tidal movement, with the waterline retreating hundreds of metres at low tide before rapidly advancing again as the tide turns. This creates both opportunities for public access and significant safety hazards.
- **Foreshore composition** – The beach area consists of a mixture of mud, sand, rocks, and marine vegetation (including algae and seaweed), creating uneven and potentially slippery surfaces. Areas of soft mud pose entrapment risks, while rocks increase trip and fall hazards.
- **Access road and infrastructure** – The access route runs alongside a wall leading to a ramp that currently provides operational access for Northern Ireland Water (NI Water) to its pumping station, located at [///climate.brief.crunching](#) (What3Words). This road is not currently designed for general public use.
- **Neighbouring access points** – The only existing foreshore access points are located at the far north-east and south-west ends of Shore Road, each more than 1 km away from the proposed site. Once on the foreshore, individuals caught by the incoming tide would find it extremely difficult to reach these exits in time.
- **Local use and interest** – The foreshore is used by walkers, anglers, and families, though access is currently limited. Informal attempts to reach the foreshore are already made in some areas, suggesting a demand for access.

In summary, the site provides a potentially attractive opportunity for local amenity, but is constrained by natural hazards (tides, surface conditions) and operational infrastructure (NI Water pumping station).



## 4.5 Arguments in Favour of Proceeding

### 1. Improved Accessibility for the Community

- A formalised access point would provide a safe, structured route to the foreshore for local residents, families, anglers, and recreational users.
- At present, access is inconvenient and distant. The new point would improve inclusivity and encourage healthy, outdoor activity.

### 2. Health, Wellbeing, and Social Benefits

- Access to natural environments such as the foreshore supports physical exercise, mental wellbeing, and opportunities for education about local ecology.
- Providing a safe, accessible area could strengthen community ties and encourage responsible use of the coastal environment.

### 3. Tourism and Economic Potential

- Additional access could increase the attractiveness of Greenisland as a destination for visitors.
- Local businesses (cafés, shops, services) may benefit from increased footfall.

### 4. Formalising Informal Access

- Some members of the public are already seeking ways onto the foreshore via informal and unsafe routes. Formalising access with engineered steps, handrails, and signage would reduce the risks associated with such unmanaged behaviour.

### 5. Emergency Services Reference Point

- A designated, clearly signed access point with a What3Words reference would make it easier for emergency responders to locate and reach incidents, compared with unmarked or informal paths.

### 6. Opportunity for Positive Environmental Education

- With appropriate signage, the access could also act as an educational point for the public on the importance of tidal safety, coastal ecology, and responsible use of natural resources.

## 4.6 Arguments Against Proceeding

### 1. Tidal Hazards

- The single most significant risk is the tidal behaviour of Belfast Lough. The tide comes in rapidly, and the flat, expansive foreshore means water can cut off users quickly.
- Once cut off, individuals may face deep, cold, and fast-moving water with no immediate escape route. This creates a very high risk of drowning, particularly for untrained or unaware members of the public.
- Other existing access points (>1 km away) are not realistically usable in an emergency.

### 2. Environmental Sensitivity and Potential Irreversible Damage

- The foreshore is an ecologically sensitive environment. Increased public use may disturb birdlife, damage habitats, and accelerate erosion.
- Heavy footfall could cause permanent degradation, particularly in muddy or vegetated areas, leading to ecological loss.

### 3. Antisocial Behaviour and Security Concerns

- ◊ Opening up a secluded access may encourage antisocial behaviours such as drinking, fires, littering, vandalism, or inappropriate use of the NI Water infrastructure.
- ◊ This could increase council maintenance costs and create community safety concerns.

### 4. Maintenance and Long-Term Liability

- ◊ Once opened, MEABC would assume legal responsibility for the access point.
- ◊ The site would require regular inspection, cleaning, and repairs to keep it safe.
- ◊ Signage, lifesaving equipment, handrails, and fencing all create recurring costs and liability exposure if not properly maintained.

### 5. Conflict with NI Water Operations

- ◊ The pumping station is critical infrastructure. Increased public access close to this facility could create security risks, obstruct NI Water vehicles, or result in unauthorised access to restricted areas.

### 6. Residual Unmanageable Risk

- ◊ Unlike slips, trips, or falls, which can be reduced through design, **the speed and extent of the tide cannot be controlled or eliminated**. Even with strong signage and warnings, some members of the public may underestimate or ignore the danger, leaving a permanent residual hazard.

## 4.7 Proposed Control Measures

If the Council decides to proceed, a robust package of engineering, informational, and management controls would be essential. These should include:

### 4.7.1 Engineering and Physical Controls

- **Vehicle Barriers:** Install lockable/removable bollards or gates at the top of the access road. These should prevent unauthorised vehicle entry while allowing NI Water emergency access when required.
- **High-Sided Fencing:** Erect 20–30m of secure fencing along the access road prior to the pumping station to segregate the public from NI Water infrastructure and prevent trespass.
- **Purpose-Built Stairway:** Construct a dedicated stairway from the access point to the foreshore. Steps should be of durable, non-slip material with contrasting nosings for visibility.
- **Handrails:** Install robust handrails along both the new stairway and the access road wall to protect against falls.
- **Beach Landing Area:** Clear and level the immediate area where the stairs reach the foreshore to create a safe landing zone free from loose rocks or trip hazards.
- **Lifesaving Equipment:** Provide throwlines and lifebuoys at strategic points, inspected and maintained regularly.



Risk Assessment: Mid & East Antrim Borough Council  
DATE – 20.08.25

283

#### 4.7.2 Signage and Information

- **Tidal Hazard Warnings:** Prominent, clear signage at the top of the access road highlighting the speed of the incoming tide, risk of cut-off, and distances to alternative exits.
- **Emergency Information:** Display What3Words location, grid reference, and instructions for contacting emergency services.
- **Behavioural Signage:** Reminders on responsible use — e.g., no fires, no alcohol, take litter home.
- **Educational Messages:** Panels explaining the ecological sensitivity of the foreshore and importance of protecting habitats.

#### 4.7.3 Required Surveys Before Construction

- **Tidal Risk Assessment** to confirm frequency and likelihood of cut-off.
- **Hydrodynamic Survey** to identify current strength and water depth risks.
- **Geotechnical Survey** to check ground stability for stair and fence installation.
- **Environmental Impact Assessment (EIA)** or habitat survey to identify protected species or areas requiring conservation.
- **Structural/Engineering Survey** of access road and existing wall.
- **CPTED Review** (Crime Prevention Through Environmental Design) to minimise antisocial behaviour.

#### 4.7.4 Management and Operational Controls

- **Regular Inspection and Maintenance Programme:** Schedule routine checks of barriers, fencing, signage, stairs, and lifesaving equipment.
- **Restricted Access During Adverse Conditions:** Consider closing access during severe weather, storms, or extreme tides.
- **Community Engagement and Awareness Campaigns:** Work with local schools, clubs, and residents to educate on tidal risks.
- **Emergency Service Liaison:** Ensure local fire, ambulance, and RNLI services are briefed on the new access and included in planning for emergency response.
- **Environmental Management Plan:** Define limits on use, seasonal restrictions (if required), and monitoring of habitat condition.



## 4.8 Conclusions and Recommendations

### 4.8.1 Conclusions

Following the site inspection and risk assessment of the proposed foreshore access point at Greenisland (///yarn.juggled.tumblers), it is clear that the project presents both potential benefits and significant risks.

On one hand, providing an additional access point could improve community amenity, support health and wellbeing objectives, reduce informal unsafe access, and create a defined location for emergency services. With carefully designed infrastructure, some hazards such as slips, trips, and falls could be reduced to a manageable level.

However, the dominant risk that cannot be fully controlled is the tidal hazard. The foreshore at Belfast Lough is subject to a rapid incoming tide with a wide tidal range. Individuals unfamiliar with local conditions could easily be caught unaware, and once cut off, escape options are extremely limited as alternative access points are more than 1 km away. This risk carries the potential for fatal consequences and, critically, it is not possible to eliminate the hazard through engineering or signage. At best, the risk can only be communicated and partially mitigated.

Additional concerns include:

- The potential for **irreversible environmental damage** caused by concentrated public footfall in an ecologically sensitive area.
- The likelihood of **antisocial behaviour** if the site becomes an unsupervised gathering point.
- The challenge of **long-term maintenance and liability**, as MEABC would become legally responsible for the upkeep of all safety infrastructure, signage, and lifesaving equipment.
- The **operational implications for NI Water**, who require reliable access to the nearby pumping station and whose infrastructure may be exposed to public interference without robust segregation.

From a health and safety standpoint, these combined risks, and in particular the tide-related hazard, weigh heavily against the proposal.

### 4.8.2 Recommendations

#### 1. Preferred Option – Do Not Proceed

- ❖ From a strictly health and safety perspective, the preferred recommendation is **not to proceed with developing this additional access point**.
- ❖ The tidal hazard alone represents a **Very High Risk** (RR = 20) in the risk assessment, with a credible risk of drowning that cannot be reduced below High even with significant interventions.
- ❖ This leaves the Council with an unavoidable residual risk that could expose both the public and the Council to serious consequences.

## 2. If Council Chooses to Proceed

Should the Council wish to progress for wider community, social, or strategic reasons, it must be recognised that:

- The tidal risk will remain present at all times. It cannot be engineered away and will rely on signage, awareness, and individual decision-making.
- A full package of control measures must be implemented, including:
  - Secure vehicle barriers and segregation fencing to protect NI Water infrastructure.
  - A purpose-built stairway with handrails and a safe landing area.
  - Prominent warning and educational signage.
  - Installation of lifesaving equipment.
  - An agreed inspection and maintenance programme.
- A series of technical surveys (tidal, hydrodynamic, geotechnical, environmental, engineering, and CPTED) must be completed prior to any construction to validate feasibility and minimise secondary risks.
- Ongoing engagement with NI Water and emergency services will be essential to ensure operational compatibility and emergency readiness.

## 3. Alternative Approaches to Consider

- Instead of developing a new access, MEABC may wish to enhance existing foreshore access points at the north-east and south-west ends of Shore Road. These locations, though further apart, are already in use and may be more suitable for investment in improved safety measures.
- An alternative option is to create a managed viewpoint at [///yarn.juggled.tumblers](http://yarn.juggled.tumblers), allowing people to experience the foreshore visually without direct access to tidal areas.

### 4.8.3 Final Position

From a health and safety consultancy perspective, it is our professional opinion that the risks associated with tidal entrapment at this location outweigh the benefits of creating a new access point. While there are community arguments in favour of increased accessibility, the inability to control or eliminate the tide means that a serious, foreseeable hazard would remain inherent in the project.

If the Council wishes to proceed for wider policy reasons, it must accept that this will involve significant capital investment, ongoing management costs, and an enduring residual risk to members of the public. In such a case, the full suite of control measures and surveys identified in this report should be treated as mandatory before access is opened.



M&EABC  
Neighbourhoods & Communities Committee  
The Braid  
1 - 29 Bridge Street  
Ballymena



9 September 2025

**Re: Report on Access to Jointure Bay, Greenisland - Public Consultation**

Dear Committee members,

Having read the documents associated with item 4.8 of the N&C meeting pack Agenda for 9 September, I wish to raise the following concerns about the objectivity and balance of the independent risk assessment and feasibility report by Donnelly Safety Services Ltd therein (Appendix 3 of the Agenda).

These concerns include that the report is largely speculative in nature, with little or no supporting data provided for most of the conclusions or recommendations made - please see assessment below.

Significant omission

In my view, there is a highly significant omission in the "Arguments in favour of access" (Pg 3, para 1.1.2 and again on Pg 13, section 4.5).

Whereas, in the "Arguments against proceeding" with access (Pg 13, section 4.6) the "single most significant risk" identified is members of the public being cut-off by the rapidly incoming tide; the most obvious argument in favour of access is therefore that the NIW laneway (which is ideally situated, approximately half-way between The Gut and Trooperslane) should be opened to provide safe egress from the beach, should potential cut-off circumstances arise.

However, no specific reference is made to this obvious mitigation of the tidal hazard within the report - why?

Clearly though, if it were included, it would not provide support for the "Do not proceed" recommendation (due to the "very high risk" from the "tidal hazard" which "alone represents.... a credible risk of drowning") - Pg 16, para 4.8.2-1.

Note: As someone who has walked along the shore from Trooperslane to The Gut on numerous occasions over the years, I have encountered plenty of other people walking at various points along the beach.



Indeed, It is also acknowledged in the report (Pg 12, section 4.4, "Local Use and interest") that the beach is used by walkers, anglers and families by means of informal access.

In my view, this public use will continue, regardless of the outcome of the NIW laneway access.

Nevertheless, on occasions, I have had to turn back on my walk due to the incoming tide (on the Belfast-side of Jointure Bay) or because the tide has not receded far enough at low water (on a neap tide) to continue to The Gut.

So, I would respectfully suggest that the sensible and responsible action for Council to take regarding public safety is to open the laneway access to provide safe egress from the beach, should the need arise.

### Significant contradiction

In my view, one of the suggested "Alternative approaches to consider" (Pg 17, para 4.8.2-3) completely contradicts the "Do not proceed" recommendation for NIW laneway access, in that it proposes enhancement of beach access at "The Gut and Trooperslane locations (thereby encouraging exposure to the perceived "very high risk" from the "tidal hazard" further along the shore).

### Assessment of speculative nature of report

#### *Tidal hazard*

In relation to the "tidal hazard", the report uses terms such as "wide tidal range", "fast-moving incoming tide" (Pg 3), "waterline retreating hundreds of metres at low tide before rapidly advancing again as the tide turns" (Pg 12) and "very high risk of drowning" (Pg 13).

However, the report does not provide any actual supporting data for the use of these terms i.e. tide range/speed figures, measured timings for safe egress or any comparative examples for reference purposes i.e. Morcambe Bay tides could also be described as "fast moving" (actually faster than a galloping horse) but are nothing like the tides in Belfast Lough.

Similarly, no data has been provided in relation to the number of incidents (if any) where people have needed to contact the RNLI/Coastguard for emergency assistance as a result of being cut-off.

In my opinion, if this risk were as high as the report indicates, the Council or the Coastguard would surely have erected signage to this effect years ago?

### *Anti-social behaviour*

In arguments against access, the report refers to:

- A "credible risk of antisocial behaviour such as littering, fires and misuse of the area" (Pg 3)
- "Opening up a secluded access may encourage anti-social behaviour such as drinking, fires, littering, vandalism or inappropriate use of NIW infrastructure" (Pg 14)
- A "likelihood of antisocial behaviour if the site becomes an unsupervised gathering point" (Pg 16).

As before, however, no supporting data is provided in the report to justify these arguments i.e. there are no crime statistics for the region or observations by the author, during his own site visit, of evidence of graffiti/other vandalism, drinking, fire-setting, littering or misuse of the area.

Note: Informal public access to the Jointure Bay region has occurred for many years, including (until relatively recently) via the derelict site at 103, Shore Road and the adjoining NIW laneway.

However, in all my visits to the beach, I don't recall having witnessed any obvious evidence of antisocial behaviour of the type referred to above.

Yours faithfully



<b>Council/Committee:</b>	<b>Neighborhoods and Communities</b>
<b>Date:</b>	9 September 2025
<b>Report Title:</b>	<b>DAERA Consultation on the draft Fisheries and Water Environment Bill</b>
<b>Publication Status:</b>	Open
<b>Author:</b>	Catherine Hunter, Acting Climate & Sustainability Manager
<b>Approver:</b>	John McVeigh, Acting Director of Community

## 1. Purpose

- 1.1. This report is to update Elected Members on the DAERA Public Consultation on the draft Fisheries and Water Environment Bill (**Appendix 1**) and to seek approval of the draft response at **Appendix 2**.

## 2. Background

- 2.1. Our seas, rivers and lakes are precious natural assets that are integral to our livelihoods, culture and the economy.
- 2.2. The Department relies heavily on the Fisheries Act (Northern Ireland) 1966 (the 1966 Act) as a key piece of primary legislation which guides the work in relation to fishing and fisheries. However, the issues relating to fisheries and the water environment have changed significantly since the 1966 Act was introduced and some of the terminology and assumptions within it no longer reflect the policy and legislative landscape. The 1966 Act focuses on the protection of fisheries, without fully considering the wider ecosystem, species interactions, environmental changes or other stressors that are necessary to be fully aligned with the ecosystem-based approach and the principles of sustainable development.
- 2.3. A new Fisheries and Water Environment Bill is needed to modernise and give effect to Northern Ireland's fisheries policies so that these are consistent with the fisheries management framework provided by the UK Fisheries Act 2020.
- 2.4. The consultation for the new Bill outlines a range of policy proposals to be incorporated into the new legislation. These are designed to support a vibrant, profitable, and sustainable sector, underpinned by healthy ecosystems, resilient fish populations, and well-managed aquatic habitats.
- 2.5. This consultation opened on the 3 July and will close on the 11 September 2025.





### 3. Key Issues for Consideration

3.1. This consultation focusses on modernising the Fisheries Act (Northern Ireland) 1966, to bring it in line with the UK Fisheries Act 2020. It proposes a range of new policies covering:

- Inland Fisheries and Aquaculture Objectives;
- Inland Fisheries – Management of Recreational Inland Angling;
- Inland Fisheries – Management of Inland Commercial Fishing;
- Aquaculture;
- Enforcement – Inland and Sea Fisheries; and
- Permitting of Sea Fishing Activities in the Northern Ireland Zone.

3.2. The consultation contains 26 questions – not all are relevant to Council.

3.3. Overall, Council is supportive of the draft Bill, but have raised some points in relation to:

- Q8 - The consultation document states that unconditional exercise of privately-owned commercial fishing rights may lead to unsustainable fishing – will this new Bill address this?
- Q8 - The document states that there have been concerns over the completeness of catch information (which has been previously highlighted), as this significantly undermines any assessment and is relevant to both commercial and recreational fisheries – how does the Bill plan to address this?

### 4. General Considerations / Implications

4.1. Equality Screening – this consultation has been screened through a wide range of equality assessments including strategic environment assessment, regulatory impact assessment, rural needs impact assessment etc.

4.2. Alignment with Corporate Priorities and Link to Corporate Plan – supporting this draft Bill will link to strategic objectives in the Corporate Plan (Planet pillar) and 'environment' cross-cutting theme in the Community Plan.

4.3. Reputation - supporting this draft Bill will demonstrate Council's commitment to modernise and give effect to Northern Ireland's fisheries policies so that these are consistent with the fisheries management framework provided by the UK Fisheries Act 2020.

- 4.4. Legal – this draft Bill will modernise and give effect to Northern Ireland's fisheries policies so that these are consistent with the fisheries management framework provided by the UK Fisheries Act 2020.

- 4.5. Rural Proofing and Environmental Impact – see 4.3

## 5. Proposed Way Forward

- 5.1. It is proposed to seek approval of the draft response at **Appendix 2** to this consultation and submit it to DAERA prior to the deadline of 11 September 2025.

## 6. Recommendation or Decision

- 6.1. It is recommended Elected Members;
  - (i) approve the draft response (**Appendix 2**) to this consultation.

## 7. Appendices / Links

Appendix 1 Fisheries and Water Environment Bill – Consultation Document

Appendix 2 MEA Draft Consultation Response

Link to consultation: <https://consultations2.nidirect.gov.uk/daera/the-fisheries-and-water-environment-bill/>



Department of  
**Agriculture, Environment  
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil  
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment  
an' Kintra Matthers**

[www.dae-ri.gov.uk](http://www.dae-ri.gov.uk)

**INVESTORS IN PEOPLE®**  
We invest in people Standard



CONTENTS	PAGE
<b><u>PART 1 - Introduction</u></b>	<b>4</b>
• <a href="#"><u>1.1 Purpose of this Consultation</u></a>	5
• <a href="#"><u>1.2 Overview of important Northern Ireland fisheries</u></a>	7
• <a href="#"><u>1.3 Current status of fish stocks and the water environment</u></a>	8
• <a href="#"><u>1.4 Policy and legislative framework for fisheries management</u></a>	9
• <a href="#"><u>1.5 Policy and legislation for the management, protection and improvement of the water environment</u></a>	10
• <a href="#"><u>1.6 Enforcement of legislation</u></a>	11
• <a href="#"><u>1.7 Why develop new legislation?</u></a>	12
• <a href="#"><u>1.8 Extent</u></a>	13
• <a href="#"><u>1.9 Co-design of Policy</u></a>	13
 <b><u>PART 2 – Policy Proposals</u></b>	 <b>14</b>
• <a href="#"><u>2.1 Inland Fisheries</u></a>	15
○ <a href="#"><u>2.1.1 Inland Fisheries and Aquaculture Objectives</u></a>	15
○ <a href="#"><u>2.1.2 Inland Fisheries - Management of Recreational Inland Angling</u></a>	19
○ <a href="#"><u>2.1.3 Inland Fisheries - Management of Inland Commercial Fishing</u></a>	21
• <a href="#"><u>2.2 Aquaculture</u></a>	23
• <a href="#"><u>2.3 Enforcement – Inland and Sea Fisheries</u></a>	26
• <a href="#"><u>2.4 Permitting of Sea Fishing Activities in the Northern Ireland Zone</u></a>	35

<b><u>PART 3 – The Potential Impact of the Proposals</u></b>	<b>38</b>
• <b><u>3.1 Regulatory Impact – Draft Regulatory Impact Assessment</u></b>	<b>39</b>
• <b><u>3.2 Equality and Human Rights Impacts</u></b>	<b>39</b>
• <b><u>3.3 Rural Needs Impact Assessment</u></b>	<b>41</b>
• <b><u>3.4 Environmental Impacts</u></b>	<b>41</b>
<b><u>PART 4 - How to respond to this consultation</u></b>	<b>43</b>
• <b><u>4.1 How to respond</u></b>	<b>44</b>
• <b><u>4.2 What happens next?</u></b>	<b>45</b>
○ <b><u>4.2.1 Policy development for future legislative provision</u></b>	<b>45</b>
○ <b><u>4.2.2 Legislative process</u></b>	<b>45</b>
<b><u>PART 5 – Consultation Questions (Grouped by Policy Area)</u></b>	<b>47</b>
➤ <b><u>Inland Fisheries and Aquaculture Objectives</u></b>	<b>48</b>
➤ <b><u>Inland Fisheries – Management of Recreational Inland Angling</u></b>	<b>48</b>
➤ <b><u>Inland Fisheries – Management of Inland Commercial Fishing</u></b>	<b>48</b>
➤ <b><u>Aquaculture</u></b>	<b>49</b>
➤ <b><u>Enforcement – Inland and Sea Fisheries</u></b>	<b>49</b>
➤ <b><u>Permitting of Sea Fishing Activities in the Northern Ireland Zone</u></b>	<b>50</b>

- [Regulatory Impact – Draft Regulatory Impact Assessment](#) 50
- [Equality and Human Rights Impacts](#) 50
- [Rural Needs Impact Assessment](#) 50
- [Environmental Impacts](#) 51



# Part 1

# Introduction



## Part 1 Introduction

### 1.1 Purpose of this consultation

This consultation paper seeks your comments on policy proposals for inclusion in a Fisheries and Water Environment Bill - a Bill to make provision in relation to fishing and aquaculture in the marine and aquatic environment<sup>1</sup>; and for connected purposes.

The marine and aquatic environment includes:

- (a) the natural beauty or amenity of marine or coastal areas, or of inland waters or waterside areas,
- (b) features of archaeological or historic interest in those areas, and
- (c) flora and fauna which are dependent on, or associated with, a marine or coastal, or aquatic or waterside, environment.

### Timing and duration of this consultation

The consultation will commence on **3<sup>rd</sup> July 2025** and close on **11<sup>th</sup> September 2025**.

### How to respond

You are invited to share your views on the information contained within each section of the document. You can respond to this consultation online or alternatively, should you wish to provide a written response via email or post, please do so to the addresses below. Written responses should be sent to:

E-mail: [MarineandFisheriesBillTeam@daera-ni.gov.uk](mailto:MarineandFisheriesBillTeam@daera-ni.gov.uk)

or by post to:

**Fisheries and Water Environment Bill Team**  
**Marine and Fisheries Division**  
**Department of Agriculture, Environment and Rural Affairs**  
**Ground Floor West**  
**Clare House**  
**303 Airport Road West**  
**Belfast**  
**BT3 9ED**

---

<sup>1</sup> Fisheries Act 2020



When responding, please state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents, and where applicable, how the views of its members were assembled.

### **Confidentiality**

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority – the Department of Agriculture, Environment and Rural Affairs (DAERA) in this case. This includes information provided in response to this consultation.

DAERA will publish a synopsis of responses to the consultation. This will include a list of names of organisations that responded but not personal names, addresses or other contact details.

DAERA cannot automatically consider information supplied to it in response to a consultation, to be confidential. However, it does have a responsibility to decide whether any information provided by you in response to a consultation, including information about your identity, should be made public or treated as confidential. If you do not wish information about your identity to be made public, please include an explanation in your response. Please be aware that confidentiality cannot be guaranteed, except in very particular circumstances. Please note, if your computer automatically includes a confidentiality disclaimer, it won't count as a confidentiality request.

Should you respond in an individual capacity, DAERA will process your personal data in accordance with the Data Protection Act 1998. This means that your personal information will not be disclosed to third parties should you request confidentiality. For further information about confidentiality of responses please contact the Information Commissioners Office (see its website at [www.ico.org.uk](http://www.ico.org.uk)).



## 1.2 Overview of important Northern Ireland fisheries

Our seas, rivers and lakes are precious natural assets that are integral to our livelihoods, culture and the economy. The commercial sea fishing sector is primarily concentrated at the three east coast fishing ports of Ardglass, Killybegs and Portavogie, where it supports significant levels of employment in both catching and processing industries, and also in ancillary industries in these towns and the surrounding areas. A significant number of small (under 10 metres) vessels also operate from other harbours around our coast adding an important contribution to our overall fishing economy. A small number of the largest vessels in the fleet use the ports of Belfast, Foyle and Warrenpoint to land catches of mackerel and herring for processing by businesses based in Co. Down.

The local fishing fleet depends mainly on fishing opportunities in the Irish Sea and North Channel. Currently the fleet comprises around 93 licensed and registered vessels over 10 metres in length and 172 licensed and registered vessels under 10 metres in length. In 2024, vessels registered in Northern Ireland (NI) landed 50,821 tonnes of fish worth approximately £63.1 million into ports in the UK and abroad representing around 5.8% of the total value landed by UK vessels. Shellfish (e.g. nephrops, scallops, lobsters) accounted for 48.7% of the value of fish landed by NI vessels; pelagic (e.g. herring, mackerel) landings were 49.6% and demersal (e.g. haddock, cod) landings 1.6%.

At present there are 36 active fish farms on 90 licensed sites (marine and land-based farms) cultivating fish; 54 for the cultivation of shellfish and 36 for the cultivation of finfish. Current species cultivated include Atlantic salmon, brown trout, rainbow trout, mussels and Pacific oysters. In 2022, the aquaculture sector produced 3532 tonnes of shellfish valued at £8.1 million and over 1056 tonnes of finfish valued at £5.9 million. In total the aquaculture sector directly employs around 101 full time and 40 part time employees.

Our inland waters provide a range of opportunities for recreational angling and commercial fisheries. In 2024, 26,381 rod licences and 19,571-day tickets and permits were issued for the purpose of recreational angling. There were 65 eel

licences, 1,012 licences to fish for other freshwater species and 212 freshwater fish dealer licences issued to the inland commercial sector.

### **1.3 Current status of fish stocks and the water environment**

It is highly unlikely Northern Ireland will achieve its objective of achieving good ecological status for surface water bodies by 2027 as required in The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017 without urgent, substantial and holistic measures across all society. While statistics show there have been some improvements in status, there were also deteriorations and the catastrophic impact of pollution on our natural environment was highlighted by the algal blooms we witnessed at Lough Neagh in 2023.

Good water quality and habitat are essential for fish stocks. Salmon and trout are particularly sensitive to water quality and the first to be killed during a pollution event. An improvement in water quality will have a positive effect on these species in their freshwater environment. Salmon and eel stocks are significantly reduced across their natural range. Eel are listed as critically endangered and currently the spawning stock is less than 10% of their historical level. Salmon stocks in many rivers are struggling to meet conservation targets set for them.

The key pressures acting upon our water environment are related to nutrients as well as organic pollutants and are attributed to agricultural land use activities and sewage related impacts.

Through implementation of the UK Marine Strategy, collaborative efforts have sought to achieve Good Environmental Status (GES) in our seas. Despite these efforts there remains a mixed picture for the condition of our marine environment, attributed largely to anthropogenic pressures such as pollution, habitat loss, commercial and recreational fishing. Species composition and size structure of demersal fish communities are deteriorating. Similar deterioration was reported in pelagic habitats where changes in plankton biomass, abundance and community structure have been observed. Although climate change is not often listed as a primary driver for failure to



meet GES, studies show that our seas are getting warmer, more acidic, and oxygen depleted, putting increasing strain on an already vulnerable ecosystem.

Recent scientific assessments suggest that while some fish stocks in the Irish Sea remain in good condition, others are experiencing pressure from a combination of environmental change, fishing activity, and habitat disturbance. Inshore marine ecosystems, including important spawning and nursery areas, are also increasingly vulnerable to pollution, seabed impacts, and the effects of climate change.

## **1.4 Policy and legislative framework for fisheries management**

The UK Fisheries Act 2020 provides a modern fisheries management framework through eight fisheries objectives, the Joint Fisheries Statement (JFS), fisheries management plans, and a range of fisheries management powers. The ambition articulated in the JFS is to deliver world class, sustainable management of our fisheries and aquaculture sector. The UK fisheries policy authorities have committed to working together to support a vibrant, profitable, and sustainable fishing and aquaculture sector supported by a healthy marine environment that is resilient to climate change.

The JFS sets the high-level, strategic policies which the UK fisheries policy authorities are required to pursue so as to achieve or contribute to the achievement of the fisheries objectives in the UK Fisheries Act 2020. The JFS recognises the importance of fishing, recreational sea fishing and aquaculture to many of our coastal communities, that a healthy and resilient marine environment is the foundation for a prosperous seafood sector and thriving coastal communities, and that sustainable use and conservation of the sea is central to the fisheries management approach.

Fisheries policy and regulatory functions are largely devolved and DAERA is responsible for matters relating to fishing in Northern Ireland and the marine area adjacent to Northern Ireland. The Department relies heavily on the Fisheries Act (Northern Ireland) 1966 as a key piece of primary legislation which guides the work in relation to fishing and aquaculture.



## 1.5 Policy and legislation for the management, protection and improvement of the water environment

‘Protecting Lough Neagh and the Environment’ is a Programme for Government priority<sup>2</sup>, which includes delivering the actions in the Lough Neagh Report<sup>3</sup> to improve water quality. These actions are set out against four key pillars:

1. Education
2. Investment, incentivisation, innovation
3. Regulation
4. Enforcement

The Water (Northern Ireland) Order 1999 provides DAERA with duty to promote conservation and cleanliness of water resources and a broad range of associated regulatory powers. In exercising its functions, the Department is required to have regard to:

- (a) the needs of industry and agriculture;
- (b) the protection of fisheries;
- (c) the protection of public health;
- (d) the preservation of amenity and the conservation of flora and fauna; and
- (e) the conservation of geological or physiographical features of special interest and any feature of archaeological, historical, architectural or traditional interest.

Northern Ireland’s water environment is managed and protected using a catchment-based approach that is provided for by The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017. These regulations require an integrated approach to the protection, improvement and sustainable use of the water environment through the production and implementation of a River Basin Management Plan (RBMP) in six yearly cycles.

---

<sup>2</sup> [Our Plan: Doing What Matters Most](#)

<sup>3</sup> [The Lough Neagh Report](#)

River Basin Management Plans set environmental objectives for our waters and a programme of measures that are required to meet them. This includes groundwaters, rivers, lakes, transitional waters and coastal waters out to one nautical mile. The Marine Strategy Regulations 2010 provide for the management of water quality in the territorial sea and exclusive economic zone adjacent to Northern Ireland (the Northern Ireland marine area) through the UK Marine Strategy.

River Basin Management Plans include objectives for water related protected areas such as Special Areas for Conservation, Special Protection Areas, Bathing waters, Shellfish waters and Drinking water protected areas. This is an important integration that ensures there is consistency between water body objectives and conservation objectives. The Nutrients Action Programme is an integral part of River Basin Management Plans and aims to protect water quality from pollution caused by agricultural nutrients.

## 1.6 Enforcement of legislation

The Department's approach to enforcement of legislation is set out in the DAERA enforcement policy<sup>4</sup>. We believe that in most cases, working with those we regulate, in a positive and practical manner will achieve compliance with legislation and successful delivery of policies. However, where there are breaches of legislation that may cause harm or deny benefits, then the presumption will be to take enforcement action appropriate to the level of harm or risk.

The choice of enforcement action taken is dependent on a range of factors and the circumstances of each case. The form, or forms, of enforcement action, which DAERA may use will therefore differ depending on:

- the enforcement powers relating to the offence;
- the particular nature of the non-compliance;
- the harm caused or likely to be caused; and
- the history of the responsible person, including any previous non-compliance or criminal conviction(s) and/or civil sanctions.

<sup>4</sup> [DAERA Enforcement Policy v. 2023](#)



Effective enforcement is a key component in securing compliance with legislation, delivering government objectives and ultimately enhancing public health and environmental quality. The enforcement policy outlines the principles and framework that we follow to deliver consistent and proportionate enforcement and promote confidence in our enforcement process.

## 1.7 Why develop new legislation?

The issues relating to fisheries and the water environment have changed significantly since the Fisheries Act (Northern Ireland) 1966 (the 1966 Act) was introduced and some of the terminology and assumptions within it no longer reflect the policy and legislative landscape.

The 1966 Act focuses on the protection of fisheries, without fully considering the wider ecosystem, species interactions, environmental changes or other stressors that are necessary to be fully aligned with the ecosystem-based approach and the principles of sustainable development.

A new Fisheries and Water Environment Bill is needed to modernise and give effect to Northern Ireland's fisheries policies so that these are consistent with the fisheries management framework provided by the UK Fisheries Act 2020. In particular, new legislation is needed for the purpose of managing aquaculture and inland fisheries.

There is also a need to modernise the enforcement powers that are available to DAERA. The powers available under the 1966 Act are limited criminal prosecutions, which on conviction, result in fines and/or imprisonment. Modern enforcement systems which have been introduced by other governments for the purpose of regulating fisheries and the water environment provide alternative options such as Fixed and Variable monetary penalties that are proportionate to the offence that has been committed.

DAERA wishes to deter polluters and non-compliant operators, protecting and restoring our water environment and delivering improvements to water quality. Within the Lough Neagh Report there are key actions to explore and consult on



enforcement methods, including the introduction of fixed penalty notices for non-compliance, and penalties and fines for pollution offences in current legislation. This policy suite focusses on the fisheries and aquaculture policies to inform the drafting of a Fisheries and Water Environment Bill, with a further policy consultation on the water quality policy later this year.

## **1.8 Extent**

These proposals will apply to Northern Ireland. Some of the proposals will not apply to the Foyle and Carlingford catchments where separate legislation will be required for any policies and regulatory functions that are the responsibility of the Loughs Agency. The Loughs Agency is being kept informed throughout the policy development process with a view to developing an amendment to the Foyle Fisheries Act 1952 on a reciprocal basis with North South Agreement.

## **1.9 Co-design of policy**

DAERA has engaged with stakeholders and partners in the fisheries and aquaculture sector, whose support is essential in delivering the policy outcomes that are outlined within this document. Through our combined actions, we can introduce interventions to help achieve our overall objectives.

As our policies will impact upon a range of partners and stakeholders, it has been of utmost benefit to design the policies in conjunction with those partners. Co-design has ensured that the problems are understood, and the proposed policy options are informed by multiple perspectives. We are grateful to the sector representatives who have engaged with policy teams in the development of the resulting policy suite.

The proposals relate to policies for primary legislation and further policy development will be necessary to inform any subsequent secondary legislation. DAERA intends to make the best use of the co-design approach at each stage of policy development.

# Part 2

# Policy

# Proposals





## 2.1 Inland Fisheries

### 2.1.1 Inland Fisheries and Aquaculture Objectives

#### **Policy Aims and Purpose**

*The policy aim is to modernise our approach to managing inland fisheries and aquaculture activities, adopting an ecosystem-based approach that is consistent with the policy and legislative framework that the UK Fisheries Act 2020 provides for marine stocks.*

#### **Background**

The ecosystem approach to fisheries management is central to international agreements such as the UN Sustainable Development Goals, UN Global Biodiversity Framework and the UN Food and Agriculture Organisation.

It is not sufficient to act to protect a fishery in isolation, with controls applied only at population level. The productivity of any fishery is dependent on the health of the habitat, allowing fish to grow, feed and reproduce, and requires consideration of all components of the ecosystem. Outside of closed lakes, fish need to be able to move freely through the aquatic environment and complete their lifecycle, free from obstructions.

River Basin Management Plans provide for an integrated approach to water management, and the Department has already taken an ecosystem-based approach with the Lough Neagh and Lough Erne Fishery Management Plans. We consider therefore that the legislative framework for inland fisheries and aquaculture is lagging behind management approaches.

Modernising the Fisheries Act (NI) 1966 is an opportunity to provide a legislative framework that sets fisheries and aquaculture management within an ecosystem-based context and supports integrated management across the full range of habitats in a fish life cycle. This would be consistent with the approach followed in the UK Fisheries Act 2020.



### **Policy Proposal**

The Fisheries and Water Environment Bill is an opportunity to ensure that as inland fisheries and aquaculture policies are reviewed and developed, that the Department has the legislative powers required to deliver on an ecosystem-based approach.

Our starting point is to establish objectives for inland fisheries and aquaculture which will provide the basis for managing these activities. The proposed objectives are adapted from the UK Fisheries Act 2020:

- The "sustainability objective" is that:
  - (a) fish and aquaculture activities are
    - (i) environmentally sustainable in the long term, and
    - (ii) managed so as to achieve economic, social and employment benefits and contribute to the availability of food supplies, and
  - (b) the fishing capacity of fleets is such that fleets are economically viable but do not overexploit stocks.
- The "precautionary objective" is that:
  - (a) the precautionary approach to fisheries management is applied, and
  - (b) exploitation of stocks restores and maintains populations of harvested species at sustainable levels<sup>5</sup>.
- The "ecosystem objective" is that:
  - (a) fish and aquaculture activities are managed using an ecosystem-based approach so as to ensure that their negative impacts on ecosystems are minimised and, where possible, reversed, and
  - (b) incidental catches of sensitive species are minimised and, where possible, eliminated.
- The "scientific evidence objective" is that:
  - (a) scientific data relevant to the management of fish and aquaculture activities is collected,

<sup>5</sup> Metrics for assessing Maximum Sustainable Yield are not yet available for inland stocks. A similar metric will be developed to demonstrate sustainable use.

- (b) where appropriate, the fisheries policy authorities work together on the collection of, and share, such scientific data, and,
  - (c) the management of fish and aquaculture activities is based on the best available scientific advice.
- The “bycatch objective” is that:
    - (a) the catching of fish that are below minimum conservation reference size, and other bycatch is avoided or reduced,
    - (b) catches are recorded and accounted for, and,
    - (c) bycatch that is fish is landed, but only where this is appropriate and (in particular) does not create an incentive to catch fish that are below minimum conservation reference size,
  - The “national benefit objective” is that fishing activities bring social or economic benefits to Northern Ireland.
  - The “climate change objective” is that:
    - (a) the adverse effect of fish and aquaculture activities on climate change is minimised, and
    - (b) fish and aquaculture activities adapt to climate change.

The equal access objective is not considered to be relevant because only Northern Ireland vessels fish in our inland waters.

These objectives will frame our policies for the protection, conservation and improvement of fisheries, fish stocks, and the aquatic environment and protecting or improving the health of fish or aquatic animals. This in turn is the basis for supporting and enabling sustainable and productive fisheries (recreational and commercial) and aquaculture.

The Department will publish an overarching Inland Fisheries Policy Statement that will show how we have interpreted the overarching objectives and provide a framework for future policy development, fisheries management and decision making.



To support integrated ecosystem-based management the Department will continue to provide advice and assistance on matters impacting on fish and aquatic habitats to any public authority that requests it. To do so, the Department will continue to collect and assess data on fish stocks, in line with existing UK Data Collection requirements, but will consider the need for additional data collection for NI specific issues. This will require data collection on recreational and commercial activity.

We propose to modify the power to make regulations currently within the Fisheries Act (NI) 1966 to ensure that the Department can take action by regulation, for the protection, conservation and improvement or restoration of fish stocks, fisheries, aquaculture and aquatic habitats. This would be broadly similar to the powers provided for marine fisheries in the UK Fisheries Act 2020 Schedule 8 Part 3.

**Policy intent - *The Department wishes to modernise the approach to inland fisheries and aquaculture management to ensure consistency with wider UK marine and aquatic approaches.***

#### Consultation Question:

**Do you agree that the objectives proposed for inland fisheries and aquaculture will provide a good basis for managing these activities?**

**Do you agree that it will be beneficial to publish an Inland Fisheries Policy Statement that will provide a framework for future policy development, fisheries management and decision making?**

**Do you agree that DAERA should have regulation making powers for the purpose of conserving, improving or restoration of inland fish stocks?**



**Do you agree that DAERA should have regulation making powers for the purpose of protecting inland waters from the effects of fishing or aquaculture?**

**Do you agree that DAERA should have regulation making powers for the purpose of promoting or developing commercial fish or aquaculture activities in inland waters?**

## **2.1.2 Inland Fisheries - Management of Recreational Inland Angling**

### **Policy Aims and Purpose**

*Our policy aim is the protection of the natural resource for the benefit of angling.*

### **Background**

The benefits of angling as a sport and hobby have previously been recognised in the Strategic Review of Angling (2014). The Department for Communities (DfC) is responsible for the promotion of sport in NI, which includes the promotion of angling as a sport. DAERA currently owns or leases the fishing rights of 89 waters, collectively forming the Public Angling Estate (PAE). Provision of public angling via the PAE is a discretionary departmental function. The Fisheries Act (NI) 1966 (Section 2) provides the power for the Department to enter into agreements to acquire fishing rights and estate and support development of those waters, including powers in relation adoptions and development of derelict waters (Section 3).

The Act gives the power to the Department to operate a PAE. It does not set an operational goal. There is no regulatory objective or target for DAERA on the provision of inland recreational fisheries in NI in terms of quantity, quality and distribution. The PAE forms only a part of the available recreational fishing opportunities in NI but provides for public access to the sport.

In line with our policy aim, the expectation for the PAE is the provision of a safe, accessible, affordable and quality angling experience. We consider that the PAE

should be primarily consistent with DAERA's statutory remit and subsequent goals, but recognise the wider strategic context and function, i.e. the wider social, educational, cultural and economic benefits that derive from access to angling and the provision of a PAE supports this. The future management policy of the PAE is under review separately through a co-design process.

### **Policy Proposal**

We intend to continue to operate a licence and permit regime to support the management of recreational fishing.

We consider that DAERA should retain the ability to deliver a PAE (manage fishing rights), that demonstrably delivers on specific DAERA policy goals and can support delivery of other governmental policy goals. This requires DAERA to retain the power to protect, conserve and improve the fishery and associated aquatic habitat and to acquire and manage fishing rights within that context. We also propose to maintain existing powers to address management and development of derelict waters.

Recognising that not all fishing rights and waters will be under DAERA ownership, we wish to retain the ability to influence and support other fishery development - this includes, where appropriate, the leasing of fishing rights to other organisations.

Fish populations can be highly mobile depending on local conditions and life history stage. We would like to ensure that all fishing activity is carried out in a manner that avoids a negative impact on the stock. We therefore propose to maintain the power to introduce regulations in respect of protection and conservation, i.e. bag limits and minimum sizes that will support sustainable use of the resource in all waters, not just DAERA-owned fisheries. This will be supported by the collection of data on recreational activity.

***Policy intent - We will manage the inland recreational angling in accordance with the fisheries objectives. We will provide opportunities for public angling through the management of fishing rights and provision of facilities which are safe, sustainable, accessible and affordable.***



**Consultation Questions:**

**Do you agree DAERA should continue to retain the power to acquire and manage, by agreement, fishing rights in inland waters for the purpose of developing the natural resource for the benefit of angling?**

**Do you agree that DAERA should retain the regulation making powers that are available for purposes related to angling?**

**2.1.3 Inland Fisheries - Management of Inland Commercial Fishing****Policy Aims and Purpose**

*The policy aim is to manage commercial fishing operations to ensure sustainable operations which continue to provide a high-quality food product and socio-economic benefits for rural and fishing communities.*

**Background**

Commercial fishers require a DAERA licence for their fishing engine(s) and the permission of the fishery owner to fish. Currently commercial fishing is only licensed on Lough Neagh and Lough Erne. Commercial fishing for salmon along the coast has not taken place since 2012.

Existing management plans reaffirm this commitment to manage our natural fisheries resources in a sustainable way to add social and economic value. The stated objective of the Lough Neagh and Lough Erne FMPs is, "...to provide a strategic approach to the sustainable management of the fisheries resources and its habitat whilst also maximising its value to the economy and the environment and ensuring stakeholder input."

Unconditional exercise of privately-owned commercial fishing rights may lead to unsustainable fishing.



In the absence of detailed stock information, the current approach has been to try and support sustainable fishing through the application of technical conservation measures, such as closed seasons, minimum sizes, mesh sizes and fishing gear restrictions. These have been developed through the Fishery Management Plans for Lough Erne and Lough Neagh. Scientific advice has identified some concerns for specific species in Lough Neagh (esp. Pollen). There are species specific restrictions in place but there are no limits on the total amount of commercial catch. A key difficulty is ensuring that management changes are made promptly to address any stock changes.

The Fisheries Act (NI) 1966 places a requirement for the licensing of Fish Dealers. This system needs to also be modernised to provide for better fish traceability.

### **Policy proposal**

We propose to continue to use Fishery Management Plans to set out policies relating to both commercial and recreational fisheries on Lough Neagh and Lough Erne. Ongoing scientific evaluation and information on the fish population and catches is needed to demonstrate sustainability. Concerns over the completeness of catch information have been previously highlighted, as this significantly undermines any assessment and is relevant to both commercial and recreational fisheries.

The inland fisheries objectives that are proposed in section 2.1.1 will be consistent with this policy and we intend to manage commercial inland fisheries in line with the best available scientific advice. Where necessary, we will regulate commercial inland fisheries to ensure long term sustainability of the commercial stocks and to manage potential adverse impacts on other species and the aquatic environment.

There are existing powers in the Fisheries Act (NI) 1966 (Section 17) to make regulations with respect to the holders of fishing licences. We seek to maintain the power to regulate commercial fisheries through licensing powers and to implement a mechanism of catch reporting for commercial fisheries to support management. These regulation making powers will be enhanced by the proposals in section 2.1.1.

There are technical measures detailed in the Fisheries Act (NI) 1966 that would be better placed in secondary legislation to allow for revision or amendment as evidence is developed. This would be consistent with the principles of adaptive management that are central to the ecosystem-based approach. We intend to review existing technical conservation measures with a view to detailing these in secondary legislation.

***Policy Intent - Inland commercial fisheries will operate in accordance with the fisheries objectives to ensure that current and future generations fish at sustainable levels, providing high quality food and socio-economic benefits for rural communities.***

### Consultation Questions:

**Do you agree that Fishery Management Plans are beneficial for setting out policies relating to commercial fisheries in specified areas?**

**Do you agree that technical conservation measures should be detailed in secondary legislation to allow for amendments as evidence becomes available?**

## 2.2 Aquaculture

### Policy Aims and Purpose

*The aim of the policy is to update and streamline the aquaculture licensing process to ensure it is fit for purpose and capable of supporting current and future aquaculture operations.*

### Background

The UK Fisheries Act 2020 and associated Joint Fisheries Statement highlights the importance of aquaculture to the UK and that fisheries policy authorities support balanced, industry-led, sustainable growth of aquaculture, whilst also recognising



aquaculture's contribution to ecosystem and climate change mitigations. Whilst there is currently not a bespoke aquaculture policy for NI, the Joint Fisheries Statement, UK Marine Policy Statement and the draft Marine Plan for NI underpin current decision-making.

The Department recognises there is potential for future sustainable development and innovation of aquaculture and a review of current licences is necessary to support development considerations. However, the existing licensing regime under the Fisheries Act (NI) 1966 is unlikely to be capable of delivering this, with modernisation across key areas required, as follows:

***Aquaculture Sub-Sectors:*** Modern aquaculture is wider than traditional 'fish farming', encompassing other sub-sectors, such as macro and micro algal culture, nature restoration schemes, aquaponics and offshore operations. The Department recognises that these are key aquaculture sub-sectors which could be established and developed in NI, but which the Fisheries Act (NI) 1966 does not currently support. Licensable aquaculture activity will be clearly defined in legislation, including the licensing of shellfish, finfish, algal culture, aquaponics, nature enhancement and restoration schemes, research and development trials etc.

***Removal of the existing licences:*** There are currently 3 types of licence: a mandatory fish culture licence; an optional shellfish fishery licence; and an optional marine fish fishery licence. It is recognised that the existence of different types of licence has created confusion; a lack of consistency on the 'optional' licences; and as a result, increased administrative burden for both the Department and producers. The Department is of the view that 3 separate licences are no longer necessary.

### **Policy Proposal**

It is proposed to simplify this by having two separate processes, one in the marine area and one for inland operations.

In the marine area, the Department wants to explore better alignment of aquaculture licensing to Marine Licensing, allowing aquaculture to be licensed in line with the marine licensing process laid out in the Marine and Coastal Access Act 2009. The



intention is to retain the ability currently held by the Department to grant the licence holder exclusive rights to cultivate and take that species from a specified marine area. Aquaculture in the marine area will be managed in accordance with the policies in the Joint Fisheries Statement and Marine Plan for NI (once adopted).

For inland operations, the Department wants to explore a system similar to that employed elsewhere in the UK, where there is no independent fish culture licence, but all elements of regulation are covered by existing consents (e.g. abstraction licensing, discharge consent, aquatic health approval etc). Any proposal would need to need to get planning permission from the planning authority and the Department would act as a statutory consultee and advisor in this process. Aquaculture in inland waters would be managed in accordance with objectives and policy statement proposed in section 2.1.1.

This aquaculture policy proposal will clarify and simplify existing processes and ensure transparency to stakeholders in respect of aquaculture licence applications.

The policy is required to support the development of future aquaculture and aquatic animal health policies, including a review of licences, whilst also aligning with implementation of Regulation (EU) 2016/429 (the Animal Health Law), as required under the Windsor Framework.

***Policy intent - The Department wishes to ensure a comprehensive, transparent licensing system for aquaculture, which supports the sustainable development of all aquaculture sub-sectors in NI.***

### Consultation Questions:

**Do you agree with the proposals for the licensing of inland aquaculture operations?**

**Do you agree with the proposals for licensing of marine-based aquaculture operations?**



## 2.3 Enforcement – Inland and Sea Fisheries

### Policy Aims and Purpose

*DAERA wishes to ensure that there is a consistent enforcement regime with appropriate powers to ensure that aquatic and ecosystem health is prioritised and supported.*

### Background

The enforcement powers available to fisheries officers are held within several pieces of legislation.

While consolidation of the powers of sea fisheries officers has taken place in other parts of the United Kingdom and in the Republic of Ireland, this has not taken place to date in Northern Ireland.

The powers available for use in relation to enforcing sea fisheries legislation in NI are mainly held in the following pieces of primary legislation:

- The Sea Fisheries Act 1968
- Sea Fish (Conservation) Act 1967
- Fisheries Act (Northern Ireland) 1966



Inland Fisheries enforcement powers are primarily held within the Fisheries Act (Northern Ireland) 1966. The Fisheries Act (NI) 1966 provides powers for appointed officers for the conservation and protection of fisheries. The powers cover conditions for entry onto lands, premises, seizure and apprehension of individuals.

DAERA staff may encounter other issues that would not directly relate to the protection of fish stocks or habitats (aquatic and terrestrial) but might fall under another part of the Department's remit.

There are limited resources. If officers are faced with a number of issues that they cannot address, yet which are still a regulatory function of the Department, they should be able to take action to uphold the law. For example, for anadromous and catadromous fish we need to ensure that there is seamless protection across sea and fresh water. Common enforcement powers would assist this.

Illegal fisheries activities cause severe environmental damage and can involve catches of high financial value. Already in Great Britain maximum penalties have been increased for many domestic offences. We also need to be able to take action to ensure that there is reinstatement of the waters and environment.

## **Policy Proposals**

### **1. Common Enforcement Powers**

The aim of this proposed policy is to ensure that DAERA staff can ensure a consistent enforcement regime to support ecosystem health and sustainable fish stocks.

The Marine and Coastal Access Act 2009 and the Aquaculture and Fisheries (Scotland) Act 2013 each address the issue of different enforcement powers for different legislation by defining sea fisheries legislation as "any enactment relating to sea fishing, including any enactment relating to fishing for shellfish, salmon or migratory trout, and any enforceable assimilated restriction or assimilated obligation



relating to sea fishing (exceptions apply<sup>6</sup>). Enforcement officers are given common enforcement powers in relation to all sea fisheries legislation.

These common enforcement powers include for example, the authority to board and inspect vessels and marine installations, the power to enter and inspect premises and vehicles and inspect dwellings and the powers of search and examination.

Other powers include:

- the requirement for the production of documents;
- powers of seizure and the retention of seized items;
- the power to record evidence of offences;
- the authority to require individuals to provide their name and address;
- the power to require the production of a licence;
- the power to require attendance of certain persons;
- the power to direct vessels or marine installations to port;
- the use of reasonable force;
- the inspection and seizure of objects at sea;
- the seizure of fish and fishing gear for forfeiture purposes;
- the retention and disposal of seized objects.

In the Republic of Ireland, the powers of fisheries officers are updated and brought together in the Sea Fisheries and Maritime Jurisdiction Act 2006. This contains many of the additional powers available in GB, which are not available in Northern Ireland under the Fisheries Act (NI) 1966, for example, the use of force in some circumstances, power to require assistance from any relevant person and the power to take documents, records and photographic evidence.

This policy would ensure that fisheries officers, inland and sea, have access to all enforcement powers currently set out in legislation under one framework, enabling greater confidence in prosecution for offences and ensuring an efficient enforcement regime. This would provide officers with equivalent powers to their counterparts in the rest of the UK and RoI.

---

<sup>6</sup> In Northern Ireland an exception would be required for the Foyle Fisheries Act (Northern Ireland) 1952 and any SRs made under that Act.

## 2. Introduction of Fixed Penalty Notices and Fixed and Variable Monetary Penalties

This policy would introduce a more flexible enforcement system including a range of sanctions including fixed penalty notices and civil sanctions, like fixed and variable monetary fines for low to moderate breaches of legislation, in addition to criminal sanctions. The cost of taking an individual to court has the potential to significantly outweigh the fines achieved in undertaking a successful court case for what may be a minor offence. The proposal is to introduce administrative monetary penalties for:

- Sea fisheries offences currently listed under Part 8 of the Fisheries Act (NI) 1966, i.e. breaches of Regulations made under Section 124(1) (Regulations on sea-fishing), landing fish caught in breach of Regulations made under Section 124(1) and breaching Orders made under Section 127(1) (Orders relating to landing and undersized fish), of the 1966 Act;
- Such offences include, amongst others:
  - Marketing offences
  - Undersize fish offences
  - Technical conservation (Gear)
  - Technical conservation (Catch)
  - Stock recovery offences
  - Control offences (including Registered Buyers and Sellers and UK licence offences)
  - Access offences
  - Illegal, unreported and unregulated fishing offences,
- Specific Inland fisheries offences - which may include offences listed under Part 3 of the Fisheries Act (NI) 1966, i.e. breaches of regulations made under Section 37, (relating to un-licensed angling etc), or offences currently listed in Part VI of the Act, i.e. for fishing out of season etc

The proposal would achieve realistic penalties for low to moderate breaches, reducing the burden on the court system. It potentially removes the criminality from the offences, offering an alternative to court, reducing the stress on relevant persons and ensuring that minor breaches are dealt with more swiftly and effectively, acting as a deterrent to future offences.



References in the 1966 Act to offences which stipulate that offenders are liable to a fine or imprisonment on summary conviction will require review to determine if and where fixed penalty alternatives should be applied. Regulations would determine the type of offences which would be within scope, the levels of penalties, issuing authorities, early payment schemes, processes for payment and review mechanisms.

### **3. Increased maximum penalties**

The policy would seek to align penalties with those in GB, and already available to Marine Licensing in Northern Ireland, as introduced by the Marine and Coastal Access Act 2009 or for some sea fisheries offences as per the Fisheries Act 2020. This would raise the maximum fine to £50,000 for a range of offences under various fisheries legislation. In England and Wales certain fisheries offences now carry an unlimited fine. The underpinning courts legislation in NI does not allow for unlimited fines to be imposed in the Magistrates Courts in NI – a maximum fine amount must be specified. Raising the maximum fine to align with those in the Marine and Coastal Access Act 2009 is a significant increase in penalty that can be enforced here. In cases where there are significant breaches of legislation the Department may opt to pursue the case through the enforcement process that may lead to a prosecution. Greater maximum penalties enforceable through the courts would be introduced for ecosystem degradation offences. Introducing this policy would enable officers to deliver their statutory obligations effectively. Specifically, it is proposed that:

#### **Sea Fisheries**

1. Increase the penalties for contravention of any regulations made under Part 8 of the Fisheries Act (Northern Ireland) 1966. It is proposed to amend the maximum penalties for sea-fisheries offences under the 1966 Act which primarily covers the in-shore area. Over the past decade the number of smaller vessels which typically fish in the in-shore region here has increased. In recent years, fishermen have been pressing for more enforcement and regulation in a range of areas, in order to ensure the sustainability of the stocks. An appropriate and proportionate fine for offences should be considered,



The proposed increases are:

- for offences relating to sea fishing regulations relating to s124 of the 1966 Act (e.g. fishing in closed areas, fishing during closed seasons, fishing using prohibited fishing gear etc), from a fine of up to £1,000, to on summary conviction a fine not exceeding £50,000, or on conviction on indictment<sup>7</sup>, to a fine;
- for landing fish below minimum size (s127 of the 1966 Act), from a fine of up to £1,000, to on summary conviction a fine not exceeding £50,000, or on conviction on indictment<sup>8</sup>, to a fine;
- resisting or forcibly obstructing a person exercising any right to use a beach for the purpose of sea fishing (section 128 of the 1966 Act) from a fine on summary conviction not exceeding £500, to a fine on summary conviction not exceeding £20,000;
- for resisting or forcibly obstructing a person exercising any right to enter land adjoining fishing places (section 129 of the 1966 Act) from a fine on summary conviction not exceeding £500, to a fine on summary conviction not exceeding £20,000;
- for assaulting authorised persons (section 182 of the 1966 Act), from a fine of £500 (or imprisonment for a term not exceeding 6 months (or to both such fine and such imprisonment) to (i) up to £50,000 (summary conviction) or imprisonment for a term not exceeding 6 months (or to both) or (ii) on conviction on indictment<sup>8</sup> to a fine or imprisonment for a term not exceeding 6 months (or to both);
- for obstructing authorised persons (section 183 of the 1966 Act), from up to £500 to (i) up to £20,000 (summary conviction) or (ii) on conviction on indictment<sup>8</sup> to a fine.

<sup>7</sup> \*Current legislative provision does not include the option for 'on indictment' at crown court – new power will be sought in drafting.

<sup>8</sup> Current legislative provision does not include the option for 'on indictment' at crown court – new power will be sought in drafting.

A similar change in penalties is proposed for offences under section 15 of the Sea Fish (Conservation) Act 1967 for:

- (i) assault of a British sea-fishery officer<sup>9</sup>
- (ii) obstructing a British sea-fishery officer when enforcing this Act.

The changes proposed are for assault (on summary conviction to a fine not exceeding £50,000), and for obstruction (on summary conviction to a fine not exceeding £20,000).

2. Increase the penalties for contravention of any regulations made under the Sea Fish Conservation Act 1967.

- It is proposed to raise the maximum fine for certain offences under the 1967 Act as it relates to NI vessels and NI waters, in line with changes made by the Marine and Coastal Access Act 2009 to the 1967 Act in relation to England and Wales. This will align penalties with other jurisdictions and increase the deterrent from breaching marine fisheries legislation, in recognition of the damage that can be done by some illegal fishing in marine environments. Such penalties are also in line with the Common Fisheries Policy Regulation (EU 2013 No. 1380), Article 36(3) of which states: *"Member States shall adopt appropriate measures for ensuring control, inspection and enforcement of activities carried out within the scope of the CFP, including the establishment of effective, proportionate and dissuasive penalties."*
- This increase would apply to offences such as not returning illegally caught fish to sea and breaching regulations in relation to nets and gear, also for breaking an IFCA byelaw (similar to inshore regulations made under the Fisheries Act (NI) 1966) and for breaking regulated shell fisheries rules.

## Inland Fisheries

1. References to the role of the Justice of the Peace within the 1966 Act should be amended to confer a role for lay magistrates.

<sup>9</sup> Terminology used within the Sea Fish (Conservation) Act 1967



2. Existing offences within the Fisheries Act (NI) 1966 to be aligned with appropriate equivalent levels in today's terms commensurate with the potential damage and impact on the wider fishery and aquatic habitat. These levels would then apply to any regulations made under the Act.
3. Some of the proposed increases are:
  - For offences relating to fishing licences or to regulations under Section 37 of the 1966 Act (i.e. unlicensed fishing) a fine of up to a £500, to on summary conviction a fine not exceeding £20,000, or on conviction on indictment to a fine.
  - For offences relating to protection of the fishery, including protection of young and breeding fish and their habitat ( sections 48 to 52 of the Act) a fine of up to £500, to on summary conviction a fine not exceeding £50,000, or on conviction on indictment\*, to a fine; For these offences we would also seek to recover restoration costs, and this might be considered in the setting of a fine.
  - For offences relating to the obstruction to the passage of fish (sections 53-58 of the Act), a fine of up to a £500, to on summary conviction a fine not exceeding £20,000, or on conviction on indictment to a fine. We would also seek to recover any restoration costs.
  - For offences relating to the prohibition of certain methods of fishing, as these may contribute to significant damage to the stock (Part V of the Act) a fine of up to £500, to on summary conviction a fine not exceeding £50,000, or on conviction on indictment, to a fine
  - For offences relating to out of season fishing (Part VI of the Act) and regulations and any regulations amending those seasons, a fine of up to a £500, to on summary conviction a fine not exceeding £20,000, or on conviction on indictment to a fine.
  - For offences relating to the illegal sale of fish (Part VII of the Act) and regulations made under this section, a fine of up to £500, to on summary conviction a fine not exceeding £50,000, or on conviction on indictment, to a fine.



**Policy intent - DAERA wishes to ensure that there is a consistent enforcement regime with appropriate powers to ensure that ecosystem health is prioritised and supported.**

### Consultation Questions:

**Do you agree that DAERA should standardise enforcement powers for fisheries officers in NI and bring these into line with the rest of GB and RoI?**

**Do you agree that DAERA should have a more flexible enforcement system including administrative penalties?**

**Do you agree with the proposal to allow the most serious offences to be indictable (i.e. to be considered by a higher court, with a corresponding higher penalty for those found guilty)?**

**Do you agree that the Department should increase maximum penalties for offences in relation to certain sea fisheries activities in the Fisheries Act 1966 and the Sea Fish Conservation Act 1967 to £50,000?**

**If you do not agree with the proposed maximum penalties, do you have a view as to what level maximum penalties might otherwise be set at?**

**Do you believe that there are any other activities which require regulation or new offences created in the Fisheries and Water Environment Bill?**

## 2.4 Permitting of Sea Fishing Activities in the Northern Ireland Zone

### Policy Aims and Purpose

*The aim of the policy is to provide for the option to introduce permitting arrangements for sea fishing in the NI zone, for example in specific areas or for a specific species only.*

### Background

Under the Fisheries Act (NI) 1966, the Department may make regulations for the management, conservation, protection, improvement or increase of sea-fisheries in the inshore waters or in the Northern Ireland Zone<sup>10</sup>. These broad powers do not explicitly enable the Department to establish permit schemes through Regulations which might, for example, detail the conditions for issuing the permit, and might set out when and where they can fish, the methods by which they can fish and the conditions for reporting the catch, nor set limits on the number of such permits issued.

There may to be occasions when the Department considers it to be beneficial to limit the number of permits in relation to certain fishing activities in specified areas. Such actions may be necessary for conservation purposes and to protect stocks. Other activities, such as fishing from small, unlicensed boats, or hand gathering of shellfish (e.g. Periwinkles) without a boat, cannot be specifically regulated using the existing licensing powers.

The Joint Fisheries Statement has a commitment on recreational sea angling which commits the fisheries policy authorities to:

- ensure that recreational sea fishing is environmentally, socially and economically sustainable, and

<sup>10</sup> The in-shore area is currently defined as “the area adjacent to the coast of Northern Ireland and to the landward of a limit of 6 miles from the baseline from which the breadth of the territorial sea is measured, up to the mean high-water mark of ordinary spring tides”. The “Northern Ireland zone” is defined as “the sea within British fishery limits which is adjacent to Northern Ireland”.



- take account of recreational sea fishing in wider fisheries management.

This overarching policy contributes to the sustainability, ecosystem and scientific evidence objectives. There is also a requirement under the Data Collection Framework to gather data on recreational angling for the following species: salmon and eels (including in fresh water), seabass, cod, pollock, elasmobranchs and highly migratory ICCAT species<sup>11</sup>.

### **Policy Proposal**

This proposal is to provide DAERA with enabling powers to make regulations which would specifically allow for permitting arrangements for sea fishing and therefore provide for improved management and regulation of inshore fisheries.

The policy intention is to provide for the option to introduce permitting arrangements in the NI zone, for example in specific areas or for a specific species only. For example, permits might apply to fishing for certain shellfish anywhere, or all species in a given sea-lough, or for the hand gathering of shellfish. It is proposed that permit arrangement should apply to vessels, for both commercial and recreational fishing activities, and also to individuals. The permit arrangement could also apply to the regulation of sea-angling in terms of licensing, permitting and evidence gathering. It is proposed that the primary legislation would allow for permits to contain detailed conditions, and for DAERA to limit the number of permits issued, if necessary, revoke permits where there have been breaches of the permit conditions and to allow for the introduction of charging for issuing such permits.

**Policy Intent - *The Department wishes to ensure improved management and regulation of in-shore fisheries.***

<sup>11</sup> <https://www.legislation.gov.uk/eudn/2019/910> (Table 3a)



**Consultation Question:**

**Do you agree with the proposal to introduce permitting provisions for sea fishing in the Northern Ireland zone?**



# Part 3

## The potential impact of the proposals





### 3.1 Regulatory Impact – Draft Regulatory Impact Assessment

A draft Regulatory Impact Assessment (RIA) has been drawn up and considers the potential economic impact of the policy proposals for a new Fisheries and Water Environment Bill. The proposals were evaluated in the light of the available evidence to ensure that the most effective options could be identified. This evaluation is set out in the draft Regulatory Impact Assessment that accompanies this consultation document.

Future monitoring and evaluation will rely on evidence gathered during the implementation period. Once the policies and resulting legislation has cleared all processes to pass into Law, then the final draft RIA can be deemed FINAL and will be published as such and attached to the Explanatory Memorandum for the legislation.

#### Consultation Questions:

**Do you agree that the analysis of the evidence given in the accompanying draft Regulatory Impact Assessment accurately describes the potential impacts of the proposals?**

**Are there other potential impacts we may not have anticipated in the accompanying draft Regulatory Impact Assessment?**

### 3.2 Equality and Human Rights Impacts

Section 75 of the Northern Ireland Act 1998 requires Departments to have due regard to the promotion of equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependents and persons without.



In addition, without prejudice to the above obligation, public authorities must also, in carrying out their functions, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

Specifically, the Departments are required to:

- assess whether there are differences in the way a policy impacts upon statutory equality categories described above; and
- identify where there are means to better promote the equality of opportunity and good relations.

The Human Rights Act 1998 implements the European Convention on Human Rights. The 1998 Act makes it unlawful for any public authority to act in a way that is incompatible with these rights. Since the implementation of the Human Rights Act 1998, all legislation must be checked to ensure compliance with the European Convention Rights.

A screening exercise has been undertaken and there is no evidence that the proposed measures will have any impact on equality issues. The Department also considers that the proposals are compatible with the Human Rights Act 1998. Therefore, a full Equality Impact Assessment is not considered to be necessary. The screening assessment is set out in the EQIA screening document that accompanies this consultation document.

### **Consultation Questions:**

**Do you agree with the conclusion that the policy proposals do not have a differential impact on any of the Section 75 groups or on human rights?**

**Are there any potential impacts of the proposals on specific groups which we may not have anticipated?**

### 3.3 Rural Needs Impact Assessment

The Rural Needs Act (Northern Ireland) 2016 ('the Act') introduced a new duty on public authorities in Northern Ireland to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans, and when designing and delivering public services. It also requires public authorities to compile information on the exercise of due regard duty and for this information to be published. A screening exercise is set out in the Rural Needs Screening document that accompanies this consultation document.

#### Consultation Questions:

**Do you agree the Department has fully considered the impact on rural communities in the development of the proposals?**

**Are there any potential impacts of the proposals on rural communities which we may not have anticipated?**

### 3.4 Environmental Impacts

In accordance with regulation 9 of the Environmental Assessment of Plans and Programmes Regulations (NI) 2004, a screening process to determine whether there is a need for Strategic Environmental Assessment (SEA) for the draft proposals has been completed. Our initial conclusion is that some of the policies to be developed to deliver on proposals may give rise to environmental effects. The screening assessment has concluded that the draft NI Fisheries and Water Environment Bill requires an SEA. This is set out in the Strategic Environmental Report that accompanies this consultation document.



## Fisheries and Water Environment Bill – Consultation Document

### Part 3 – The potential impact of the proposals

334

#### Consultation Questions:

**Do you agree the analysis of the evidence given in the accompanying Strategic Environmental Assessment accurately describes the potential environmental impacts of the proposals?**

**Are there other potential impacts we may not have anticipated in the accompanying Strategic Environmental Assessment?**





# Part 4

## How to respond to this Consultation



## 4.1 How to Respond

DAERA welcomes any comments you wish to make on all of the policy proposals or just on those issues that are of particular interest to you in the consultation.

This consultation will be hosted online at the following website [www.daera-ni.gov.uk](http://www.daera-ni.gov.uk). The Citizen Space portal has been specially designed to be as user friendly and welcoming as possible for those who wish to complete the consultation. It also allows DAERA to rapidly collate results. For this reason, we would encourage anyone who is interested in responding to this consultation to utilise Citizen Space as the method of their response. If this is not possible, you can however respond to this consultation via email to:

[MarineandFisheriesBillTeam@daera-ni.gov.uk](mailto:MarineandFisheriesBillTeam@daera-ni.gov.uk)

or you can respond in writing to the following address:

**Fisheries and Water Environment Bill Team**  
**Marine and Fisheries Division**  
**Department of Agriculture, Environment and Rural Affairs**  
**Ground Floor West**  
**Clare House**  
**303 Airport Road West**  
**Belfast**  
**BT3 9ED**

The consultation response template should be read in conjunction with the proposals and can be accessed electronically at: [www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

To request a hard copy of the consultation papers, please email the address above.

The deadline for responses to this consultation is **11<sup>th</sup> September 2025**. All responses should be received by then to ensure they can be fully considered.



## 4.2 What happens next?

### 4.2.1 Policy development for future legislative provision

Clear legislation is required which offers the Department the tools required to deliver on an ecosystem-based approach towards fisheries management. Legislation gives life to the policy positions which the Minister takes on each key area and taking a policy led approach to legislation will therefore ensure that the Department's vision comes to life.

Policy intent must be clear to ensure it is translated into effective legislation. You will note that each policy clearly had its intent highlighted.

Focusing in particular on the intent of each policy will ensure that policies can then be accurately provided for in legislation for the marine and freshwater environments, allowing for the development of policies to:

- focus on improving water quality and ecosystem health,
- promote sustainable fish stocks, and
- ensure appropriate enforcement deterrents for breaches of legislation.

### 4.2.2 Legislative process

A proposal for a new primary legislation law is called a Bill. Once a Bill is passed by the Assembly and receives Royal Assent it becomes an Act and becomes law as an Act of the Assembly. Bills or Acts are often referred to as 'primary legislation' and usually contain provisions which delegate powers to the Minister/Departments to make further laws by means of 'subordinate' or 'secondary' legislation, to allow for detailed implementation of the objectives of the parent legislation.

This consultation is part of the development of the policy which would underpin the Bill. Once the outcome of this policy consultation has been considered and the final policy has been agreed by the Executive and the Ministers are satisfied that the Bill is within the legislative competence of the Assembly, the process continues with the formality of the introduction of the Bill to the Assembly.



This is followed by:

- a Second Stage,
- a Committee Stage,
- a Consideration Stage,
- a Further Consideration Stage, and
- a Final Stage.

The purpose of Second Stage is to allow the Assembly as a whole, to discuss the general principles of the Bill and agree that it should proceed further. It is then referred to the relevant Assembly Committee which takes evidence on the Bill, carries out a detailed clause by clause scrutiny and reports to the Assembly. At this scrutiny stage, stakeholders have the opportunity, to give evidence for consideration of the Committee who may then suggest changes to the Bill, in light of this information.

The Bill then goes back to the full Assembly and can be amended at either of the two subsequent Consideration Stages as a result of recommendations arising from scrutiny at Committee Stage or debate in the Assembly. Individual MLAs can table amendments at this Stage, for example if their constituents have raised any specific concerns about certain aspects of the Bill. At the Final Stage the Assembly can only pass or reject the Bill as a whole but cannot make any further amendments. Once a Bill has completed its passage in the Assembly it must receive Royal Assent before becoming law.

Where primary powers delegate powers to make subordinate legislation, there is further opportunity for consultation and comment before these detailed rules come into force.

**Thank you for your role in developing important primary legislation by taking part in this consultation process.**

# Part 5

## Consultation Questions

### (by Policy Area)





## **INLAND FISHERIES AND AQUACULTURE OBJECTIVES**

1. Do you agree that the objectives proposed for inland fisheries and aquaculture will provide a good basis for managing these activities?
2. Do you agree that it will be beneficial to publish an Inland Fisheries Policy Statement that will provide a framework for future policy development, fisheries management and decision making?
3. Do you agree that DAERA should have regulation making powers for the purpose of conserving, improving or restoration of inland fish stocks?
4. Do you agree that DAERA should have regulation making powers for the purpose of protecting inland waters from the effects of fishing or aquaculture?
5. Do you agree that DAERA should have regulation making powers for the purpose of promoting or developing commercial fish or aquaculture activities in inland waters?

## **INLAND FISHERIES – MANAGEMENT OF RECREATIONAL INLAND ANGLING**

6. Do you agree DAERA should continue to retain the power to acquire and manage, by agreement, fishing rights in inland waters for the purpose of developing the natural resource for the benefit of angling?
7. Do you agree that DAERA should retain the regulation making powers that are available for purposes related to angling?

## **INLAND FISHERIES – MANAGEMENT OF INLAND COMMERCIAL FISHING**

8. Do you agree that Fishery Management Plans are beneficial for setting out policies relating to commercial fisheries in specified areas?



9. Do you agree that technical conservation measures should be detailed in secondary legislation to allow for amendments as evidence becomes available?

## AQUACULTURE

10. Do you agree with the proposals for the licensing of inland aquaculture operations?
11. Do you agree with the proposals for licensing of marine-based aquaculture operations?

## ENFORCEMENT – INLAND AND SEA FISHERIES

12. Do you agree that DAERA should standardise enforcement powers for fisheries officers in NI and bring these into line with the rest of GB and ROI?
13. Do you agree that DAERA should have a more flexible enforcement system including administrative penalties?
14. Do you agree with the proposal to allow the most serious offences to be indictable (i.e. to be considered by a higher court, with a corresponding higher penalty for those found guilty)?
15. Do you agree that the Department should increase maximum penalties for offences in relation to certain sea fisheries activities in the Fisheries Act 1966 and the Sea Fish Conservation Act 1967 to £50,000?
16. If you do not agree with the proposed maximum penalties, do you have a view as to what level maximum penalties might otherwise be set at?
17. Do you believe that there are any other activities which require regulation or new offences created in the Fisheries and Water Environment Bill?

## **PERMITTING OF SEA FISHERIES ACTIVITIES IN THE NORTHERN IRELAND ZONE**

18. Do you agree with the proposal to introduce permitting provisions for sea fishing in the Northern Ireland Zone?

## **REGULATORY IMPACT ASSESSMENT – DRAFT REGULATORY IMPACT ASSESSMENT**

19. Do you agree that the analysis of the evidence given in the accompanying draft Regulatory Impact Assessment accurately describes the potential impacts of the proposals?
20. Are there other potential impacts we may not have anticipated in the accompanying draft Regulatory Impact Assessment?

## **EQUALITY AND HUMAN RIGHTS IMPACT ASSESSMENT**

21. Do you agree with the conclusion that the policy proposals do not have a differential impact on any of the Section 75 groups or on human rights?
22. Are there any potential impacts of the proposals on specific groups which we may not have anticipated?

## **RURAL NEEDS IMPACT ASSESSMENT**

23. Do you agree the Department has fully considered the impact on rural communities in the development of the proposals?
24. Are there any potential impacts of the proposals on rural communities which we may not have anticipated?

## ENVIRONMENTAL IMPACTS

25. Do you agree the analysis of the evidence given in the accompanying Strategic Environmental Assessment accurately describes the potential environmental impacts of the proposals?
26. Are there other potential impacts we may not have anticipated in the accompanying Strategic Environmental Assessment?



For further information:

Marine & Fisheries Division (MFD)  
Fisheries and Water Environment Bill Team  
Department of Agriculture, Environment and Rural Affairs (DAERA)  
Ground Floor West  
Clare House  
303 Airport Road West  
Belfast  
BT3 9ED

Email: [fisheries@daera-ni.gov.uk](mailto:fisheries@daera-ni.gov.uk)  
[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

## Appendix 2 – MEA Draft Response

### Fisheries and Water Environment Bill – Consultation Document

#### Part 5 Consultation Questions (by Policy Area)

#### INLAND FISHERIES AND AQUACULTURE OBJECTIVES

1. Do you agree that the objectives proposed for inland fisheries and aquaculture will provide a good basis for managing these activities?

Yes. The proposed objectives will modernise the approach to inland fisheries and aquaculture management to ensure consistency with wider UK marine and aquatic approaches.

Particularly, the objectives set to widen the current e Fisheries Act (NI) 1966 to ensure DAERA have the legislative powers required to deliver on an ecosystem-based approach. The objectives consider sustainability, the precautionary approach, 'ecosystem' objective, science-based objective, by-catch objective, national benefit objective, and climate change objective, which Council particularly welcomes. Overall, the proposed objectives are well-balanced.

2. Do you agree that it will be beneficial to publish an Inland Fisheries Policy Statement that will provide a framework for future policy development, fisheries management and decision making?

Yes. Publication of a Statement will show DAERA's intent with the deliver of the objectives. This will provide a strong steer to all stakeholders in this sector.

3. Do you agree that DAERA should have regulation making powers for the purpose of conserving, improving or restoration of inland fish stocks?

Yes. Nature conservation, improvement and restoration is already a responsibility under DAERAs remit, so it makes sense to provide strong regulatory powers to the department to ensure ongoing and future conservation, improvement and restoration activities to support inland fish stocks.

4. Do you agree that DAERA should have regulation making powers for the purpose of protecting inland waters from the effects of fishing or aquaculture?

Yes. However, this work should be undertaken sensitively with those working in the aquaculture sector. DAERA should consider a sustainability model where fishing / aquaculture activities are balanced across environmental, social and economic aspects.

5. Do you agree that DAERA should have regulation making powers for the purpose of promoting or developing commercial fish or aquaculture activities in inland waters?

Unsure.

## INLAND FISHERIES – MANAGEMENT OF RECREATIONAL

### INLAND ANGLING

6. Do you agree DAERA should continue to retain the power to acquire and manage, by agreement, fishing rights in inland waters for the purpose of developing the natural resource for the benefit of angling?

Yes. DAERA are a trusted regulatory body, and it makes sense to continue with this function.

7. Do you agree that DAERA should retain the regulation making powers that are available for purposes related to angling?

Yes. As above.

## INLAND FISHERIES – MANAGEMENT OF INLAND COMMERCIAL FISHING

8. Do you agree that Fishery Management Plans are beneficial for setting out policies relating to commercial fisheries in specified areas?

Yes. Fishery Management Plans reaffirm a commitment to manage our natural fisheries resources in a sustainable way to add social and economic value. The consultation document does however state that unconditional exercise of privately-owned commercial fishing rights may lead to unsustainable fishing – will this new Bill address this? Also, the document states that there have been concerns over the completeness of catch information (which has been previously highlighted), as this significantly undermines any assessment and is relevant to both commercial and recreational fisheries – how does the Bill plan to address this?

9. Do you agree that technical conservation measures should be detailed in secondary legislation to allow for amendments as evidence becomes available?

Unsure.

## AQUACULTURE

10. Do you agree with the proposals for the licensing of inland aquaculture operations?

Yes, it makes sense to simplify the licencing procedure for inland aquaculture activities.

11. Do you agree with the proposals for licensing of marine-based aquaculture operations?

Unsure.



## ENFORCEMENT – INLAND AND SEA FISHERIES

12. Do you agree that DAERA should standardise enforcement powers for fisheries officers in NI and bring these into line with the rest of GB and ROI?

Yes, standardisation of powers will make enforcement easier and more consistent.

13. Do you agree that DAERA should have a more flexible enforcement system including administrative penalties?

Yes.

14. Do you agree with the proposal to allow the most serious offences to be indictable (i.e. to be considered by a higher court, with a corresponding higher penalty for those found guilty)?

Yes.

15. Do you agree that the Department should increase maximum penalties for offences in relation to certain sea fisheries activities in the Fisheries Act 1966 and the Sea Fish Conservation Act 1967 to £50,000?

No comment.

16. If you do not agree with the proposed maximum penalties, do you have a view as to what level maximum penalties might otherwise be set at?

No comment.

17. Do you believe that there are any other activities which require regulation or new offences created in the Fisheries and Water Environment Bill?

New offences – possibly liaise with Maritime and Coastguard Agency with regards to vessels operating illegal fishing trips. These can cause pollution or maybe even catching protected species of fish.

## PERMITTING OF SEA FISHERIES ACTIVITIES IN THE NORTHERN IRELAND ZONE

18. Do you agree with the proposal to introduce permitting provisions for sea fishing in the Northern Ireland Zone?

No comment.

## REGULATORY IMPACT ASSESSMENT – DRAFT

### REGULATORY IMPACT ASSESSMENT

19. Do you agree that the analysis of the evidence given in the accompanying draft Regulatory Impact Assessment accurately describes the potential impacts of the proposals?

No comment.

20. Are there other potential impacts we may not have anticipated in the accompanying draft Regulatory Impact Assessment?

No comment.

## EQUALITY AND HUMAN RIGHTS IMPACT ASSESSMENT

21. Do you agree with the conclusion that the policy proposals do not have a differential impact on any of the Section 75 groups or on human rights?

No comment.

22. Are there any potential impacts of the proposals on specific groups which we may not have anticipated?

No comment.

## RURAL NEEDS IMPACT ASSESSMENT

23. Do you agree the Department has fully considered the impact on rural communities in the development of the proposals?

No comment.

24. Are there any potential impacts of the proposals on rural communities which we may not have anticipated?

No comment.

## ENVIRONMENTAL IMPACTS

25. Do you agree the analysis of the evidence given in the accompanying Strategic Environmental Assessment accurately describes the potential environmental impacts of the proposals?

No comment.

26. Are there other potential impacts we may not have anticipated in the accompanying Strategic Environmental Assessment?

No comment.



## Forward Plan – Neighbourhoods & Community Committee

### 1. Planned Agenda Items Next meeting October 2025

Items	Purpose
Community Managed Community Centres and Shared Management Agreements	Approval
Corporate Events update	Approval
Arts and Culture Strategic Update	Noting
Ancestral Cottages Update Report	Approval
America 250 Plans / Programme	Noting
Policy For Assistance Dogs in Council Buildings	Approval
Animal welfare sharing arrangements	Approval

### 2. Future Meetings

Meeting Date	Item	Purpose
02 December 2025	<ul style="list-style-type: none"> <li>Jointure Bay</li> <li>Tourism Product Development Strategic Update</li> <li>Quarterly Grants Report</li> </ul>	Noting Decision Noting

### 3. Items to be programmed

Item	Purpose
ToR	Updates as and when required
Grant Awards Quarterly Updates	
Environment Fund	If funding is secured, progress project – business case
Leisure Transformation	Update on progress with filling new structure
Animal Welfare Service	Update on funding post JR. Approval to adopt new delivery/funding model
Museum Accreditation of Arthur Cottage	To update Elected Members on application for accreditation
Flag Requests	As and when required
Drinking water update	
Quarterly Grants Report	Feb 2026 & May 2026