



Subject:	Proposal for dual language street sign at Rose Street
Date:	6 th November 2018
Reporting Officer:	Ian Harper, Building Control Manager
Contact Officer:	Roisin Adams, Business Coordinator

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

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

1.0	Purpose of Report or Summary of main Issues
1.1	To consider an application for the erection of dual language street signs for a new street under construction within the City.
2.0	Recommendations
2.1	Members are asked to make a decision regarding an application for a dual language street sign for Rose Street as it is not covered by the existing Street Naming policy given that no residents can be surveyed as the development is still under construction. Members are reminded that following an unsuccessful legal challenge in respect of the current policy the Court of Appeal affirmed the existence of discretion for the Council to deal with applications

	<p>notwithstanding that the policy tests were not met and/or in cases in which there were exceptional circumstances.</p> <p>Members can chose to:</p> <ol style="list-style-type: none"> 1. Approve the application accepting Radius Housing as the occupier, subject to assessing equality and good relations impacts or 2. Refuse the application and carry out a survey of residents once the development is completed and occupied as per the Street Naming and Numbering policy
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>The power for the Council to consider applications to erect a second street nameplate in a language other than English is contained in Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995.</p>
3.2	<p>Members are asked to consider an application to erect a second street nameplate for Rose Street, located off Springfield Road in BT12, showing the name of the street expressed in a language other than English. The second language is Irish.</p>
3.3	<p>The original street naming application for Rose Street was approved by the People and Communities Committee on 10th April 2018 and confirmed by the City Council on 1st May 2018.</p>
3.4	<p>Following the approval of Rose Street an application for a dual language Irish Street sign has been received from Radius Housing Association. Their request is outside the normal policy as Rose Street is currently under construction, the dwellings are not complete and there are no occupiers in the street.</p>
3.5	<p><u>Background</u></p> <p>The Dual Language Street Naming policy was adopted by the Council on 1st September 1998 and since the policy was adopted 82% of 212 dual language applications have been approved by the Council with a further 37 applications pending.</p>

3.6	<p>In accordance with the Council's policy for the erection of dual language street signs the Council is required to take account of the views of the occupiers of premises in the street. For the purposes of the policy occupiers shall be taken to be any person whose name appears in the current electoral register plus the owners or tenants in actual possession of commercial premises but not employees in such premises.</p>
3.7	<p>The procedures for seeking and assessing the views of occupiers and the criteria to be applied in deciding whether to erect a street sign in a language other than English are as follows:</p> <ul style="list-style-type: none"><li data-bbox="272 674 1482 808">(i) Only applications supported by a petition representing not less than one third of the people appearing on the Electoral Register of the street for which the application is made will be progressed.<li data-bbox="272 857 1482 1093">(ii) Where the foregoing requirements have been met, the Council will canvass by post all people appearing on the Electoral Register of that street and seek their views on the request to erect a street sign in a second specified language. This letter is designed to make the expression of views as simple as possible. Reply will be by way of a pre-paid envelope and should be returned within one month of receipt.<li data-bbox="272 1142 1482 1323">(iii) Where two thirds or more of the occupiers appearing on the Electoral Register have indicated that they are in favour of the erection of a second language street sign, then such a sign will be erected. People not returning a reply will be deemed not to be in favour of the application.
3.8	<p>The translation for Rose Street has been requested from Queens University, the approved translator for dual language Irish street signs in Belfast City Council.</p>
3.9	<p>The Council's policy on the erection of a second street nameplate requires that at least two thirds (66.6%) of the people surveyed must be in favour of the proposal to erect a second street sign in a language other than English. The first properties in the street were completed in October. Our understanding from Radius Housing is that the first 10 will be occupied on Thursday 25th October and that the remainder of the properties will complete and be occupied by 6th December. Therefore, to date, Building control have not been able to follow the normal procedure of surveying occupants.</p>

3.10	<p>The current application falls outside the context of the policy as the request has been made by a housing association for a development that is yet to be completed and for which properties are just beginning to be occupied. In strict legal terms the housing association may be construed as an occupier but not in the same sense as is understood by the policy which is concerned with ascertaining the views of persons residing in the street.</p>
3.11	<p>There are competing and difficult legal arguments concerning either outcome as per the recommendations. On the one hand there is the desire of the landowner and current legal occupier to erect a second nameplate in Irish. On the other there is the issue as to whether in this particular case, given that occupation is imminent, it is appropriate to defer the application and request it be processed in accordance with the current policy when the street is fully occupied. What is clear is there needs to be a case by case approach to such applications in respect of streets for which there is a landowner (and therefore a legal occupier) but in which there are no residents.</p>
3.12	<p><u>Financial & Resource Implications</u></p> <p>There is a cost of approximately £300 to cover the cost of the manufacturing and erection of the dual language street signs. The cost for these street signs has been allowed for in the current budget.</p>
3.13	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>The Equality and Diversity Unit have contributed to the report and will advise on the equality and good relations processes and implications in the event that a decision is taken to approve. In the event that negative impacts are identified, the application will be referred back to committee for further consideration.</p>
4.0	Appendices
	None