

Meeting Pack

Derry City and Strabane District Council

Dear Member of Derry City and Strabane District Council

You are hereby summoned to attend the **Monthly Meeting of Derry City and Strabane District Council** to be held in the Guildhall, Derry on Thursday 14 December 2017 at 4.00pm

Yours faithfully



**John Kelpie
Chief Executive**

AGENDA

- 1 Notice and Summons of Meeting**
- 2 Webcasting Notice**
- 3 Member Attendance and Apologies**
- 4 Declarations of Members' Interests**
- 5 Chairperson's Business**

Open for Decision

- 6 Confirmation of the Open Minutes of the Meeting of the Derry City and Strabane District Council held on Thursday 23 November 2017 (Pages 1 - 30)**
- 7 Matters Arising**
- 8 Adoption of the Open Minutes of the following Committees**
 - a Special Environment and Regeneration Committee held on Tuesday 21 November 2017 (Pages 31 - 36)**

- b Monthly Governance and Strategic Planning Committee held on Tuesday 28 November 2017** (Pages 37 - 46)
- c Monthly Planning Committee held on Wednesday 29 November 2017** (Pages 47 - 66)
- d Monthly Assurance, Audit and Risk Committee held on Thursday 30 November 2017** (Pages 67 - 74)
- e Monthly Business and Culture Committee held on Tuesday 5 December 2017** (Pages 75 - 86)
- f Monthly Environment and Regeneration Committee held on Wednesday 6 December 2017** (Pages 87 - 102)
- g Monthly Health and Community Committee held on Thursday 7 December 2017** (Pages 103 - 112)

Open for Information

9 Notices of Motion

Councillor Donnelly to Move:

That this Council views with concern and dismay the recent decision by Donald Trump to designate Jerusalem as the capital of Israel. Given that the corporate position of this Council is to support the Palestinian cause and in the interest of peace in the Middle East this Council calls on the US President to reverse his decision.

10 Seal (Pages 113 - 114)

8 December 2017

Derry City and Strabane District Council

Minutes of Monthly Meeting of Derry City and Strabane District Council held in the Council Chamber, Guildhall on Thursday 23 November 2017 at 4.00pm.

Present:- Councillor M McHugh (Mayor) (in the Chair) (Item C306/17-C333/17), Boyle (Item C334/17-C337/17) and Campbell (Item C338/17-C346/17); Aldermen Devenney, R Hamilton, Hussey, Kerrigan, McClintock, Ramsey, Thompson and Warke: Councillors Boyle, Campbell, Carlin, Carr, Cooper, Cusack, Dobbins, Donnelly, Duffy, Fleming, Gallagher, Gardiner, Hassan, Hastings, Jackson, C Kelly, Logue, McGinley McGuire, R McHugh, McKnight, McMahan, O'Reilly, Reilly Robinson and Tierney.

In Attendance: - Chief Executive (Mr J Kelpie), Director of Environment and Regeneration (Mrs K Philips), Director of Health and Community (Mrs K McFarland), Lead Legal Services Officer (Mr P Kingston), Lead Democratic Services and Improvement Officer (Ms Ellen Cavanagh) Democratic and Services Officer (Mrs S Maxwell) and Committee Services Assistants (Ms N Meehan and Miss L Bell).

C306/17 Notice and Summons of Meeting

The Chief Executive read the Notice and Summons for the Meeting.

C307/17 Member Attendance and Apologies

Apologies were received from Aldermen Bresland and M Hamilton, Councillors D Kelly (who was on Council business), P Kelly and McKeever.

C308/17 Webcast Announcement by the Mayor

The Mayor read the Webcast Announcement for the Meeting.

C309/17 Declaration of Members Interest

Councillor Cooper declared an interest in item BC223/17 a member of the Board of Visit Derry

The Mayor, Councillor M McHugh and Councillor Fleming declared an interest in item ER237/17 as Members of the Rural Development Group.

Councillor Logue declared an interest in item ER237/17 as the Chairperson of the Rural Development Group.

C310/17 Suspension of Standing Orders

Councillor Fleming Moved, Councillor McMahon Seconded and the Council

Resolved that Standing Orders be suspended to consider (i) the announcement earlier that day that Derry-Londonderry would no longer be eligible to bid for 2023 European City of Culture; and (ii) concerns that the City had not been named in the Chancellor's Autumn Statement the previous day in relation to a Growth Deal/City Deal.

C311/17 European City of Culture 2023 Bid

Councillor Fleming echoed his Party's disappointment regarding correspondence from the European Commission to the Department of Culture, Media and Sport with regard to the Belfast/Derry bid for European Capital of Culture 2023 which stated that their bid would no longer be eligible due to the implications of Brexit and the fact that by 2023 they would no longer be members of the European Union. He acknowledged the hard work and efforts by both Council in preparing the bid and in the process to date. He stated that this was one of the major detrimental knock on effects of Brexit for the City. He stated that although it was early days it appeared that a decision had been agreed. He anticipated that additional information would be forthcoming and further communications would take place however it appeared at this stage that the bid would not proceed. He referred to the serious implications of such a decision on both Derry and Belfast. He reiterated his Party's anger and disappointment at this decision and sought an update from the Chief Executive in terms of Council in relation to current and proposed future expenditure in relation to the bid.

Councillor Reilly also expressed disappointment on this issue. He referred to previous discussion which had taken place at the outset of the process on the impact of Brexit on the bid. He also sought clarification from the Chief Executive on how it was proposed that Council would proceed on this issue.

Alderman Hussey also asked for the Chief Executives comments on this issue. He pointed out that he had previously questioned the impact of Brexit on the bid process.

Councillor Gallagher stated that the submission of a bid in spite of Brexit had been reckless and appeared something of a major blunder. He reminded Members that they had voted to proceed with the bid despite questioning the impact that Brexit would have on this process. He suggested that the process be halted immediately.

Alderman McClintock expressed her disappointment and questioned why the application had been accepted in the first instance.

Alderman Devenney echoed Members' disappointment and expressed concern that Council had only been made aware at this stage in the process that it would no longer be eligible to bid. He pointed out that although the United Kingdom would be leaving the European Union it would remain a part of Europe. He suggested that Council continue in its endeavours in relation to individual projects as progress could be achieved as in the 2013 UK City of Culture.

Alderman Thompson said he was not surprised by the actions of the European Commission given that they had changed the rules and regulations in respect of various schemes in the past. He suggested that excluding UK Cities from taking part in the bid process was by way of punishment for the Brexit vote.

Councillor McGuire requested to be furnished with information regarding those Councillors who had voted in favour of the European City of Culture bid 2023 both at Committee and Council.

The Chief Executive explained that the deadline for the submission of bids was in late October and Derry/Belfast was one of five cities across the UK who had submitted bids. Following this Council received an invitation to attend the interview phase in London on Tuesday 28 November. He stated that this process which would involve a twelve person judging panel required intense preparation. He continued that earlier that day Council received an indication from the European Commission that the City was no longer eligible to apply. The Chief Executive then read the statement issued earlier that day from DCMS. This statement however disagreed with the stance taken by the European Commission and indicated that the Prime Minister had specified that although the United Kingdom would be leaving the

European Union it would remain a part of Europe. The statement also specified the government's commitment to assist those cities involved to achieve their cultural targets.

The Chief Executive concluded that this was the only communication received to date and he undertook to notify Members if any additional information was received in this regard.

C312/17 Growth Deal/ City Deal

Councillor Fleming referred to the fact that Belfast had been mentioned in the Chancellor's Autumn Statement the previous day in relation to a Growth Deal/City Deal. He stated that the emphasis should now be placed on proceeding with the Strategic Growth Plan regardless of whether or not the funding is made available through a Growth Deal/City Deal. He stated that if the Stormont Executive was re-formed in order to assist in the process of being granted a City Deal to fund the Strategic Growth Plan, he felt it should be based on sustainability, respect and equality for all regardless of race, class or creed. He called for an update from the Chief Executive in relation to this issue.

Councillor Reilly expressed his disappointment that the extensive work which had been carried out in respect of the Strategic Growth Plan had not been referred to in the Chancellor's Autumn Statement. He referred to the fact that the government at Westminster had indicated that any City in Northern Ireland applying for a City Deal would require the support of the Northern Ireland Executive. He stated that Colm Eastwood (MP) had requested the Secretary of State to visit the City to view the Strategic Growth Plan and the time and effort invested in this. Councillor Reilly also suggested that the Secretary of State be invited to address Council regarding the issue of City Deals.

Alderman Hussey referred to his initial concerns regarding the fact that Belfast would take precedence over Derry in terms of City Deals and supported the suggestion of requesting the Secretary of State to address Council on the matter particularly given the current impasse in terms of the Stormont Executive which he believed meant the City was somewhat democratically disadvantaged in terms of securing a City Deal.

Alderman McClintock also expressed her disappointment that the City had not been mentioned in the Chancellor's Autumn Statement. She

felt however, that Council should continue in its endeavours to have Derry named as Northern Ireland's second City to receive a City Deal.

Alderman Devenney raised the issue of an east-west divide between Belfast and Derry still being evident. He pointed out that the scheme in Belfast would initially be a pilot scheme and suggested that MP's at Westminster be permitted to raise the issue of a City Deal for the City.

The Chief Executive welcomed Members comments on this issue. He stated that the Strategic Growth Plan provided a solid foundation on which a City Deal proposal would be constructed. He informed Members that he had written to the Department of Communities in October reminding them of the City's robust proposal. He stated that he had also written to Head of the Civil Service and the Secretary of State requesting that Council be included in the Chancellor's Autumn Statement in advance of any final announcement regarding a City Deal. He advised that he had now received responses from the Department for Communities and the Head of the Civil Service which he said was encouraging. The main points of the responses were outlined as follows:

Letter dated 9 November 2017 from David Sterling, the Head of the NI Civil Service

- Advised that he was encouraged that Council were taking steps to engage on this important issue and officials within the NI departments stand ready to discuss Council's proposals further.
- Stated that it would be helpful if all relevant parties were included in any discussions on a City Deal for the Derry/Londonderry Region. Such discussions could also include the NI Office and the Department for Communities and Local Government, as appropriate.
- Noted Council's desire to have a City Deal proposal for Derry/Londonderry City Region and advised that the content of the Chancellor's Autumn Statement was a matter for the Chancellor and Department of Finance and had subsequently advised HM Treasury of Council's request.
- Looked forward to progress being made on Derry/Londonderry City Deal proposal and anticipated that this initiative would make a real difference to the economy of the North West.

Letter from Jake Berry MP, Department for Communities and Local Government

- Advised that the government had committed to working with key stakeholders to agree a comprehensive and ambitious set of City Deals in Northern Ireland.
- The government had clearly indicated that City Deals must start at the grass roots.
- Encouraged to hear about the work that Council were doing to develop a draft statement of intent for a potential City Deal for the Derry/Londonderry Region.
- Understood that Council had received a reply from Lord Duncan of the NI Office indicating that in the first instance, it would be helpful to arrange a meeting with officials from both the NI Office and the Department for Communities to discuss Council's work so far and next steps.
- Advised that he would be willing to come to Derry/Londonderry to meet with Council to try and achieve progress in the discussions.
- In relation to any reference to a potential City Deal for the Derry/Londonderry City Region in the Budget, as with all Budget decisions this would ultimately be a matter for the Chancellor of the Exchequer to decide upon.

The Chief Executive also advised Members that the Chancellor's Autumn Statement, had not indicated that Belfast would be the first City in Northern Ireland to receive a City Deal and other Cities had also been mentioned.

In conclusion the Chief Executive said that although it was disappointing that the City had not been mentioned in the Chancellor's Autumn Statement Council had an advanced city deal proposal in place which had been recognised by senior Civil Servants and Ministers and he again welcomed the positive responses received which were most encouraging.

Subsequently Councillor Reilly Proposed, Councillor Boyle Seconded and the Council

That the Secretary of State be invited to address Council on the issue of a City Deal.

The following Amendment was proposed by Alderman Hussey, Seconded by Councillor Reilly and the Council unanimously

- Resolved**
- (a) that the Secretary of State be invited to address Council on the issue of a City Deal;**
 - (b) that Council continue to engage with all relevant bodies in terms of the process of the City Deal project; and**
 - (c) that copies of the correspondence received from the Head of the NI Civil Service and the Department for Communities and Local Government be circulated to Members.**

Open For Decision

Chairperson's Business

C313/17 Golden Bridges Conference - Boston

The Mayor referred to his recent trip to Boston as part of the Council delegation to attend the Golden Bridges Conference. He stated that this had been an extremely worthwhile trip albeit somewhat exhausting. He stated that it proved extremely beneficial in that not only were links established and reinforced by business leaders but it was anticipated that these would lead to the creation of major inward investment opportunities.

The Mayor referred to the importance of the City's educational establishments in terms of investment and a thriving local economy. Representatives from both the University of Ulster's Magee Campus and the North West Regional College who had attended the Conference were delighted with the relationships which had been formed and the potential opportunities which it was anticipated would be forthcoming. He said he understood that the representatives from the University of Ulster left the Conference feeling confident in their ability to establish a Medical School at its Magee Campus. He referred to the need for continued expansion in both the education and business sectors in order to ensure increased growth in the local economy.

The Mayor welcomed the opportunity to be able to meet members of the business community and political leaders both from USA and Ireland who were attending the Golden Bridges Conference. He referred to a consensus at the Conference that of all the regions in

Ireland attending the Conference, there was no area putting their case across more vociferously than the North West who had articulated their needs and the challenges it faced. It had been stated that this was one of the border areas who had evaluated the situation and had considered advantages which may present in the future. He concluded that as Mayor he felt confident of the City and District's future and the unified approach it presented. He stated that many of those whom they had met commended Alderman McClintock the previous year's Mayor on the success of her visit and said that the unity which was shown had to be admired. He said he felt Council had made a considerable impression and anticipated that the benefits of this visit would be forthcoming.

The Chief Executive thanked the Mayor for his endurance during this demanding schedule. He referred to the success of the visit and stated that relationships which had previously been formed had improved significantly and he would be preparing a full evaluation of the visit and submitting a report thereon to a future meeting of the North West Regional Development Group. He continued that fifteen businesses from the region had made links many of whom had returned home with new and valuable business contacts and opportunities.

The Chief Executive stated that in the weeks ahead he would be working to progress the relationships and opportunities which had been established. He referred to the many contacts which had been established through the Boston visits however this year new links had been established with the City of Philadelphia and the significance thereof given that many of those who had emigrated from Derry Port arrived in Philadelphia. He stated that one of the great strengths during the visit and trade mission was the partnership between Council and the local education establishments, all of which were now collaborating on a cross border basis to provide new skills and opportunities for the young people of the area and stop the brain drain. He stated that to retain local talent would ultimately provide a rich resource for businesses to expand. He stated that this had culminated in the signing of an economic memorandum of understanding with the City of Boston which would have real tangible benefits for this City's business community wishing to participate. He reiterated the many positive aspects of the visit and thanked all those who had taken part.

C314/17

Confirmation of the Open Minutes of the Meeting of the Derry City and Strabane District Council held on Thursday 26 October 2017

The Minutes of the Open Meeting of Derry City and Strabane District Council held on 26 October 2017 (C275/177 –C297/17) were submitted.

Alderman Hussey Moved, Councillor McKnight Seconded and the Council

Resolved that the above Minutes be adopted as a true record of the Meeting.

Matters Arising

C315/17 Flooding Incident Response (Ref C282/17)

Councillor Cusack sought an update regarding an elderly tenant whose property had been damaged during the recent flooding, who had contacted elected representatives in order to determine if she could qualify for the £1,000 relief grant.

The Chief Executive confirmed that this matter had been raised by a number of elected representatives. He advised that Council's Senior Environment Health Officer had liaised with the Housing Executive and the owner of the property. He stated that as unfortunately the water had entered the property through the roof which was being repaired by the Housing Executive, the Department of Communities had instructed that the property was not eligible under the SEFA scheme as losses associated with rainwater ingress through the structure of a building (other than rising flood water) which was due to a structural defect not caused by the incident itself were ineligible. He continued that the Housing Executive's Maintenance Manager had indicated that the roofs on all three properties previously queried by Council were secure and all necessary works had been completed. No additional works were carried out to any of the above properties as a result of rainwater penetrating through the roof as the only impact was water running down walls and these were then allowed to dry out. The buildings had been assessed again and the Housing Executive had concluded that they did not require any further action.

The Chief Executive stated that if any of the occupiers felt that the Housing Executive had not taken appropriate action they should liaise directly with the Housing Executive's Maintenance Manager.

Councillor Donnelly stated that he had contacted the Housing Executive regarding this case and they had indicated that it had been referred under the Planned Maintenance Department and the contractor who had carried out the works. They had indicated that they had issued a claim form to the tenant to claim from the Housing Executive however if a claim were submitted the Housing Executive would refer this to the contractor.

C316/17 Notice of Motion – Renaming of Brandywell Stadium (Ref C294/17)

Councillor Logue enquired if there was any update in relation to the convening of a Working Group regarding the renaming of Brandywell Stadium.

The Chief Executive advised that a report updating Members thereon would be submitted to the relevant Committee in the near future.

C317/17 Monthly Governance and Strategic Planning Committee held on Tuesday 7 November 2017

The Minutes of Monthly Governance and Strategic Planning Committee held on 7 November 2017 (GSP152/17 – GSP166/17) were submitted.

On a point of accuracy Councillor McMahon referred to discussion which ensued regarding (GSP163/17) during which he had referred to the proposed business plan which would be agreed in the cuts and the implications thereof on the district and the fact that this highlighted the apparent ongoing East/West divide and the inequalities arising therefrom. These comments however had not been included in the Minutes.

It was agreed that the Minutes would be amended accordingly.

Subsequently Councillor Reilly Moved, Councillor McMahon Seconded and the Council

**Resolved that the above Minutes, as amended,
be adopted as a true record of the Meeting.**

Matters Arising from the Minutes

C318/17 Northern Ireland Fire and Rescue Service – Proposed Budget Cuts (Ref GSP157/17)

Councillor Jackson advised that a meeting had taken place with Foyle MP Elisha McCallion and NIFRS who had indicated that additional funding had been allocated. However he referred to the need for this to be retained on the agenda as there were still a number of issues of concern which had not been resolved.

C319/17 Six Month Financial Outturn 2017/18 (Ref GSP163/17)

In response to a query from Councillor Cooper, the Chief Executive advised that Council had not yet received a response from the Secretary of State regarding its request to meet to discuss the impact of the proposed cut to the Rates Support Grant and Members concerns regarding the refusal by Civil Servants to meet with those Councils affected by the cuts.

C320/17 Monthly Planning Committee held on Wednesday 8 November 2017

The Minutes of the Monthly Planning Committee held on 8 November 2017 (P153/17 – P167/17) were submitted.

Councillor Boyle Moved, Councillor McGuire Seconded and the Council

Resolved that the above Minutes be adopted as a true record of the Meeting.

C321/17 Planning Applications Timescales

Alderman Hussey advised that he had been made aware of a planning application which had been submitted in February 2017. He expressed concern that on 29 August information had been passed onto the NIEA regarding the application however three months later they had still not responded to Council. He enquired as to what action could be taken by Council through the Planning Committee to address this situation which was totally unacceptable. He stated that the Planning Committee were ready to make a determination on the application but were being held up by external organisations. He reiterated that this

must be addressed as the Planning Committee required a response in order that it could reach its decision on the application in a timely basis.

Councillor McGuire referred to a review of the process which had been carried out by external consultants who had raised a number of issues and made a number of recommendations which would have to be considered by the Planning Committee as a way forward.

The Chief Executive advised that as the planning authority Council was consistently reviewing the process to ensure its response times regarding planning applications were improving and had undertaken an entire review of the Planning Committee and a report thereon would be submitted to the next Meeting of the Committee. He stated that Council did not have any powers with regard to external bodies other than they were bound to respond. He continued that, as far as possible, Council had established a working relationship with external consultants in this regard.

The Director of Environment requested that Members advise her of the specific details in relation to any such planning application in order that these could be pursued with the statutory consultants. She suggested that further discussion could take place at the Planning Committee in relation thereto.

Alderman Hussey expressed concern that the efficiency of the planning process was being compromised by external consultants.

C322/17 Monthly Assurance, Audit and Risk Committee held on Thursday 9 November 2017

The Minutes of the Monthly Assurance, Audit and Risk Committee held on 9 November 2017 (AAR94/17 – AAR104/17) were submitted.

Alderman McClintock Moved, Councillor Reilly Seconded and the Council

Resolved that the above Minutes be adopted as a true record of the Meeting.

C323/17 Monthly Business and Culture Committee held on Friday 10 November 2017

The Minutes of the Monthly Business and Culture Committee held on 10 November 2017 (BC213/17-BC225/17) were submitted.

Alderman Warke Moved, Councillor Cooper Seconded and the Council

Resolved that the above Minutes be adopted as a true record of the Meeting.

Matter Arising from the Minutes

C324/17 Visit Derry Review (Ref BC223/17)

Alderman Hussey referred to concerns he had expressed at the November Meeting of the Committee that there should be a parallel organisation for the Strabane area whilst welcoming the fact that the review was ongoing in terms of Visit Derry. He said he did not feel it would be possible to wait five years for the establishment of an organisation to help develop in moving forward within the tourism sector. He said he trusted that the recommendation to review the current SLA that also included that consideration be given to coverage of the area outside the main focal point and requested that this be addressed.

Councillor Gallagher referred to the decision surrounding the Visit Derry Review and also expressed concern that it would take upward of five years before it could reasonably be expected that Strabane/West Tyrone would play a full part in driving visitors to the Council area and that Visit Derry should focus on the core product until that time particularly given the £698k of ratepayers money set aside in respect of the Review process. He referred to the hard work and effort carried out by a number of bodies within the overall Council district to attract tourists who should also be granted funding in relation to their support. He said he would be opposing the proposal contained in the report.

Councillor Copper stated that he was a member of the Board of Visit Derry and was heavily involved in scrutinising what was produced in terms of concentrating on areas around the Sperrins remit. He referred to the Future Search Process which he suggested when completed would provide a much more rounded view of what would be promoted in terms of tourism which should be factored into the overall process. He referred to the fact that a Rural Tourism Officer was now working within Council to promote existing projects and promote further

development within the Sperrins region. He stated that from his perspective in terms of the completion of the Visit Derry Review in five years there would be a much better product to promote. He also anticipated that it would be much less than five years when they would have proposals in terms of what would be promoted in the Sperrins.

Alderman Hussey referred to the fact that the Future Search Project which had been carried out in Cookstown had been an excellent success and undoubtedly there would be excellent benefits to be derived from this. However there was still a large area which required coverage outside the remit of the Visit Derry Review and outside the remit of the Sperrins region which must be addressed and he anticipated that it would not take five years until this became the focal point.

**C325/17 Monthly Environment and Regeneration Committee held on
Wednesday 15 November 2017**

The Minutes of the Monthly Environment and Regeneration Committee held on 15 November 2017 (ER222/17-ER241/17) were submitted.

On a point of accuracy Councillor Hastings advised that it was he and not Alderman Hussey who had declared an interest in item ER237/17 – Magheramason Play Provision Update - as a Member of the Rural Development Group.

On a point of accuracy Alderman Hussey referred to item ER227/17 and said he had referred to the proposed closure of 11 Bank of Ireland branches and not 10 as stated in the Minutes.

It was agreed that the Minutes would be amended accordingly.

Subsequently Councillor Dobbins Moved, Councillor Hastings Seconded and the Council

**Resolved that the above Minutes, as amended, be
adopted as a true record of the Meeting.**

Matters Arising from the Minutes

C326/17 Sustainable NI (Ref ER226/17)

Councillor Gallagher expressed concern that a question he had posed to Nicola Hughes from Sustainable NI regarding his concerns at works being carried out at the Greencastle mines had been overruled by the Chairperson of the Committee and had therefore not been recorded in the Minutes.

Councillor Reilly stated that the Chairperson's reasons for overruling this question had been fully explained at the Meeting and did not require any further explanation. He advised that representatives from his Party had been unable to attend the site visit as they were on other Council business.

C327/17 Closure of Ulster Bank Branches (ER227/17)

Alderman Hussey anticipated that Council would write to Ulster Bank Headquarters expressing its concerns at their proposals to close 11 of its branches and a reply would be received in the near future.

C328/17 Deputation – Environment Agency (Ref ER229/17)

Councillor Donnelly referred to a presentation from the Environment Agency at the September Meeting of the Committee following which he had queried if an assessment had been carried out at the cement lagoons at Drumahoe and if there had been any damage following the recent flooding. He stated that Dr Kearney had been unable to comment at that time and queried if an update had yet been received in relation thereto.

The Director of Environment and Regeneration advised that a call had been received from Dr Kearney the previous day and she had indicated that she had been liaising with NI Water regarding the issue and would respond by the end of the week. She undertook to circulate the response to Member on receipt thereof.

Councillor Donnelly expressed concern that a response had not yet been received. He advised that he had been in contact with David Small Chief Executive NIEA regarding the matter and had forwarded related correspondence to him.

C329/17 Mews Lanes Scheme – Triax Proposals (Ref ER241/17)

Councillor Gallagher pointed out that when this report had initially been submitted he had made a number of inquiries to Council's Legal

Department regarding this proposal and had subsequently received feedback. He said he had queried where the proposals fitted in with the wider strategic objectives and the fact that the report had indicated that there was no budget in respect of the proposal. He said these were stipulations which he felt were not within Council's core position given that the Audit Committee had previously recommended that if there was no budget the proposal could not be considered. He said he would have concerns that this report had been withdrawn to be reworded and it appeared that Triax were writing Council's reports in order to meet with Council's legal implications required in the report.

**C330/17 Magheramason Play Provision Update (Ref ER237/17)
Newtownstewart Play Provision Update (Ref ER238/17)**

Alderman Hussey referred to the considerable discussion which had taken place regarding these matters at the November Meeting of the Committee during which there was a strong feeling that the suggested two phase approach could prove successful in terms of moving forward in relation to Magheramason. He felt that this had been the conclusion which had been arrived at by the Committee however he did not feel this was apparent in the Minutes. He anticipated that these could be progressed within the Rates Estimates process and could be reflected in regards to play provision for Magheramason. He reminded Members that these were legacy projects from the former Strabane District Council.

Councillor McGuire pointed out that funding in respect of the Newtownstewart play provision was not yet guaranteed and would have to go through the same process as other projects. He referred however to the need for play provision in this area.

The Chief Executive confirmed that both the Magheramason and Newtownstewart schemes which were legacy projects of the former Strabane District Council had been substantially redesigned and improved and would be brought forward to the respective Capital Working Group and Governance and Strategic Planning Committee for approval in line with the Rates Estimates process.

Alderman Devenney referred to the fact that the Magheramason scheme had been granted planning permission however this did not materialise. Following the amalgamation of the two Councils the Parks Development Manager having examined the original proposals suggested that new proposals be put forward in respect of

Magheramason. He stated that he had been in contact with the community group in Magheramason and they had indicated that they would be willing to proceed with a two phased approach and in the meantime carry out a scoping exercise to identify if funding could be made available for the project. He referred to the need for both the Newtownstewart and Magheramason projects to be delivered.

Alderman Devenney proposed that if funding was not forthcoming in respect of the Newtownstewart and Magheramason scheme that Council consider funding these given that both are legacy projects from the former Strabane District Council.

The Mayor suggested that the proposal be deferred until a final decision had been made regarding whether or not funding would be forthcoming in respect of these schemes.

Alderman Devenney stated that his proposal would be based on the realisation that funding would not be forthcoming in respect of the two schemes.

A number of Members sought clarification in relation to Alderman Devenney's proposal. Alderman Devenney then outlined his proposal as follows

That Council Officers carry out a scoping exercise to determine if funding could be made available in respect of the Newtownstewart and Magheramason schemes however if this was not forthcoming Council would consider funding these schemes.

In response to a query from Alderman Thompson, Alderman Devenney confirmed that his proposal suggested that, if following a scoping exercise, funding could not be identified Council would consider funding the Phase I – the play provision in respect of both schemes. Whilst in respect of the Magheramason scheme Phase II related to the provision of a Muga Pitch he did not consider the provision of a Muga Pitch was contained within the Newtownstewart scheme.

Alderman Warke suggested that he had proposed the two phased approach in respect of the Magheramason scheme as a way forward at the November Meeting of the Committee.

Alderman Hussey referred to the fact that the original report did not contain a formal recommendation. He said he was conscious of potential Rural Development funding which would possibly be determined in early January and well in advance of the Rates Estimates process and as such suggested that Alderman Devenney's proposal be deferred until January. He referred to the need to be mindful of Council's finances in moving forward. He stated that he would be addressing these schemes as part of the Rates Estimates process however it may transpire that funding would be made available for one of the projects. He suggested that Council give its commitment that it would endeavour to provide facilities in the coming year.

Councillor Logue, as Chairperson of the Rural Development Group, referred to the need to exercise caution in taking any proposals forward given that there were other towns and villages would be submitting proposals to the Rural Development Group. She stated that whilst it would be ideal if all those applicants could be guaranteed much needed funding it would be negligent to express preference for one particular scheme at this stage.

In response to a query from Alderman Thompson, Councillor Logue said she could not give a precise date on when the decision from the Rural Development Group regarding funding would be forthcoming.

The Chief Executive advised that Council had a Capital Working Group where such projects were discussed and recommendations were made to Council's Governance and Strategic Planning Committee. He stated that these were two priority projects and Council had invested significantly into advancing these projects. He suggested referring both projects to the Capital Working Group to be considered through the Rates Estimates process and submit a further recommendation to a future Meeting of Council's Governance and Strategic Planning Committee for further consideration. He stated that the Capital Working Group was helpful in that it provided Members with an opportunity to consider projects in their totality and prioritise accordingly.

Councillor McGuire suggested that both schemes be referred to the Council's Capital Working Group for consideration with a subsequent recommendation to the Governance and Strategic Planning Committee.

Alderman Devenney withdrew his proposal at this stage.

Alderman Warke reiterated that during discussion on this matter at the November Meeting he had proposed that Council proceed with a Two Phased approach in relation to the Magheramason scheme.

C331/17 Monthly Health and Community held on Thursday 16 November 2017

The Minutes of the monthly Health and Community Committee held on 16 November 2017 (HC227/17-HC246/17) were submitted.

Alderman R Hamilton Moved, Councillor Jackson Seconded and the Council

Resolved that the above minutes be adopted as a true record of the Meeting,

Matters Arising from the Minutes

C332/17 Grant Aid Programme (Ref HC238/17)

Councillor Gallagher referred to comments by the Acting Chairperson at the November Meeting of the Committee that legal advice be taken before the next Meeting of Council in relation to recommendations. However such legal advice did not appear to have been forthcoming and he therefore reminded Members that Council had recently passed a Motion to write to the Conservative government stating that this Council was opposed to all cuts and would not be facilitating the implementation of any cuts.

Subsequently Councillor Gallagher Moved, Councillor Donnelly Seconded

That Council do not accept the recommendation contained in the report as it was contrary to Council's corporate position.

Councillor McGinley pointed out that the report outlined a number of harsh realities including potential cuts to the community support fund. He stated that the recommendation presented to the Committee represented a prudent approach by Council. He said this was not about supporting Tory cuts because Council were opposed to these.

He stated however that Council was also opposed to abandoning communities who relied on the community support fund. He reiterated that this was a prudent measure at this stage to begin making provisions which may not ultimately be required depending on how the situation develops in relation to the Rates Estimates process. He said if Council were not to make such provision and the possibility of the community support grant not being available would result in a crisis situation for all those groups within the Council area depending on that fund. He stated that his Party would therefore be supporting the original recommendation contained in the report.

Councillor Gallagher again referred to the Acting Chairperson's comments in the Minutes that legal advice be sought prior to the next Council Meeting when a decision would be taken on the matter. He suggested that in the absence of such legal advice the matter be deferred or Council proceed in accordance with its corporate position. He stated that if the recommendation was approved this would leave the ratepayer open to cuts by every government department.

The Lead Legal Services Officer advised that the matter had been referred to him following consideration of the report at the November Meeting of the Committee. He stated that to approve the proposal was not in itself an implementation of cuts and would not be contrary to proposals previously agreed by Council. He stated that the proposal would not contradict Council's previous resolution.

Subsequently Councillor Gallagher Moved, Councillor Donnelly Seconded

That Council oppose the original recommendation contained in the report as this would ultimately result in cuts being placed on ratepayers.

The proposal on being put to the vote was declared lost their voting For - 5; Against – 26; Abstentions – 2.

In response to a query from Alderman Hussey, the Lead Legal Services Officer advised that under Section 16 of the Standing Orders there was no requirement that the proposer of a Motion must read the Motion in two languages.

C333/17 Notice of Motion – Mother and Baby Homes Public Enquiry

Councillor Logue Moved, Councillor McKnight Seconded

That This Council recognises the citizens of this District's commitment to human rights and will therefore support those seeking a human rights-compliant public inquiry into allegations of forced labour, arbitrary detention, ill treatment and the illegal adoption of babies in former mother and baby homes in this district and across the North.

The following Amendment was Moved by Councillor Donnelly
Seconded by Councillor Gallagher

That that this Council recognises the Citizens of this District's commitment to human rights and will therefore support those seeking a human rights-compliant public inquiry into allegations of forced labour, arbitrary detention, ill treatment and the illegal adoption of babies in former mother and baby homes in this district and across the six counties and expresses support for those seeking similar justice in the rest of Ireland.

The Amendment became the substantive Motion and was put to the vote and carried unanimously.

The Mayor left the Meeting at this stage and the Deputy Mayor, Councillor Boyle took the Chair.

C334/17 Notice of Motion – PIP Assessment

Councillor Carlin joined the Meeting at this stage.

Councillor Cusack Moved, Councillor Reilly Seconded

That This Council notes that the assessment for Personal Independence Payment is causing severe stress to those most in need of support; calls for urgent intervention to address serious concerns about the operation of the new PIP regime including reports of the Capita assessment process being degrading and humiliating; Commits to writing to the Permanent Secretary of the Department for Communities calling

on him to instigate an urgent review of the PIP Assessment process and to give consideration to further exemption rules.

The following Amendment was Moved by Alderman Ramsey, Seconded by Alderman McClintock

That (a) that this Council notes that the assessment for Personal Independence Payment is causing severe stress to those most in need of support; calls for urgent intervention to address serious concerns about the operation of the new PIP regime including reports of the Capita assessment process being degrading and humiliating; Commits to writing to the Permanent Secretary of the Department for Communities calling on him to instigate an urgent review of the PIP Assessment process and to give consideration to further exemption rules; and

(b) that this Council also makes a Freedom of Information request on the number of resignations from Capita since the inception of the PIP Scheme.

The Amendment became the substantive Motion and was put to the vote and carried unanimously.

Councillor R McHugh left the Meeting at this stage.

C335/17 Notice of Motion – Right to Safe Housing

Councillor Carlin Moved, Councillor C Kelly Seconded

That In the aftermath of the intimidation of families from a shared housing development in Cantrell Close Belfast that this council acknowledges the recent statement by the six main party leaders pledging their support for ‘citizens to live in a society without fear of intimidation, free from sectarianism and condemn all forms of sectarianism, intolerance and threats of violence’.

That this Council also affirms the principle of the Good Friday Agreement which promised to citizens ‘the right to choose one’s place of residence’ and the

'right to freedom from sectarian harassment' and pledges its support for;

*** The right to employment free from sectarian discrimination, intimidation and attack.**

*** The right to housing and to live in your home free from sectarian attack, intimidation or any other discrimination.**

*** The right to free association, recreation and to socialise at places of choice free from sectarian attack, intimidation or other discrimination.**

*** The right to practice religious faith and worship free from sectarian attack, intimidation or other discrimination.**

*** The duty to report or challenge sectarian speech, attack, intimidation, or other discrimination when or heard.**

Councillor Dobbins left the Meeting at this stage.

On a recorded vote being requested the result was as follows:

For the Motion – Aldermen Devenney, R Hamilton, Hussey, Kerrigan, McClintock, Ramsey, Thompson and Warke, Councillors Boyle, Campbell, Carr, Cooper, Cusack, Duffy, Fleming, Gardiner, Hassan, Hastings, Jackson, C Kelly, Logue, McGinley, McMahan, Reilly and Tierney – 26.

Against – 0.

Abstentions- Councillors Donnelly, Gallagher, O'Reilly and Robinson – 4.

The Motion was therefore declared carried.

Subsequently Councillor Carlin Moved, Councillor C Kelly Seconded and the Council

Resolved that in the aftermath of the intimidation of families from a shared housing development in Cantrell Close Belfast that this council acknowledges the recent statement by the six main party leaders pledging their support for 'citizens to live in a society without fear of

intimidation, free from sectarianism and condemn all forms of sectarianism, intolerance and threats of violence’.

That this Council also affirms the principle of the Good Friday Agreement which promised to citizens ‘the right to choose one’s place of residence’ and the ‘right to freedom from sectarian harassment’ and pledges its support for;

*** The right to employment free from sectarian discrimination, intimidation and attack.**

*** The right to housing and to live in your home free from sectarian attack, intimidation or any other discrimination.**

*** The right to free association, recreation and to socialise at places of choice free from sectarian attack, intimidation or other discrimination.**

*** The right to practice religious faith and worship free from sectarian attack, intimidation or other discrimination.**

*** The duty to report or challenge sectarian speech, attack, intimidation, or other discrimination when or heard.**

C336/17 Notice of Motion – Recent Increase in Shootings in Derry

Councillor Tierney Moved, Councillor Gardiner Seconded

That This council notes with concern the recent increase in shootings in Derry, condemns those responsible for such attacks and commits to convening a community taskforce to work with community and statutory partners to stop this criminality on our streets.

The Motion on being put to the vote was declared carried their voting For – 25; Against – 2; Abstentions – 2.

Subsequently Councillor Tierney Moved, Councillor Gardiner Seconded and the Council

Resolved that this council notes with concern the recent increase in shootings in Derry, condemns those responsible for such attacks and commits to

convening a community taskforce to work with community and statutory partners to stop this criminality on our streets.

C337/17 Notice of Motion – Brexit - Designated Special Status for Northern Ireland

Councillor Fleming Moved, Councillor McGinley Seconded

That Given the crucial EU Council meeting on 14th/15th December, this Council calls on the EU 27 to ensure that the British Government proposals on Brexit leads to no hardening of Britain's border in Ireland, that the Good Friday Agreement is protected in all of its parts and that there is no regression in the rights of the people of this Council region.
The best way to do this would be through Designated Special status for the north of Ireland within the EU. This Council calls on the EU 27 to hold to this position and if the British Government do not deliver on these issues then sufficient progress will not have been met and the negotiations cannot move on to the future relations between the EU and British Government. Calls on the Council to write to each Head of Government of the EU 27, including the Taoiseach, on behalf of the people of this border Council area who will be drastically affected by any hard border as a result of Brexit.

The Motion on being put to the vote was declared carried their voting For – 16; Against – 8; Abstentions – 4.

Subsequently Councillor Fleming Moved, Councillor McGinley Seconded and the Council

Resolved that Given the crucial EU Council meeting on 14th/15th December, this Council calls on the EU 27 to ensure that the British Government proposals on Brexit leads to no hardening of Britain's border in Ireland, that the Good Friday Agreement is protected in all of its parts and

that there is no regression in the rights of the people of this Council region.

The best way to do this would be through Designated Special status for the North of Ireland within the EU.

This Council calls on the EU 27 to hold to this position and if the British Government do not deliver on these issues then sufficient progress will not have been met and the negotiations cannot move on to the future relations between the EU and British Government.

Calls on the Council to write to each Head of Government of the EU 27, including the Taoiseach, on behalf of the people of this border Council area who will be drastically affected by any hard border as a result of Brexit.

The Deputy Mayor, Councillor Boyle left the Meeting at this stage and Councillor Campbell took the Chair.

C338/17 Correspondence

The Chief Executive presented the above report a copy of which had been previously circulated. He stated that the purpose of the report was to advise Members of correspondence received in relation to proposals carried by Council.

Members noted the content of the report.

Aldermen Thompson and Ramsey left the Meeting at this stage.

C339/17 Seal

Councillor Tierney Moved, Councillor Cusack Seconded and the Council

Resolved that the seal of the Council be affixed to the following documents:

Documents Sealed 24th October 2017

Licence in duplicate:- Department for Communities
~and~ Derry City and Strabane District Council

relating to use of Fort George to facilitate parking for the events associated with Foyle Halloween Carnival 2017.

Documents Sealed 26th October 2017

Contract in duplicate: - Derry City and Strabane District Council ~and~ McAvoy Construction (NI) Ltd relating to Drumahoe District Park

Documents Sealed 2nd November 2017

Service Level Agreement in duplicate: - Derry City and Strabane District Council ~and~ Sustrans.

Transfer in triplicate: - Northern Ireland Housing Executive ~to~ Derry City and Strabane District Council relating to land at Mount Park, Newtownstewart.

Documents Sealed 22nd November 2017

Grants of Right of Burial in Ballyoan Cemetery

Mr Marshall Laird, 27 Curlew Way, Clooney, Derry, BT47 6LQ.

Grants of Right of Burial in City Cemetery

Mr Stephen Quigley, 21 St Joseph's Place, Derry, BT48 6LH.

Mrs Moya Ellis, 71 Elmvale, Culmore, Derry, BT48 8SJ.

Ms Irene McMonagle, 46 Drumleck Drive, Derry, BT48 8EN.

Mrs Kathleen Morrison, 17 Victoria Park, Derry, BT47 2AD.

Ms Anne Marie Cavanagh, 1 Glendale Gardens, Ballynagalliagh, Derry, BT8 8GG.

Mr Vincent Strunks, 16 Cromore Gardens, Derry, BT48 9TF.

Mrs Jean Bradley, 28 Marlborough Avenue, Derry, BT48 9BQ.

Mrs Ann Downes, 2 Ballynagard Crescent, Derry,
BT48 8JR.

Mrs Bride Gallagher, 21 Beechwood Street, Derry,
BT48 9JN.

Mrs Margaret Gallagher, 72 Beechwood Avenue,
Derry, BT48 9LR.

Ms Shauna Bates, 220 Cornshell fields, Derry, BT48
9UL

Grants of Right of Burial in Mountcastle Burial Ground

Robert McCaul, 83 Ballyheather Road,
Ballymagorry, Strabane, Co Tyrone, BT82 OBS

Darren Britton, 53 Gortileck Road, Artigarvan,
Strabane, Co Tyrone, BT82 OJA

Edwin Bell, 17 Barron Road, Donemana, Strabane,
Co Tyrone, BT82 OJD

Grants of Right of Burial in Castlederg Burial Ground

Jean Robb, 175 Loughmuck Road, Fintona, Omagh,
Co Tyrone, BT78 2NF

Michelle Burke, 19 Garag Hill, Castlederg, Co
Tyrone, BT82 7G

C340/17 Local Government Act (Northern Ireland) 2014 – Confidential Business

Alderman R Hamilton Moved, Councillor McMahon Seconded and the
Council

**Resolved that in accordance with Section 42, Sub
Sections (2) or (4) of the Local Government Act
(Northern Ireland) 2014, the press and
members of the public be asked to withdraw
whilst the Council discuss the following
matters:**

**(a) Adoption of the Confidential Minutes of the
Meeting of Derry City and Strabane District
Council held on 26 October 2017;**

(b) Adoption of the Confidential Minutes of the following Committees:

- (i) Monthly Governance and Strategic Planning Committee held on Tuesday 7 November 2017;**
- (ii) Monthly Planning Committee held on Wednesday 8 November 2017;**
- (iii) Monthly Business and Culture Committee held on Friday 10 November 2017;**
- (iv) Monthly Environment and Regeneration Committee held on Wednesday 15 November 2017; and**
- (v) Monthly Health and Community Committee held on Thursday 16 November 2017.**

The Meeting terminated at 7.35 pm

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Derry City and Strabane District Council

Open Minutes of Special Meeting of the Environment and Regeneration Committee held in the Council Chamber, Guildhall, Derry on Tuesday 21 November 2017 at 4.00pm.

Present:- Councillor Dobbins (Chair), Alderman Hussey, Warke; Councillors Duffy, Hastings, C Kelly, D Kelly, R McHugh, Reilly and Tierney.

In Attendance:- Director of Environment and Regeneration (Mrs K Philips), Committee Services Assistant (Mrs J Short).

Representing 'Life After': Mr C Sherrard.

Representing TransportNI: Network Development Manager (Mr H Gallagher) Network Development Engineer (Mr D MacBride), Network Maintenance Section Engineer (Mr R McCartney).

SER5/17 Notice and Summons for Meeting

The Director of Environment and Regeneration read the Notice and Summons for the Meeting.

SER6/17 Member Attendance and Apologies

The Director of Environment and Regeneration completed the Member Attendance register and apologies were recorded from Alderman Bresland and Ramsey and Councillors Campbell and Hassan.

SER7/17 Declarations of Members' Interests

Councillor Tierney declared an interest in Life After presentation due to his Committee membership.

Councillor's Dobbins and Duffy declared an interest in the Roads Western Division Autumn report due to their representation on the Road Safety Committee.

SER8/17 Presentation from Mr Sherrard representing 'Life After'

The Chair welcomed Mr Sherrard to the meeting and invited him to make his presentation.

Mr Sherrard representing 'Life After' proceeded to update Members on the work of the group. He explained that the group provided assistance to people bereaved due to a road traffic accident and to raise awareness of road safety throughout the city. He said that he had decided to form the group after his father, Mr Wilson Sherrard was tragically killed in a road traffic accident and his family had received no help or support in dealing with their loss in the months following the accident.

He added that 'Life After' was formed in April 2017, under the guidance of a steering group and governed by a committee represented by elected Members, PSNI Family Liaison Team, Traffic Branch, Road Safety NI and Community Development Officer who meet once a month. He explained that the group provided an opportunity for families to meet together to talk about their pain and loss and to speak with Trauma Councillors and Community Development Officers.

He further added that the group was building momentum and it was anticipated that following further liaison with Road Safety NI and other key stakeholders that the group would be in a position to present proposals to Council early in the New Year. He thanked Members for their support and for the opportunity to speak at the meeting today.

Members collectively expressed their support of the initiative and commended Mr Sherrard on the work he had achieved since April 2017. They wished the group every success in the future in providing such a valuable service to the citizens of the District Council area and hoped to see the group expand with the delivery of the service throughout the whole of Ireland.

Mr Sherrard left the meeting.

SER9/17 Presentation from Department for Infrastructure, (Roads Western Division) Autumn Report 2017

The Chair welcomed the representatives from Roads Western Division and invited them to present their Autumn Report 2017.

Mr Gallagher, Network Development Manager presented the Works Programme Update Report (Autumn 2017), a copy of which had been previously circulated to Members. He gave a brief update on the progress of the Strategic Road Improvement Schemes which included the A5 Western Transport Corridor, A6 Randalstown to Castledawson, A6 Londonderry to Dungiven and A2 Buncrana Road.

Mr McCartney, Maintenance Engineer reported on the structural maintenance planned works 2017-2018, which included planned resurfacing, surface dressing, drainage works and proposed footpath work, at an estimated cost of £508k.

Mr MacBride, Network Development Engineer reported that in 2017/18 financial year £190k had been allocated for Local Transport and Safety Measures within the Council area and included an improvement scheme at Ballyarnett Roundabout for which a developer contribution had been secured. He provided a brief overview of the planned works for Traffic Management Schemes, Pedestrian Measures, Traffic Calming, Safer Routes to Schools, and Local Transport and Safety Measures all of which were outlined in detail within the report.

Members made reference to the following:

- Concern expressed regarding road works within the Culmore Village area that involved 5 Contractors working simultaneously and caused major traffic disruption and delays during the summer holiday period.
- Queried the start date of the proposed improvement scheme at Ballyarnett road roundabout.
- Concern expressed regarding the displacement of 3 families in the Culmore area due to the flooding incident in August 2017 and the sewage problems had not been addressed.
- Welcomed the progress of the strategic road improvement schemes and asked for an update on the plans to improve the route to Caw roundabout.

- Concern expressed regarding lack of progress with the Buncrana Road improvement scheme and the Bogside parking scheme and traffic calming scheme at Academy Road all of which contributed to the safety of the people of the District.
- Concern expressed regarding the diversion route at Claudy and the lack of progression of the planned bridge works.
- Expressed concern of flooding problem on route between Foyle roundabout and Gransha Hospital.
- Welcomed the on-line reporting system available for Members.
- Welcomed the Castlefin road improvement scheme.
- Request made for the Principal of Bready Primary School to be informed of the scheme of works to be carried out on the A5.
- Welcomed progress of the proposed foot bridge scheme in Strabane Town.
- Welcomed road surfacing works and bridge maintenance schemes.
- Further engagement with residents and businesses in Claudy regarding proposed bridge works necessary.

The representatives from Transport NI responded as follows:

- Culmore Village road improvement scheme – Contractors have to ensure the work is carried out as safely as possible and have statutory right to position safety apparatus along the route and the school holiday period was the best time to have work carried out.
- Ballyarnet road roundabout scheme – no start date agreed.
- Flooding at Culmore – 3 families displaced – report to NI Water Division who are responsible for sewage problems.
- A5 and A6 Strategic Road Schemes - progressing within agreed timeline.
- Maydown Road and Caw road roundabout upgrade being progressed in terms of liaison with key stakeholders.
- Buncrana Road scheme – preparatory work being carried out in terms of public consultation.
- Bogside residents parking – formal consultation expected early New Year.
- Acknowledged the frustrations of residents in Claudy – however the bridge required major improvement works to be carried out to ensure maximum safety of users. Will continue to communicate with local businesses and residents in the area.
- Maydown Road resurfacing works will be given priority when funding is allocated.

- Flooding problem at Caw road roundabout and Gransha – investigatory work resulted in the need of a major drainage scheme and funding was an issue.
- Agreed to make contact with Principal of Bready PS regarding planned work at A5 Ballymagorry.
- Castlefin Road Scheme – Contractor was due on site in October 2017.

The Meeting ended at 6pm.

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Derry City and Strabane District Council

Open Minutes of the Governance and Strategic Planning Committee held in the Council Chamber, Guildhall on Tuesday 28 November 2017 at 4.00 pm

Present: - Councillor Fleming (in the Chair), Aldermen Hussey, Kerrigan, Ramsey and Thompson; Councillors Cooper, Donnelly, C Kelly, McKeever, McKnight, McMahon, Robinson and Tierney.

Non-Committee Members:- Alderman Devenney and Councillor Tierney

In Attendance:- Chief Executive (Mr John Kelpie), Lead Democratic Services and Improvement Officer (Ms E Cavanagh), Business Support and Change Manager (Mrs R Craig), Lead Finance Officer (Mr A Dallas), Head of Environment (Mr Conor Canning) and Committee Services Assistant (Mrs T Johnstone).

GSP169/17 Notice and Summons for Meeting

The Chief Executive read the Notice and Summons for the Meeting.

GSP170/17 Member attendance and apologies

Apologies were received from Councillor Boyle.

GSP171/17 Declarations of Members' interests

There were no declarations of Members Interests.

Open for Decision

GSP172/19 Deputation to Discuss the Proposed Cuts by the NIFRS at Northland Fire Station and Crescent Link Fire Station.

The Chair welcomed Mr Boyd and Mr Quinn, Union Officials of the Northern Ireland Fire Brigades Union (NIFBU) and invited them to make their presentation.

Mr Quinn delivered the presentation regarding the proposed budget cuts to the fire service and highlighted the following:

- NIFRS have 917 full-time firefighters, 998 retained and 12 volunteer firefighters. There are also 58 regional emergency fire control centre staff and 260 support staff.
- The Chief Fire and Rescue Officer requested £74.4m for the 2017/18 budget.
- Department of Health (DoH) only funded £72.2m.
- Fire Brigades Union lobby and press campaign helped to get an extra £700k in November 2017.
- NIFRS is one of the higher performing FRS's in the UK with a cost per head of population of £38.90 against the UK average of £41.40, which means that fire and rescue cover is provided for each person in Northern Ireland for £0.75 per week or £0.11 per day.
- Eighty three percent of the NIFRS revenue spend is on wages and salaries.
- Reduction in budget would have a catastrophic impact on emergency services with a reduction in numbers of firefighters.
- No upgrades available in Strabane, Dungannon and Downpatrick.
- Non primary crewing of appliances.
- Reduction in training.
- Specialist high rise appliance in Derry/Londonderry no longer immediately available with a 50 percent reduction in crew members for the specialist rescue appliance.
- Forty percent reduction of full-time cover in Antrim Fire Station.
- Reduction in the number of supervisory officers critical to firefighter safety.
- Reduction in the number of safety critical training days for part-time firefighters which would hold major health and safety implications.
- Lack of recruitment – insufficient numbers of full-time personnel to upgrade operational response high risk stations such as Downpatrick, Dungannon and Strabane.

Mr Quinn then called on Members for their support and to lobby the Chief Fire and Rescue Officer, the Fire Board and other political leaders within the community, asking them to reverse the cuts and seek further funding from the Department of Health.

Members expressed their shock and concern at the cuts to the Fire Service budget and offered their full support to the Fire Brigade Union in their proposal to have the decision reversed. They expressed their

appreciation and respect for the staff within the service. Members then raised the following points:

- Concern that the budget cuts had been recognised as a risk, yet were still implemented.
- The implications that the Fire Service could not carry out the necessary risk assessments to ensure complete safety due to the reduction in staff.
- An official with a knowledge and understanding of the Fire Service should be responsible for decision making.
- Invite the Chief Fire Officer to speak to Members regarding the budget cuts and the implications involved.
- Risk not only to the general public but also to firefighters.
- Enquired what engagement the Fire Brigades Union have had with the Permanent Secretary for the Department of Health.
- Totally unacceptable that the NIFRS were being treated in such a way.
- The Service should be given the required £2.2m to enable them to fulfil the service throughout our communities.
- The decrease in recruitment, particularly for retained firefighters would have a detrimental impact especially in the Castlederg area.
- Staff at Castlederg Fire Station suffered low morale – an impact on the lack of recruitment for the area.
- Northern Ireland Fire and Rescue Service operated on both sides of the border which must also be considered.
- Stated that people from the west were once again being treated as second class citizens.
- Enquired if the same emphasis was being put on Eastern Command.
- Had the decision to reduce the budget been rural proofed as the implementation of the cuts would have a ripple effect throughout the entire rural communities and beyond.
- The need to be mindful of the fact that it could not be predicted when or where a fire could start and appliances and staff should be made available for such an occurrence.
- Lives would be lost if proper funding was not put in place.
- Referred to Altnagelvin Area Hospital where a number of fires had taken place, particularly within the past 6 years.
- Major fire at the hospital in 2012 which involved 50 firefighters and 11 appliances.

- A report had highlighted that staff and patients at Altnagelvin faced a very significant risk of injury or death due to inadequate fire precautions being implemented.
- Every effort to be made to have the high rise appliance reinstated within the City.
- Thirty high rise buildings in the Derry City and Strabane District Council area that require a high rise appliance in case of a fire or emergency.
- Services regarding the safety of human life should have the necessary funding made available to them.
- Expressed concern that the second largest city in Northern Ireland had a reduction in fire appliances.
- Called for Elected Representatives in all 11 Councils throughout Northern Ireland to support the Fire Brigades Union in opposing the budget cuts.

Mr Quinn thanked Members for their words of support and responded to their comments as follows:

- There was a 20 percent reduction in night time firefighters and a 25 percent reduction in available appliances which was a concern, particularly the loss of the high rise appliance.
- Did not consider the budget cuts to have been 'rural proofed' and stated that Crescent Link Fire Station had opened in 1990 with no service prior to that. There was also no service in Fermanagh and Tyrone with Strabane and Dungannon pending.
- NIFRS require investment to spread full-time cover across all the communities and offer training opportunities for young people to encourage them to join the Fire Service.
- Without the proper investment from the Department of Health for recruitment and appliances, it would be more costly in the long term due to an increase in people becoming injured, damaged buildings, loss of business and economic deprivation.
- If airport fire cover was based on demand there would not be any fire stations at airports, however it is a risk that should be considered and not based on demand.
- Fire Service were also involved as an emergency responders.
- Pilot scheme in Lurgan where firefighters were on call to respond to cardiac arrests.
- Nearest ambulance cover for Lurgan was Belfast.
- With a Fire Station in the area but no ambulance station it made sense to use trained people to provide cover until the arrival of the professionals.

- NIFRS provide a better level of cover across communities for the same value and money.
- NIFRS had been providing cover to East Donegal over the past 60 years.
- If NIFRS recruit 56 more people by March they would still be short of approximately 100 firefighters.

Mr Boyd informed Members that to recruit 56 new firefighters had taken two years of negotiations with the Fire Service and the Department of Health. He stated that the recruitment process commenced in January 2017 with the new recruits due to begin employment in November. However, the Department had informed them they could not guarantee further recruitment funding. He stated that the delay in starting the new recruits had an overall impact as part of the agreement was the retention of the appliance at Northland Fire Station with the primary crew. He reported that the Chief Fire Officer had stated that if funding was available, the appliance at Northland would continue to be primary crewed.

Mr Boyd referred to retained recruitment and stated that there had been three recruitment drives over the past three years, however it had been exceptionally difficult to attract people to apply for those positions. He stated that the fee for a retained firefighter was £0.49 per hour with a requirement to be available for 100-120 hours per week which was not a great incentive. He reported that fire calls were paid per hour however, with a reduction in fire calls there was no money to be made. He added that the service was struggling to recruit retained firefighters, particularly in the Castlederg, Strabane and Limavady areas.

Mr Boyd then referred to risks at airports and expressed concern that statistics rather than a risk assessment had been used to make the decision to no longer primary crew an appliance. He stated that this would increase the risk to people who lived in that particular area and also the safe systems of work that firefighters must put in place to carry out their job safely. He added that there was always a risk which was increased with the lack of a primary crewed appliance.

Mr Quinn informed Members that there had been an initial meeting with the Permanent Secretary for the Department of Health which had proved difficult. He stated that the Fire Brigades Union had made a strong and articulate case, however, it was not considered by the Permanent Secretary. He added that the Union had written to the

Permanent Secretary asking for a further meeting to discuss the cut to the budget, however he has refused their request.

Alderman Hussey affirmed that the Fire Brigades Union had gathered support from Members across the Chamber. He referred to the concerns regarding the reduction of the high rise appliance and stated that he felt that the core issue was the lack of retained recruitment within the Fire Service which was a concern for the entire area and had been for some time. He stated that he realised the pressure that the Fire and Rescue Service was under and offered his full support to them.

The Chair thanked the representatives for their presentation and stated that there was universal appreciation for the Fire Service and they had gained the full support of Members.

Chairperson's Business

GSP173/17 Condemnation of Arson Attack

The Chair expressed his condemnation at the cowardly and criminal attack on colleague and fellow Member, Councillor Brian Tierney and his family at the weekend. He stated that the arson attack on Councillor Tierney's car was totally unacceptable and that he was a very conscientious and hard-working Councillor.

Aldermen Hussey, Devenney and Thompson with Councillors McKnight, Reilly and Robinson concurred with the remarks made by the Chair. They expressed their shock at the arson attack and gave their full support to Councillor Tierney and his family. They stated that Councillor Tierney's response had been an inspiration to them all.

Councillor Tierney thanked the Members and everyone who had contacted him and his family to offer support. He stated that he represented everyone in his District Electoral Area (DEA) as well as those that contact him from other DEA's and different political viewpoints. He always attempted to help them all and offer them support. He stated that there was no justification to attack someone's property in an attempt to intimidate them and their family. He expressed his thanks to the Party Leader of the SDLP and to everyone who had visited his home to support his family whilst he had been travelling from Belfast at the time of the attack. He stated that the overwhelming support had spurred him on and that he had returned to

work and was very proud to attend the opening of the play park at Ballyarnett Country Park. He added that in the words of his own party president, 'he's not going away.'

Open for Decision

GSP174/17 Confirmation of the Open Minutes of the Governance and Strategic Planning Committee held on 7 November 2017

The open minutes of Meeting held on 7 November 2017 (GSP152/17-GSP166/17) were confirmed and signed by the chairperson.

On a matter of accuracy, Alderman Devenney stated that he was not recorded as attending the meeting.

It was agreed that the Minutes would be amended accordingly.

Matters Arising

There were no matters arising.

GSP175/17 Six Monthly Progress Report – Strategic Planning and Support Units Delivery Plan

The Lead Democratic Services and Improvement Officer presented the above report a copy of which had been previously circulated. She advised that the purpose of the report was to seek Members' comments in relation to progress against the Strategic Planning and Support Units Delivery Plan for 2017/18.

Councillor Cooper stated that the item on the European Capital of Culture should be updated within the report due to changes since the report had been written. He referred to the major impacts that could arise from the reduction to the rates support grant and enquired if a meeting had been arranged with Senior Civil Servants to reverse the process. He asked that Members receive an update on the matter as soon as possible.

The Lead Finance Officer, reported that two letters had been issued to the Secretary of State and the Permanent Secretary for the Department of Communities in relation to the impacts of the reduction in the rates support grant. He stated that the letters had requested engagement with Elected Members. He stated that the Permanent Secretary who

had initially refused the engagement on the budget uncertainty has been sent a more robust request. He added that a full report would be available on receipt of any responses

The Committee

Recommended that (i) the Committee note the contents of the 6 monthly progress report and (ii) update Members on any responses to correspondence sent to the Secretary of State and the Permanent Secretary for the Department of Communities.

GSP176/17 Capital Projects Approval – Clooney Greenway – Lands Acquisition

The Lead Finance Officer presented the above report a copy of which had been previously circulated. He advised that the purpose of this report was to seek Members' approval for allocation of capital funding in the sum of £61,400 towards Clooney Greenway lands acquisition.

Councillor Reilly thanked the Lead Finance Officer and the team for all the work carried out to get to this stage of the project. He stated that the securing of the land meant there was a potential for businesses to develop along the Greenway and the river. He referred to a recent meeting he had attended with the Greenway group and stated that the previous steering group project had no budget in place. He stated that a budget had now been legislated for the project and hoped that the relevant departments received the required funding to enable completion of the project. He stated that it had been indicated that the Chief Executive had written to the Department for Communities and asked if any response received could be circulated to Members.

Alderman Thompson thanked the team for their hard work which had resulted in a number of meetings to ascertain funding for the project. He expressed concern at the Education Authority's request for £60,000 to acquire land from them considering that other landowners had requested a nominal fee. He stated that the budget for the project needed to be a priority in order to have completion by September 2018.

The Chief Executive stated that the Senior Officer Team would be meeting with the Senior Officer Team of the Department for Communities in the coming week to ascertain the current budgetary

situation with regard to a number of projects including Clooney Greenway. He suggested that a wider update paper be brought to the Environment and Regeneration Committee which would set out timeframes and look at any issues or concerns with the overall progress on the project.

Councillor Tierney proposed, Seconded by Councillor McKeever, that any correspondence and response received from the Department for Communities be circulated to Members.

The Committee

Recommended that Authority is approved to; (i) accept LPS premiums for lands acquisitions as outlined above; (ii) make budget provisions in the sum of £61,400 to meet this expenditure and (iii) that any correspondence to and responses from the Department for Communities is circulated to Members.

GSP177/17 Closure of Omagh Electoral Office

The Lead Democratic Services and Improvement Officer presented the above report, a copy of which had been previously circulated. She stated that the purpose of the report was to advise Members of correspondence received from NIPSA and to seek Member's comments in relation to this correspondence.

Councillor McMahan paid tribute to the staff at the Electoral Office in Kelvin Road, Omagh. He stated that Mr Fox and his team had a great working relationship not only with political parties but to all who had visited the office. He stated that the emphasis was on online registration and expressed concern that parts of Fermanagh and Tyrone still did not have adequate broadband provision. He supported the recommendation to write to the Chief Electoral Officer and the Permanent Secretary requesting that they reverse the decision to close the Electoral Office at Omagh.

Alderman Hussey concurred with the previous speaker's comments and referred to point 4.2 in the report which stated: *'In the event that there is relocation of electoral services from Omagh to the local electoral office in the city, there may be a positive impact on the sustainability of local*

services'. He stated that it was not local services to the West Tyrone constituency section of this District Council. He stated that the service provided by the Omagh Electoral Office was exemplary and to lose that was a complete travesty.

Councillor Reilly echoed the remarks previously made and expressed concern that local democracy was being taken away from the people. He stated that centralising the service would make it more difficult to obtain information needed to exercise the right to vote.

The Committee

Recommended **that Members recommend that correspondence is forwarded to the Chief Electoral Officer, the Northern Ireland Office and the Parliamentary Under-Secretary of State for Northern Ireland seeking a postponement of any decision and requesting that the necessary funds are secured to provide the continued provision of electoral services in Omagh.**

The Meeting terminated at 5.25 pm

Derry City and Strabane District Council

Open Minutes of Planning Committee Meeting held in the Council Chamber, Derry Road, Strabane on Wednesday 29 November 2017 at 2.00pm.

Present:- Councillor D Kelly (Chairperson) Aldermen Bresland, Kerrigan and McClintock; Councillors Boyle, Dobbins, Gardiner, Hassan, Hastings, Jackson, Logue, McGuire and R McHugh.

In Attendance:- Director of Environment & Regeneration (Mrs K Phillips), Development Officer, (Mr E Molloy) Principal Planning Officers: (Mrs S McCracken, Mrs A McNee, Mr P McCaughey), Lead Legal Services Officer (Mr P Kingston), Planning Officers: (Mrs R McMenamin, Mr C Rodgers, Mr K Donaghey).

Planning Administrator (Mrs C Corry), Committee Services Assistants (Mrs J Short and Ms L Bell).

Non Committee Members: Councillor McMahan

P171/17 Notice and Summons for Meeting

The Principal Planning Officer read the Notice and Summons for the Meeting.

P172/17 Member Attendance and Apologies

The Principal Planning Officer completed the roll call for Member attendance and apologies were received from Head of Planning and Alderman Hamilton.

P173/17 Declaration of Members' Interests

The Chair declared an interest with planning application J/2010/0481/F – Craignagapple Windfarm.

Open for Decision

P174/17 Chairperson's Business

P174/17a Late Information Received

The Chair referred to late information received in relation to planning applications J/2010/0481/F and LA11/2017/0438/O and advised Members that they would be given the opportunity to view and consider the information later in the meeting.

P174/17b The Chair expressed his delight with the recent announcement by Department for Infrastructure that construction work of the first phase of the A5 would proceed early in the New Year. He acknowledged the work of Council in discussions with key stakeholders in support of the major strategic project for the District.

P174/17c Special Planning Meeting

The Chair advised that a Special Planning Meeting to discuss the H2 zoned land application was scheduled to take place on Wednesday 20 December 2017 at 2.00pm in the Council Chamber, Strabane Office.

P175/17 Deputations (none)

There were no deputations.

P176/17 Confirmation of the Open Minutes of the Planning Committee held on Wednesday 8 November 2017

The Open Minutes of the Planning Committee meeting held on 8 November 2017 (P153/17-P167/17) were agreed and signed by the Chair of Committee.

P177/17 Matters Arising

There were no matters arising from the minutes.

P178/17 Planning Application List with Recommendation for Decision

The Planning Officers presented the following planning applications for decision:

Reconsidered Applications

The Chair declared an interest with the following application and left the meeting. The Vice-Chair of Committee chaired the meeting at this juncture.

J/2010/0481/F – Planning permission to erect 6 wind turbines with an overall height from ground to blade tip of 111m, 33kv substation and compound, construction of internal site tracks and associated works and ancillary works, access points on the Glenmornan Road and the relocation of the temporary turbine supply compound – FEI AMENDED PROPOSAL – includes the relocation of internal access tracks, reduction in turbine numbers from 9 to 6 and the relocation of 2 turbines.

Townland of Craignagapple, approx. 650m west of Legalougha Bridge and approx. 200m east of Owenmore Bridge 8.5km east of Strabane, BT82 0SR.

The Planning Officer presented the above planning application details of which had been previously circulated to Members.

Councillor McGuire moved, seconded by Councillor Bresland to support the recommendation to approve planning permission. The outcome of the vote was unanimous support of the proposal.

The applicant was asked if they wished to use their previously requested speaking rights. However they declined.

The Committee

Resolved that planning application J/2010/0481/F be approved planning permission subject to the conditions as outlined within the report.

The Chair returned to the meeting.

LA11/2016/0854/O – Shared access and site for 2 dwellings and garages inside garden of existing dwelling (amended proposal) on lands at 154 Culmore Road, Londonderry, BT48 8JH

The Chair advised that late information was received from the agent in relation to the above application and altered the information previously provided to Committee.

The Principal Planning Officer advised that earlier that day the agent had tabled an amended scheme to reduce the dwellings from 2 to 1 No. She further advised that it was at the discretion of the Members if they wished to defer the application or to proceed on the basis of the information that was presented within the meeting pack.

Discussion ensued after which Alderman McClintock moved, seconded by Councillor Hastings to defer a decision on the recommendation due to the late information received.

The Committee

Resolved that planning application LA11/2016/0854/O be deferred and presented at a future meeting.

New Applications

LA11/2016/0140/F – Proposed demolition of existing shed and construction of one 2 storey dwelling house for association with existing shop at 32 Barrack Street, Strabane.

The Planning Officer presented the above application, details of which had been previously circulated to Members. An overview of the background to the application was provided and based on material consideration and in line with planning policy it was recommended to refuse planning permission for reasons as outlined within the report.

Mr M Mullin (Agent) addressed the Committee on behalf of the applicant.

Councillor R McHugh joined the meeting at this stage.

Members discussed the reasons for refusal and expressed their concern that there was no evidence to confirm that the use of existing access would be intensified. The Planning Officer advised that the section within the application form to confirm the number of vehicles that used the existing access point on a daily basis was not completed by the applicant.

Councillor Dobbins joined the meeting at this stage.

Discussion ensued after which Councillor Boyle moved, seconded by Councillor Hastings to defer a decision on the application to allow for the requested information to be provided by the applicant. The application would be presented at the next meeting.

The Committee

Resolved that planning application LA11/2016/0140/F be deferred pending additional information from the agent.

LA11/2016/0850/DCA – Total removal of unsafe buildings and adjacent wall at 7 and 9 Moyle Road, Newtownstewart.

The Planning Officer presented the above application, details of which had been previously circulated to Members. An overview on the background to the application was provided and based on material consideration and in line with Planning Policy, it was recommended to approve planning permission for reasons as outlined in the report.

Councillor Boyle stated that the building should not have been allowed to reach such a stage of disrepair. He felt that the approach should have been to restore and preserve such buildings before they would reach the stage of complete removal due to safety reasons.

Alderman Kerrigan moved, seconded by Councillor McGuire to approve planning permission subject to the conditions as outlined within the report. The outcome of the vote was unanimous support of the proposal.

The Committee

Resolved that planning application LA11/2016/0850/DCA be approved planning permission subject to the conditions as outlined within the report.

LA11/2016/0855/F – Proposed housing development consisting of 4 semi-detached 2 storey dwellings and a terraced row of three 2 storey dwellings and new access road at 7 and 9 Moyle Road, Newtownstewart.

The Planning Officer presented the above application, details of which had been previously circulated to Members. An overview on the application background was provided and based on material consideration and in line with Planning Policy it was recommended to approve planning permission for reasons outlined in the report.

Councillor McGuire enquired with the Principal Planning Officer if the requirement for sash windows could be removed from the plans due to financial and environmental reasons. The Principal Planning Officer agreed that this requirement could be changed by conditions.

Alderman Kerrigan moved, seconded by Councillor McGuire to approve planning permission subject to the conditions as outlined within the report. The outcome of the vote was unanimous support of the proposal.

The Committee

Resolved that planning application LA11/2016/0855/F be approved planning permission subject to the conditions as agreed.

LA11/2016/0687/F – One retail outlet, four 2 bedroom residential units and access road (amended description of proposal) at 13 Derry Road, Strabane.

The Planning Officer presented the above application, details of which had been previously circulated to Members. A summary of the background to the application was provided and following material

consideration and in line with planning policy it was recommended to refuse planning permission for reasons as stated.

Following a brief discussion Councillor Boyle moved, seconded by Councillor McGuire to support the recommendation to refuse planning permission for reasons as outlined within the report. The outcome of the vote was unanimous support of the proposal.

The Committee

Resolved that planning application LA11/2016/0687/F be refused planning permission for reasons as outlined within the report.

LA11/2016/0721/F – Proposed 225kw wind turbine comprising of a V27 model with a 30m hub height and a 27m rotor diameter approximately 490 metres south-east of No. 63 Curly Hill Road, Strabane

The Principal Planning Officer presented the above application, details of which had been previously circulated to Members. She referred to the background of the application and based on material consideration and in line with planning policy recommended that approval be granted subject to the conditions as outlined within the report.

Ms T Cassidy (Agent) addressed the Committee on behalf of the applicant.

Discussion ensued in relation to the number of existing wind turbines on the site location and if the inclusion of an additional turbine constituted a small windfarm. The Principal Planning Officer explained that there was an accumulation of single wind turbines from different view points with transient views, however the proposed turbine, whilst in an elevated position, would be sited at a lower level than the existing turbines.

Councillor McGuire moved, seconded by Councillor R McHugh to defer a decision on the application pending request for a site visit. The outcome of the vote; For 8, Against 2, Abstention 2.

The Committee

Resolved that planning application LA11/2016/0721/F be deferred pending request for a site visit.

LA11/2017/0130/F – Retention of 225kw wind turbine as installed; 30m tower and 29m rotor diameter and associated switch room (in substitution of previous approval J/2011/0358, approximately 380m north west of 35 Garvetagh Road, Garvetagh, Castlederg accessing onto Silverhill Road.

The Planning Officer presented the above application, details of which had been previously distributed to Members. A synopsis of the application was given and considering the facts against Planning Policy it was recommended to approve the application.

Councillor McGuire enquired if the existing planning permission granted in 2011 could result in 2 turbines being approved. The Planning Officer replied that the 2011 planning permission had now expired.

Alderman Kerrigan moved, seconded by Alderman Bresland to approve planning permission subject to the conditions as outlined in the report. The outcome of the vote was unanimous in support of the proposal.

The Committee

Resolved that planning application LA11/2017/0130/F be approved planning permission subject to the conditions as outlined in the report.

LA11/2017/0438/O – Proposed storey and a half dwelling and garage, 20m east of 20 Drumman Road, Dunamanagh

The Planning Officer presented the above application, details of which had been previously circulated to Members. She gave an overview on the background to the application and based on material consideration and in line with planning policy recommended a refusal for reasons as outlined within the report.

Councillor McMahan addressed the Committee in support of the application.

Discussion arose in relation to the lack of photographic evidence presented to Committee in relation to the siting of the proposed dwelling and therefore Members found it difficult to make a judgement on this basis.

Councillor McGuire referred to the proposed reasons for refusal as outlined within the report and expressed concern that they were not substantiated and were somewhat contradictory in terms of planning policies.

Councillor McGuire advised that the adjacent woodland was a focal point.

Further discussion ensued after which Councillor McGuire moved, seconded by Councillor Boyle, not to accept the recommendation to refuse planning permission as the proposal did comply with CTY1, 2a, 8, 14 and the Strabane Area Plan. The outcome of the vote was unanimous support of the proposal.

The Committee

Resolved not to support the recommendation to approve planning application LA11/2017/0438/O. The application would be returned pending further review and presented at a future meeting.

The Lead Legal Services Officer advised Members to be mindful of the Planning Officer's professional recommendation that was in accordance with the Strabane Area Plan and planning policy. He also referred to the responsibility of Committee in the decision making process and adherence with policy in particular CTY2a of Planning Policy Statement 21. He further referred to applications that be submitted direct to Agents who provide professional advice based on Planning Policy and the need for Committee to ensure consistency and compliance with policy is practiced throughout the whole planning process.

LA11/2017/0792/F – Proposed 8 No. 2 storey semi-detached dwellings and detached garages, Site No's 10, 10a, 11, 11a, 12, 13,

14 and 15, 35 metres south-east of No's. 15 to 18 New Street, off Cluney Gardens, Clady.

Councillor Boyle left the meeting at this point.

The Planning Officer presented the above application, details of which had been previously circulated to Members. She delivered an outline of the application and after analysis of the elements of the application alongside relevant Planning Policy recommended that planning permission be approved subject to conditions as outlined in the report.

Councillor R McHugh moved, Seconded by Councillor Hastings to approve planning permission subject to the conditions as outlined in the report. The outcome of the vote was unanimous in support of the proposal.

The Committee

Resolved that planning application LA11/2017/0792/F be approved planning permission subject to the conditions as outlined in the report.

Councillor Boyle returned to the Meeting at this point.

LA11/2017/0648/F – Agricultural building on lands 64m north-west of No. 324 Longland Road, Claudy

The Planning Officer presented the above application, details of which had been previously circulated to Members. An overview on the background to the application was provided and based on material consideration a recommendation to refuse planning permission for reasons as outlined within the report.

Mr Oran Quigg (Agent) addressed the Committee and outlined reasons to support the proposed application.

Discussion ensued after which Councillor Dobbins moved, seconded by Councillor Hassan not to accept the Planning Officer's recommendation to refuse planning permission as it was considered that there was no evidence to suggest the proposal was contrary to the SPPS and Policies CTY 12, CTY 13 and CTY 14. The outcome of the vote was unanimous support of the proposal.

The Committee

Resolved not to accept the officer recommendation to refuse planning application LA11/2017/0648/F. The application will be returned pending further consideration and to be presented at a future meeting.

LA11/2017/0653/O – Proposed dwelling on a farm on lands approximately 200m east/south-east of No. 102 Corrody Road, Derry, BT47 2QH with access off Kittybane Road.

Members noted that the above application had been withdrawn.

Councillor Boyle and Dobbins left the meeting at this point.

LA11/2016/1035/LBC – Change of use of former military buildings, including alterations and extension, to provide a Maritime Museum and Archive, parking, landscaping and associated works on lands at buildings 45/46 & 49 Ebrington Square to rear of 8-18 Browning Drive, Londonderry BT47 6GZ

The Planning Officer presented the above application, details of which had been previously circulated to Members. He delivered a synopsis of the application and after analysis of the factors against the appropriate Planning Policy recommended that the application be approved subject to conditions as outlined in the report.

Members conveyed their excitement to see such an innovative and promising application for the City coming to Committee.

Councillors Boyle and Dobbins returned to the meeting at this point.

Councillor Jackson moved, seconded by Councillor Hastings to approve planning permission subject to conditions as outlined in the report. The Outcome of the vote; For 11, Against 0, Abstentions 2.

The Committee

Resolved that planning application LA11/2016/1035/LBC be approved planning permission subject to conditions as outlined in the report.

LA11/2017/0662/O – Proposed site for erection of new 1 and ¾ storey farm dwelling, detached garage and septic tank on lands adjacent to the South West of 82 Ballyhanedin Road, Claudy, BT47 4ER

The Planning Officer presented the above planning application, details of which had been previously circulated to Members. An update on the background to the application was provided and based on material consideration and in line with planning policy it was recommended to refuse planning permission.

Mr C Donaghey (Agent) addressed the Committee and outlined reasons to support the proposed application.

Discussion ensued after which Councillor Boyle moved, seconded by Councillor Jackson to defer the application pending a site visit. The outcome of the vote was unanimous support of the proposal.

The Committee

Resolved that planning application LA11/2017/0662/O be deferred pending submission of a site visit request from Members.

The Lead Legal Services Officer responded to concerns raised regarding the planning policy and advised that the Officer team could arrange to update Agents on information required to assist Committee in the decision making process.

LA11/2017/0346/O – Site for a replacement dwelling (2 storey) on lands at 12 Gortnessy Road, Drumahoe, Londonderry

The Planning Officer presented the above planning application, details of which had been previously circulated to Members. An update on the background to the application was provided and based on material consideration and in line with planning policy it was recommended to refuse planning permission for the reason as outlined within the report.

Mr D Forrest (Agent) addressed the Committee and outlined reasons to support approval of the application.

Discussion ensued in relation to the reason for refusal in that insufficient information was not provided to demonstrate that the proposal was not likely to harm a European protected species (Bats) and in this regard the application should be deferred pending submission of requested report.

Councillor Dobbins moved, seconded by Alderman McClintock to defer the application pending submission of a Bat survey. The outcome of the vote was unanimous support of the proposal.

The Committee

Resolved that planning application LA11/2017/0346/O be deferred pending submission of a bat survey report.

LA11/2017/0795/F – Extension and renovations of existing community centre, incorporating 2 storey high extension to replace temporary buildings and provision of a lift at Shantallow Community Centre, 38 Drumleck Drive, Derry, BT48 8EN

The Planning Officer presented the above application, details of which had been previously circulated to Members. An overview of the background to the application was provided and based on material consideration and planning policy a recommendation to approve planning permission was given.

Councillors Hassan, Dobbins and Alderman McClintock indicated that it was pleasing to see this long awaited development come to Committee.

Councillor Hassan moved, seconded by Councillor Dobbins to approve planning permission subject to conditions as outlined in the report. The vote was unanimous support of the proposal.

The Committee

Resolved that planning application LA11/2017/0795/F be approved planning permission subject to conditions as outlined in the report.

LA11/2017/0690/F – Erection of dwellings, changing of 5 No. B21 – 3 storey house types (as approved under planning ref (A/2015/0187/F) to 5 No. B20 – 2 storey house types and minor amendments to boundary treatment at southern boundary to facilitate the treatment of Japanese knotweed on site adjacent to Sherriff’s Glen, Springtown Road, Derry

The Principal Planning Officer presented the above application, details of which had been previously circulated to Members. She presented a summary of the application and based on material consideration and in line with planning policy recommended that the application be approved subject to the conditions as outlined in the report.

Councillor Hassan moved, seconded by Councillor Boyle to approve the application subject to conditions as outlined in the report. The outcome of the vote was unanimous support of the proposal.

The Committee

Resolved that the planning application LA11/2017/0690/F be approved planning permission subject to conditions as outlined in the report.

A/2011/0197/F – 50 No. proposed social dwellings (1 No. single storey detached, 9 No. 2 storey terraced, 36 No. 2 storey semi-detached and 4 No. apartments in 2 storey detached blocks) plus single storey changing facility, 11-a-side football pitch and children’s play area – all with ancillary site works, including public road improvements to Alder Road (from junction of Culmore Road to north-west boundary of site) and extension of footpath immediately adjacent to No. 1 Ballynagard Crescent, Culmore, Derry

The Principal Planning Officer presented the above application, details of which had been previously circulated to Members. She provided an update on the background to the application and based on material consideration recommended to approve planning permission subject to the conditions as outlined within the report.

The Principal Planning Officer on a point of information referred to page 219 of the report wherein it stated that as *'Derry City and Strabane District Council were part owners of the site and had an interest in the land as required by legislation Dfl were notified and given the opportunity to 'call-in' the proposal if they felt there was a conflict of interest'*, she clarified that this was not necessary as the application was not regarded as a major conflict of interest.

Mr J Thompson addressed the Committee in objection to the application.

The Director of Environment and Regeneration advised Committee that Officers were in consultation with the local community in Culmore in terms of the provision of a wide range of facilities in that area and if a proposal was submitted in light of the consultations then due process would be followed.

The Principal Planning Officer responsible for the delivery of the Local Development Planning process further advised that in terms of balanced communities and appropriate mix and design that this was clearly indicated in the Local Development Plan.

Discussion ensued after which Councillor Dobbins moved, seconded by Councillor McGuire to support the recommendation to approve the application subject to the conditions as outlined within the report. The outcome of the vote; For 12, Against 0, Abstention 1. The proposal was carried.

The Committee

Resolved that planning application A/2011/0197/F be approved planning permission subject to the conditions as outlined within the report.

Councillor's Hassan, Jackson and Boyle left the meeting.

J/2009/0299/F – Proposed waste transfer and recycling facility incorporating associated offices, stock piles, soil treatment shed, skip storage, finished product storage, weighbridge, wheel wash, car parking, landscaping and boundary fencing 1.8 metres high at lands approx. 500m south-east of 91 Drumquin Road, Castlederg

The Planning Officer presented the above planning application, details of which had been previously circulated to Members. He provided an overview on the background to the application and based on material consideration and in line with planning policy recommended that the application be approved planning permission subject to the conditions as outlined within the report.

Discussion ensued after which Alderman Kerrigan moved, seconded by Alderman Bresland to support the recommendation. The outcome of the vote; For 10, Against 0, Abstention 2. The proposal was carried.

The Committee

Resolved that planning application J/2009/0299/F be approved planning permission subject to the conditions as outlined within the report.

Councillor's Jackson and Boyle returned to the meeting.

P179/17 Planning in Northern Ireland Conference

The Principal Planning Officer presented the above report, a copy of which had been previously circulated to Members. She advised that the purpose of the report was to advise Members of a Conference on Planning in Northern Ireland: Progress, Economic Development and Forward Strategy on 7 December 2017.

It was agreed that the Chair of Committee be nominated to attend the conference together with other Members if they so wished.

The Committee

Recommended that the Chair of Committee be nominated to attend the Planning in

Northern Ireland Conference to be held on 7 December 2017. It was also agreed that other Members of Committee could attend if they so wished.

P180/17 Notice of Opinions from DfI re. Ebrington

The Principal Planning Officer presented the above report, a copy of which had been previously circulated to Members. She advised that the purpose of the report was to advise Members on the receipt of two Notice of Opinions issued from the Department of Infrastructure's Strategic Planning Team (DFI) under Section 26(11) of the Planning Act (NI) 2011, received 22 November 2017.

Discussion ensued after which Councillor Hastings moved, seconded by Councillor Gardiner that Members note the information in the report and are content for Planning Officials to write to DFI to advise that Council have no objection to the Notice of Opinions to Approve the developments at Ebrington.

The Committee

Recommended that Members note the information in the report and are content for Planning Officials to write to DFI to advise that Council have no objection to the Notice of Opinions to approve the developments at Ebrington.

P181/17 Derry City and Strabane District Council – Planning Service Review

The Director of Environment and Regeneration presented the above report, a copy of which had been previously circulated to Members. She advised that the purpose of the report was to advise Members of the outcome of the review of Council's Planning Service undertaken during 2017, and to seek approval to adopt a Service Improvement Action Plan (SIAP) as suggested as part of the review.

The Chair welcomed the progress achieved with the transfer of planning to Council in terms of integration and policy and contractual implementation.

The Director of Environment and Regeneration in response to Members highlighted that as stated within the report additional resources had been secured to include specialist project management assistance and additional staff within the Local Development Plan and Development Management section to secure delivery of the recommendations.

The Committee

Recommended that Members note the content of the report and endorse the beginning of the process of implementation of the Service Improvement Action Plan. Officers to organize a workshop with Members to determine those recommendations that are operational and those that may require a policy change and the process for consideration of policy changes.

Open for Information

P182/17 Appeals Update

The Principal Planning Officer presented the above report, a copy of which had been previously circulated to Members. She advised that the purpose of the report was to appraise Members on Planning Appeals currently in the system. A background table was provided showing the current status of any live appeals and any decisions made since the previous month.

Councillor McGuire queried if dismissed applications were necessary on the Paper. The Principal Planning Officer confirmed that only live appeals would be notified going forward and dismissed cases presented to Committee on a less frequent basis.

The Committee

Recommended that Members note the update on planning appeals.

P183/17 List of Decisions Issued – November 2017

The List of Decisions Issued during the month of November 2017 were circulated to Members for information.

Alderman McClintock highlighted an error regarding planning application LA11/2016/1060/F and requested for the Principal Planning Officer to confirm the status of the application.

The Principal Planning Officer confirmed that the application had been refused planning permission.

The Committee

Recommended that Council notes for information the List of Decisions issued during the month of November 2017.

The meeting went into confidential business.

The Meeting terminated at 7.15pm.

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Derry City and Strabane District Council

Open Minutes of Assurance, Audit and Risk Committee held in the Council Chamber, Guildhall, Derry on Thursday 30 November 2017 at 4.00pm.

Present: - Councillor McGinley (in the Chair); Alderman McClintock; Councillors Donnelly, Duffy, Gallagher, Hastings, Kelly, McKeever, McMahan, O'Reilly, Reilly and Robinson.

Non-Member of Committee: - Councillor Carr.

In Attendance: - Director of Environment and Regeneration (Mrs K Philips), Lead Assurance Officer (Mrs D McDonnell), Internal Audit Manager (Mr J Harrigan), Head of Waste (Mr C Canning), Business Support and Change Manager (Mrs R Craig), Independent Advisor (Mr T Jackson) and Committee Services Assistant (Mrs S Lynch).

AAR105/17 Notice and Summons for Meeting

The Lead Assurance Officer read the Notice and Summons for the Meeting.

AAR106/17 Apologies

Apologies were received from Alderman Thompson and Councillor Carlin.

AAR107/17 Declarations of Members' Interests

None.

Open for Decision

AAR108/17 Chairperson's Business

There was no Chairperson's Business.

AAR109/17 Confirmation of the Open Minutes of the Assurance, Audit and Risk Committee held on Thursday 9 November 2017

The Open Minutes of the Assurance, Audit and Risk Committee held on 9 November 2017 (AAR94/17 – AAR104/17) were confirmed and signed by the Chairperson.

AAR110/17 Matters Arising

Alderman Mc Clintock referred to page 3 of the previous minutes. She indicated that she had since received a response to her query. It was confirmed to her that Council did use local government guidelines for selection and recruitment policies and she was assured they were robust in nature. Alderman Mc Clintock, although content with the response, further queried how frequently these guidelines were updated?

The Lead Assurance Officer stated that she would check when the guidelines were last updated and refer back to Committee.

Councillor Carr raised a matter which was discussed at the previous meeting. It related to an incident which involved both himself and Councillor Donnelly. He said whilst Councillor Donnelly had been contacted he was yet to receive any communication in relation to the occurrence. Councillor Carr requested a review of the report and some form of contact from Council.

The Lead Assurance Officer stated that she was aware the Health and Safety Officer had made several attempts to call Councillor Donnelly but soon issued an email in an attempt to gain contact. She indicated she would follow up further and revert back with an update at the next meeting.

AAR111/17 Internal Audit Reports

The Internal Audit Manager presented the above report. The purpose of the report was to update Members on the Internal Audit work carried out within Derry City and Strabane District Council in the period October 2017 to November 2017.

Councillor Gallagher thanked the Internal Audit Manager for the report. He raised a query regarding the name change of the Department of Social Development currently known as the Department for Communities. He queried whether this name change would have any

bearing on legally binding matters and would it affect the identified risks.

The Internal Audit Manager assured Members the name change had no effect on legality and that controls were in place regarding risks, overall it was a controlled environment.

The Business Support and Change Manager added that in terms of Community Planning

The Committee

Recommended that Council endorse the contents of the report presented.

AAR112/17 Internal Audit Plan Update

The Internal Audit Manager presented the above report. The purpose of the report was to advise Members of the current position on the implementation of the Internal Audit Plan for 2017-2018.

Councillor Duffy expressed her appreciation of the Audit department. She stated that she felt the volume of work carried out by such a small department was tremendous and on behalf of her party thanked the officers for their hard work.

The Committee

Recommended that Council endorse the contents of the report presented.

AAR113/17 Assurance, Audit and Risk Committee Member Training

The Lead Assurance Officer presented the above report details of which had been previously circulated to Members. The purpose of the report was to update Members on recent training provided and seek a recommendation from Members to enable Officers to organise relevant training for Assurance, Audit and Risk Committee Members going forward.

Councillor Gallagher welcomed the report and indicated that he was pleased the importance of Member training was highlighted. As the report indicated Committee Members were required to provide insight and strong constructive challenge. He believed that with further, continued training Members could carry out this role efficiently and effectively.

The Committee

Recommended that Council approve that:

- **The next Audit Committee training be delivered in autumn 2018 by the Lead Assurance Officer and the Internal Audit Manager.**
- **The Lead Assurance Officer and the Internal Audit Manager provide individual induction training for new Members.**
- **In addition to this Members are asked to consider if any training gaps are apparent and if so, advise the Lead Assurance Officer or the Internal Audit Manager.**

Open for Information

AAR114/17 NIAO Managing the Risk of Bribery and Corruption

The Lead Assurance Officer presented the above report details of which had been previously circulated to Members. The purpose of the report was to advise Members of the new NIAO good practice guide for the public sector on managing the risk of bribery and corruption.

The Committee

Recommended that Council note the contents of the good practice guidance on managing the risk of bribery and corruption.

AAR115/17 Waste Management

The Lead Assurance Officer presented the above report. The purpose of this report was to provide Members with a copy of the Waste and Environmental Management Risk Register and to remind Members of the report ER42/17 which was presented to and discussed by the Environment & Regeneration Committee in February 2017.

Councillor Gallagher thanked the Lead Assurance Officer for presenting the above report. He stated that at the last Committee meeting one risk had been highlighted so he was happy to see that controls were in place for the other identified risks which were clearly being tightly controlled and continue to be closely monitored.

Councillor Reilly declared he was aware a waste vehicle had caught fire this afternoon. He said he was conscious there were no injuries but if the Head of Waste, who was present at the meeting, had any update at this early stage or would it be reported to a future meeting.

The Head of Waste was happy to report there were no injuries. He stated it was too early to know the exact cause although early indication was that it was a mechanical fault. He confirmed a 6 weekly mechanical check was carried out on each vehicle as well as daily pre-inspections conducted on each vehicle before use to ensure they are fit for purpose. He declared that a full report including the cause of fire would be communicated at the next Environment & Regeneration Committee.

The Committee

Recommended that Members note the contents of the report.

AAR116/17 Performance Improvement

The Lead Assurance Officer presented the above report. The purpose of this report was to update Members in relation to the Council's Performance Improvement responsibilities.

The Committee

Recommended that Members note the contents of the report.

AAR117/17 NIAO Review

The Lead Assurance Officer presented the above report. The purpose of the report was to update Members in relation to the Northern Ireland Audit Office's (NIAO) review of issues raised with them by a waste management contractor in May 2016.

Councillor Duffy welcomed the report and embraced the vindication of Council staff. She acknowledged that the serious accusation that Council had caused a number of job losses at Brickkiln had been unfounded. She felt it was of an irrational nature that these issues were raised. She asked that in future all facts be investigated before accusations were raised. She deemed that going forward the aforementioned training would be very beneficial.

Councillor Reilly said it was a shame Mrs Colette Kane of NIAO was not in attendance to confirm their findings verbally. He said the letter received was an explicit conclusion that Council was not at fault. He believed this would offer assurance to the affected officer. He also believed Members should have faith in Council officers without fear of favour. He said he hoped there would be a similar amount of press coverage of the outcome for Council as there was when the allegations were made.

Alderman Mc Clintock welcomed the vindication of Council officers and concurred with the remarks of previous speakers.

Councillor Gallagher welcomed the report but stated Members should not fear raising issues. He believed Members endeavour to provide the public with answers and any issues brought to their attention must be taken on board, raised at relevant committees and investigated. He said Members should not be criticized for raising concerns.

Councillor Reilly asked for clarification as to why the report and letter were redacted. He understood this matter was made public when it occurred however if redaction was necessary, was the matter now deemed not for public consumption?

Councillor Duffy stated that she was aware she had mentioned the company name but felt the main issue at hand was that research should have been conducted prior to accusations being raised.

The Lead Assurance Officer referred to Councillor Reilly's point and stated that the letter was from the Director of the NIAO to the Chief Executive and it was Mrs Kane's decision to redact it.

Councillor Donnelly concurred with Councillor Gallagher's comments in that he believed Members should not be afraid to raise concerns as they were doing so on behalf of those they represent.

The Chair stated that the Committee had responsibility for ensuring that Council conducts all its business in a proper manner. Members were entitled to raise issues of concern when sufficient grounds exist to do so. He said all Members must caution against being party to unfounded allegations against Council on behalf of another individual or business. He stated that unfortunately in this instance members had, at committee meetings, accused senior council officers of acting improperly and accused Council of being responsible for the loss of jobs at a particular company. He indicated that these accusations and allegations were demonstrated to be without foundation and those members responsible may wish to consider their own position on this committee. He said that for his part as Chairperson he wanted to take the opportunity to extend support to the Council officer whose character and professionalism was called into question and asked that these sentiments were conveyed to the individual along with a copy of the Audit Office findings. He said that this case, which was not of Councils making, placed a considerable strain on our human resources and disrupted other areas of Audit work. He concluded that it was important that a firm line was now drawn under this matter and the Committee moved forward without any further delay or distraction.

The Chair deemed the matter closed.

The Committee

Recommended that Members note the contents of the report.

Meeting terminated at 4.40pm.

Chairperson _____

Date _____

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Derry City and Strabane District Council

Open Minutes of Business and Culture Committee Meeting held in the Council Chamber, Derry Road, Strabane on Tuesday 5 December 2017 at 4.00pm.

Present:- Councillor Logue (Chairperson); Aldermen D Hussey, R Hamilton, Warke, Ramsey; Councillor's Fleming, Cooper, McKnight, McGuire, Boyle, Reilly, O'Reilly.

In Attendance:- Director of Business and Culture (Mr S Gillespie), Head of Business (Mr K O'Connor), Head of Culture (Ms A McCarter) Museum & Visitors Service Manager (Ms M Edwards), Personal Assistant to Director of Business and Culture (Mrs J Galloway-Doherty) and Committee Services Assistant (Mrs J Short).

Representing Visit Derry: Mr O Dunne, General Manager & Mr D Wilmont, Chairman

Representing McCadden Branding Consultants: Mr G McCadden

Non-Committee Member: Councillor Gallagher

BC230/17 Notice and Summons for Meeting

The Director of Business and Culture read the Notice and Summons for the meeting.

BC231/17 Member Attendance and Apologies

Apologies were received from Councillor's Cusack and McMahan.

BC232/17 Declarations of Members' Interests

- Councillor Boyle and Alderman Hussey declared an interest with Visit Derry presentation.
- Councillor Cooper declared an interest in Agenda Item: Update on Work of the Education and Skills Delivery Partnership.

- Councillor's O'Reilly, Fleming, Logue and Alderman Ramsey declared an interest in Agenda Item: PEACE IV Local Action Plan Objective 4.1 Small Grants Programme.

BC233/17 Presentation: Visit Derry

The Director of Business and Culture invited the representatives from Visit Derry to provide an update to Members on the progress of the organisation and its inclusion in the Tourism Strategy process over the next 5 years. (A copy of the presentation was previously circulated to Members). He reiterated that Visit Derry is the Council's destination partner. Next month the draft Tourism Strategy will be tabled. This will have a number of actions as part of a detailed plan. These will include very specific actions for the Sperrins.

Mr Wilmont, Chairman of Visit Derry thanked Members for the opportunity to provide an update on the work of Visit Derry and he thanked Council Officials for their role in supporting the organisation.

He reminded Members that Visit Derry was a Membership organisation which partnered between the public and private sectors. The membership was open to any tourism related company or organisation approved by the Executive Team that wished to support the growth of tourism to the region. He added that the Company was established to promote the City of Derry and its surrounding area as a centre for business and leisure, tourism, travel, national and international conferences, exhibitions, festivals and trade fairs.

Mr Wilmont referred to the roles and functions of Visit Derry that included the following:

- Destination Marketing
- Visitor Servicing
- Industry Engagement
- Influence and Advocacy

He assured Members that the organisation would continue to be committed to working in partnership with DCSDC in terms of tourism development throughout the City and wider Council area.

Mr Dunne, General Manager also thanked the Members for the opportunity to provide an update on the performance of Visit Derry

over the previous year. He said that 2016 was a record year and there was a 26% increase in overnight visitors in comparison to 2015, and generated approximately £282k into the local economy. He added that to date records show that 2017 would be another record year.

Alderman Warke joined the meeting at this stage.

Mr Dunne referred to Destination Marketing and the tools used to attract visitors to the area through press media bloggers and PR exposure. He added that familiarisation events were also co-ordinated; Trade and consumer shows, Fam Visits by Travel Trade and Media and Trade Leads.

Alderman Ramsey joined the meeting.

Mr Dunne further stated that Visit Derry was a private/public sector partnership and 279 businesses had committed to an annual membership fee in 2016/17. He said that there was a range of providers who benefited from their association with Visit Derry in terms of product development.

He added that a series of network events and product awareness trips are co-ordinated and they work closely with the Universities, the Western Trust Medical Sector and local industries to attract association conferences to the region.

Mr Dunne in conclusion referred to what had to be achieved in going forward:

- Endorsement of the role of Visit Derry following Independent Review
- Increase the investment in tourism
- Strategic Investment in Re-locating VIC
- New Tourism Strategy Endorsement
- Deliver a successful public-private sector partnership for the benefit of the city region

The Chair thanked both representatives for the update on Visit Derry. She said that it was encouraging to note an upward trend in this type of tourism market and in particular the increase in job opportunities for the region. She congratulated the recent achievement by the staff at the Visitors Centre, Foyle Street who came first equal in the Tourism NI Customer Service Audit.

Councillor Cooper thanked the representatives for their presentation. He commented that the tourism sector was one of the key growth areas that Council continued to focus on in terms of servicing visitors and product development across the City and wider District area.

Councillor Reilly also thanked the representatives for a comprehensive presentation that answered any concerns that Members had and it was encouraging to note the increase in visitors returning to the District area. He referred to the inclusion of public art, heritage and historic buildings in terms of visitor attraction. He further referred to opportunities within creative industries and sport that should be developed to encourage visitors to the District.

Councillor Gallagher referred to a previous report in relation to the Visit Derry review where it was stated that Visit Derry would focus on the core product, Derry City and no reference was given to the development of visitor attraction to Strabane Town.

Councillor O'Reilly joined the meeting at this stage.

Alderman Hussey thanked the representatives for providing an informative update. He said that in his opinion Visit Derry worked well, however the expansion of the role was necessary in order to assist tourism beyond the City. He sought clarity in relation to core roles, and anticipated job creation by 2020 and if this was within the city or wider District area. He also referred to niche market development eg. walking, fishing, golf etc that required further development beyond the City. He said that it was important to encourage visitors to stay overnight outside of the City, to increase economic benefit throughout the wider Council area.

The Director of Business and Culture advised Members that the draft Tourism Strategy would address the issue of encouraging visitors outside of the City and Visit Derry was responsible for product development in that regard.

The Head of Culture advised that tourism development including tourism promotion was about creating confidence and stimulating the private sector to invest in product development particularly accommodation of all kinds.

The Head of Business commented that the accommodation market was growing in terms of Bed and Breakfast sector and it was therefore important to build upon the strengths that already existed. He added that in terms of private sector accommodation, confidence was growing and it was important that a positive message was portrayed by Council.

Mr Wilmont in response to Members, reiterated that Visit Derry was committed to working with Council and fully recognised the current service led agreement in terms of the City and would continue to deliver on the agreement and work towards the development of the product across the District and region.

The representatives left the meeting at this stage.

Open for Decision

BC234/17 Chairperson's Business

The Chair referred to the success of the Christmas Light Switch-On events held recently in Strabane Town and Derry City and congratulated staff involved with the event. She said that she looked forward in anticipation to the upcoming festive activities throughout the City and District.

BC235/17 Confirmation of the Open Minutes of the Business and Culture Committee held on Friday 10 November 2017.

The Open Minutes of the Business and Culture Committee Meeting held on 10 November 2017 (BC213/17- BC225/17) were agreed and signed by the Chair.

BC236/17 Matters Arising

Councillor Hussey referred to Minute Ref: BC220/17 – Tower Museum Accreditation 2017 and requested that Officers investigated the potential of the Stables Museum, Sion Mills working in partnership with the Tower Museum.

BC237/17 ACNI Resilience Programme

The Head of Culture presented the above report, details of which had been previously circulated to Members. The purpose of the report was to seek Members approval to proceed with a Cultural Venues Resilience Programme in partnership with the Arts Council of Northern Ireland (ACNI) and Belfast City Council.

Councillor Fleming welcomed the report and commented that the funding would benefit the people of the District. He stated that although it was a pilot project it was hoped that the programme would be expanded to other organisations in the future.

Councillor Reilly also welcomed the report and commented that the programme provided an opportunity to enforce the importance of the arts that offered a unique selling point in terms of cultural history.

Alderman Ramsey concurred with the previous speakers remarks.

The Head of Culture in response to a query from Alderman Hussey, clarified that if the programme was extended to other Cultural organisations within the DCSDC area that the threshold would be reduced accordingly.

The Committee

Recommended that Council approve in principle the participation of the proposed Resilience Programme subject to the finances becoming available for the coming financial year.

BC238/17 Allocation of Culture Department in Year Savings 2017/2018

The Head of Culture presented the above report, details of which had been previously circulated to Members. The purpose of the report was to outline the in-year savings from the Culture department and to seek Members approval to allocate them to other areas of spend required within the Department. She also indicated that since release of the report there was a further request from the savings as there was a need to replace the emergency lighting at the Alley Theatre in Strabane at an estimated budget of £7,000.

Members welcomed the report and were encouraged to note that as a result of the savings all the successful applicants to the Cultural Venues fund 17/18 would now receive their full allocation of funding.

The Committee

Recommended **that Council approves the re-allocation of potential in year savings from the Culture Department to the projects outlined in the report.**

BC239/17 Bad Debt from Car Parking Penalty Charge Notices

The Head of Business presented the above report, details of which had been previously circulated to Members. The purpose of the report was to seek approval to write off an amount of charges incurred through Penalty Charge Notices that the Department for Infrastructure now considers will not be collected. This debt was historical and was not related to the period of ownership since car parks were transferred to Council.

Members welcomed the report. Alderman Ramsey moved, seconded by Councillor McKnight to support the following recommendation.

The Committee

Recommended **that Council approves writing off the amount of £176,703.95 Bad Debt incurred from unpaid PCNs**

BC240/17 Future Delivery of Off-Street Car Park Enforcement and Penalty Charge Notice Processing

The Head of Business presented the above report details of which had been previously circulated to Members. The purpose of the report was to seek approval to extend the existing agency agreement with the Department for Infrastructure for the provision of the Off-Street Car Park Enforcement and Penalty Charge Notice processing services for a further period of 3 years from 1 November 2019 until 31 October 2022.

The Committee

Recommended that Council; i) are asked to note the AECOM has completed its analysis in relation to the future delivery options for Off-Street Car Parking.
 ii) agree to extending the existing Agency Agreement with the DfI for the provision of the above services for a further period of 3 years from 1 November 2019 until 31 October 2022.
 iii) note the proposals to utilise the findings of the AECOM analysis to improve the service delivery of the DfI and NSL as well as mitigating the risk of costs associated with successful appeal.

Councillor Reilly left the meeting.

BC241/17 Update on the work of the Education and Skills Delivery Partnership

The Head of Business presented the above report details of which had been previously circulated to Members. The purpose of the report was to update Members on the work of the Transition Education and Skills Group and the progress made on delivering a number of priority education and skills collaborative actions as identified in the Inclusive Strategic Growth Plan: Community Plan.

The Committee

Recommended that Council notes the update on the work of the Transition Education & Skills Group and progress made on delivering a number of priority education skills collaborative actions with partners as identified in the Inclusive

Strategic Growth Plan: Community Plan.

BC242/17 War Memorials

The Director of Business and Culture presented the above report, details of which had been previously circulated to Members. The purpose of the report was to update Members regarding the ownership of the War Memorial in the Diamond and to outline the way forward regarding the treatment of other memorials in the City and District.

Councillor Cooper welcomed the report. He stated that in terms of restoration of other memorials throughout the District area that the working group discuss the various options in that regard and explore opportunities to avail of match funding.

Alderman Warke welcomed the report and said that it was important that the war memorial was restored to original condition.

Councillor Hussey also welcomed the report. He referred to the impending Centenary War events to be held in 2018, and requested that all of the war memorials throughout the District are restored to their former condition and in particular the War Memorial at Sion Mills.

Councillor Gallagher stated that it was important the Council established ownership of the war memorials in going forward.

The Chair advised that whilst ownership of the war memorials had still to be established, as stated by the legal team, Council have the powers to maintain and upkeep the memorials and the Decade of Centenaries Working Group would discuss a way forward in that regard.

The Committee

Recommended that Council notes for information the report on War Memorials.

Open for Information

BC243/17 Business Boost Update

The Head of Business presented the above report, details of which had been previously circulated to Members. The purpose of the report was to provide Members with a progress update on Business Boost.

The Committee

Recommended that Council notes the contents of the update report on Business Boost.

BC244/17 Enterprise Week 2018 Update

The Head of Business presented the above report, details of which had been previously circulated to Members. The purpose of the report was to provide Members with a progress update on Enterprise Week 2018.

The Committee

Recommended that Council notes the progress update on Enterprise Week 2018.

BC245/17 Update on Year 3 Q2 Kickstart to Work Project funded by European Social Fund

The Head of Business presented the above report, details of which had been previously circulated to Members. The purpose of the report was to provide Members with a year 3, Q2 report (1 July 2017 – 30 September 2017) on the Kickstart to Work Project.

Councillor Cooper commented that whilst he welcomed the report he had concerns in relation to the barriers imposed for clients to progress to level 2 and therefore a more bespoke approach was required to ensure that people had the opportunity to progress if they so wished.

The Head of Business clarified for Councillor Hussey that the programme of events had not been finalised as yet and he confirmed that events will be held in Strabane Town.

The Committee

Recommended that Council notes the update report on Year 3 Q2 Kickstart to

Work Project funded by European Social Fund.

Alderman Warke left the meeting.

BC246/17 Launch of £10k Business Start-Up Challenge 2018

The Head of Business presented the above report, details of which had been previously circulated to Members. The purpose of the report was to provide Members with a progress update on the launch of the £10k Business Start Up Challenge 2018.

Councillor McKnight welcomed the report and said that it was a fantastic opportunity to develop entrepreneurship that will benefit the local economy.

Councillor's Boyle and O'Reilly left the meeting.

The Meeting went into confidential business.

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Derry City and Strabane District Council

Open Minutes of Environment and Regeneration Committee held in Council Chamber, Derry Road, Strabane on Wednesday 6 December 2017 at 4.00pm

Present:- Councillor Dobbins (in the chair), Aldermen Bresland, Hussey, Ramsey and Warke, Councillors Campbell, Duffy, Hastings, C Kelly, D Kelly, R McHugh and Reilly.

Non-Members of Committee: Alderman Devenney and Councillor McGuire.

In Attendance: Director of Environment and Regeneration (Mrs K Phillips), Head of Environment (Mr C Canning), Regeneration Manager Mr T Monaghan and Committee Services Assistant (Ms N Meehan).

Representing Eunomia: Mr D Hogg and Ms C Durrant.

Representing Zero Waste North West: Mr J Keys.

Representing the Urban Villages Initiative: Ms L Farrell (Director of the Urban Villages Initiative), Mr G Murray (Programme Delivery Manager) and Mr C McGurk (Capital Programme Manager).

ER255/17 Notice and Summons for Meeting

The Director of Environment and Regeneration read the Notice and Summons for the Meeting.

ER256/17 Apologies

Apologies for absence were received from Councillors Hassan and Tierney.

ER257/17 Declarations of Members' Interests

Councillors Hastings and C Kelly declared an interest in item 25 – Tender Evaluation report – Provision for the Receipt and Processing of Local Authority collected Kerbside Commingled Recyclables.

ER258/17 Deputation - Eunomia

The Chair welcomed Mr D Hogg and Ms Camilla Durrant, Eunomia and Mr J Keys, Euro Waste North West who gave a powerpoint presentation updating Members on the Zero Waste Circular Economy which highlighted the following areas:

Zero Waste Circular Economy

- Supported by DCSDC Community Plan
- Zero Waste Move3ment
- Zero Waste Europe identifies three main elements in moving towards zero waste

Culture Change
Engaging Community
Changing Infrastructure

- Other Zero Waste Municipalities achieving 80-90% separate collection and <100kg residual waste/person

Design
Prevention (incl reuse)
Preparation for Reuse
Recycling
Other Recovery
Disposal

Baseline Where Are We Now?

Fortnightly Recycling
Weekly Food Waste
Fortnightly Garden Waste
Fortnightly Residual

Waste Modelling Results

Comparison of Recycling Tonnages, 2029/30
Comparison of Monetised Environmental Costs 2029/30 (£)
Comparison of Financial Costs by Service Area, 2029/30
Comparison of Employment, 2029/30
Residual Waste per person per year, 2029/30

Resource Collection Approach and Material Value

Other Policy Areas Defined for Action

Behaviour Change and Education
Green Procurement
Circular Economy Business Support and Innovation

The chairperson welcomed students from Thornhill College to the Meeting. She explained that these students were Eco Prefects and had addressed an earlier Meeting of Council on the issue of zero waste.

Members concurred with the sentiments expressed by the Chairperson.

Members also welcomed those present in the public gallery whose presence reflected the importance of this subject for the City and district.

Members thanked the deputation for their comprehensive presentation and commended them on its content.

The Chairperson stated in terms of total household recycling and composting between July-September 2017 Council had achieved a total recycling, compost and reuse figure of 45.18% which was commendable. She referred to the importance of education in relation to behavioural change and again commended the Eco Prefects from Thornhill College who were proof of this.

Members then raised the following issues:

- Referred to the massive potential this strategy would have for the Council area in terms of both the economy and job creation.
- Welcomed this report which was visionary in terms of progressing the strategy and the potential £3 million savings.
- Stated that this report was timely given the extensive media attention to the issue of waste.
- Referred to the fact that education and local communities were key in terms of implementing the strategy and changing the public mind-set.
- The implementation of this strategy would force changes in relation to addressing waste.
- Referred to figures presented in regards to food waste and welcomed proposed initiatives to divert food waste from going to landfill.

- Whilst acknowledging the various recycling initiatives referred to the importance of waste prevention which had both moral as well as financial implications.
- Referred to the need to address the issue of excess packaging in terms of achieving zero waste particularly at this time given the forthcoming Christmas period when excess packaging and the subsequent increased waste arising therefrom was a major issue.
- Referred to the need to implement the strategy as extensively as possible.
- Referred to the need to highlight to the local community the financial savings to be made by Council from waste reduction which would have an ultimate impact on the rates.
- Pointed out that Council had worked tirelessly to achieve the 45.18% in relation to dealing with household waste.
- Enquired as to the possibility of extending the Eco Prefects initiative to other schools within the City and district.
- Welcomed the publication of the brochure on the issue of food waste which it was felt was most informative.

The Chairperson advised that Mark Durkan MLA the former Environment Minister had earlier that week penned a question to the Assembly Commissioner to eradicate single use plastics from Parliament Buildings.

The Chairperson expressed serious concerns regarding an incident she had been notified regarding a vulnerable member of the community who had been approached by an individual requesting money in respect of the alleged contamination of his blue bin.

The Head of Environment reassured Members that Council Officers would never approach households directly to demand money.

The Chairperson referred to the need to publicise the fact that Council Officers would never request money directly for an alleged breach of Council's byelaws.

Alderman Hussey stated that anyone who finds themselves in a similar situation should be encouraged to contact the PSNI immediately as this was blatant intimidation.

Mr Hogg thanked Members for their comments and support for the strategy. He stated that if Council were to adopt the strategy it would be at the forefront in the UK of achieving the objectives contained

within the strategy and would be extremely positive for Derry City and Strabane District Council. He advised that there were a number of jurisdictions who were currently endeavouring to address issues such as single use plastics and Brighton Council had indicated that they would not purchase any more single use plastics.

Mr. Keys on behalf of Zero Waste North West thanked Council for agreeing to jointly commission with DEARA this innovative piece of work and to work in partnership with ZWMW to achieve it. He referred to the reasons behind the inception of the strategy and its role in terms of community planning. He stated that the Zero Waste Circular Economy approach to transforming how to address and deal with waste was jobs rich. In conclusion he thanked Mark Durkan MLA and DEARA for the initial contribution to funding the work and for Council for matching this funding and all those involved on this piece of work which would ultimately provide financial dividends.

In response to a query from Councillor Reilly, Mr Hogg advised that many things could be done to reduce the amount of residual waste and he referred to a policy which had been suggested in the strategy document. He stated that this would likely be a matter for discussion between Council and Zero Waste North West. He referred to the need for Council to ensure that its contract in respect of this service was flexible and did not prevent Council from availing of a more competitive priced service should the opportunity arise e.g. procure a facility on a pay as you go type contract. He stated that there were other methods available for treating residual waste aside for incineration. He referred to the need for Council to set out a contractual process which did not bind it to a service which would not be of benefit in terms of reducing residual waste.

In response to a query from Alderman Ramsey, Mr Hogg explained that a solution had been found in countries heading towards zero waste using technologies which were capable of sorting recyclable materials from remaining waste e.g. plastics which basically provided them with a second opportunity of recycling. He stated that typically the best performing systems could remove 20-30% of residual waste however, there was still a further quantity which tended to be food waste. He referred to the possible use of anaerobic digesters/composting/landfill. He stated that approximately 30% of food waste went to landfill.

Alderman Hussey suggested that Officers investigate and report back to Committee on the potential for introducing a Zero Waste Policy for the Council area together with the implications thereof.

The Director of Environment and Regeneration referred to the first report on the Committee Agenda which was for Members to adopt this Zero Waste Policy and, if adopted, there would be a Circular Economy/Zero Waste strategy for this Council area following which Council would work with local communities towards implementing as many of the initiatives contained in the strategy as possible.

Councillor McGuire enquired if research had been carried out into the issue of renewables and the waste generated from anaerobic digesters.

Mr Hogg advised that the method for using output from anaerobic digesters depended on whether this was clean or mixed waste in terms of residue. He stated that under current UK Regulations there were standards set up by WRAP called the Public Available Specification and in terms of output from digesters it was only permitted to go onto land if materials had been separated at source leaving only food waste. Ultimately these end waste products were used for agricultural purposes.

Subsequently Councillor Duffy Moved, Councillor Reilly Seconded and the Committee

Recommended (a) that representatives from DAERA be invited to address a future Meeting of the Committee on the Zero Waste Circular Economy Strategy; and

(b) that the Zero Waste Circular Economy Strategy approach be fed into the Planning Committee to ensure that future developments meet with the standards set out in the Strategy.

The Deputation were thanked for their presentation and they withdrew from the Meeting.

ER259/17 Urban Villages Initiative

The Chairperson welcomed Ms L Farrell (Director of the Urban Villages Initiative), Mr G Murray (Programme Delivery Manager) and Mr C McGurk (Capital Programme Manager) Urban Villages Initiative to the Meeting.

The representatives gave a joint powerpoint presentation updating Member on the Urban Villages Initiative outlining the following areas:

The Urban Villages Initiative was designed to improve good relations outcomes and develop thriving places where there had been a history of deprivation and community tension.

- Investment to Date
- Summary of What Has Happened to Date – Derry/Londonderry Capital Projects
- Wider Stakeholder Engagement
- Capital Pipeline Process
- 2017/21 Derry/Londonderry Capital Pipeline Projects
- Capital Project Development Stages
- Partnership Approach

A Strategic Approach to Delivery
Delivery Partners
Partnership Funding Contributions

Members thanked the deputation for their presentation and welcomed the Urban Villages Initiative.

Members then raised the following issues:

- Welcomed the Urban Villages Initiative and acknowledged the work being carried out in the various areas included in the scheme.
- Although at the early stages this Initiative had wonderful potential for the City Centre.
- Enquired if there were any plans to incorporate public art in terms of improving visual aesthetics and upgrading areas.

- This was an exciting scheme for areas which whilst under-developed had considerable historic value which should be exploited.

In response to a query from Alderman Warke regarding the various project categories, Mr McGurk explained that Local Projects referred to works costing under £1/2M; Landmark Projects between £1/2M-£2M and Transformational Projects between £2M-£10M. He stated that Transformational Schemes would have an impact across the entire Urban Village area possibly attracting people from outside the immediate area. He stated that each of the schemes would be subject to a business case which would inform the final outcome of the projects.

Ms Farrell advised that the costings in respect of the three project categories had been agreed generally for budget planning purposes. However she stated that it would not be unusual for a Local Project to have a transformational impact.

The Deputation were thanked for their presentation and they withdrew from the Meeting.

Chairpersons Business

ER260/17 Condolences

The Chairperson expressed her sincere condolences at the recent death Councillor Hassan's sister.

Members from all Parties requested that their best wishes be conveyed to Councillor Hassan on the death of his sister.

ER261/17 Confirmation of the Open Minutes of the Environment and Regeneration Committee held on Wednesday 15 November 2017

Minutes of the Environment and Regeneration Committee held 15 November 2017 (ER222/17-ER241/17) were confirmed and signed by the Chairperson as correct.

Matters Arising

ER262/17 Closure of Ulster Bank Branches (Ref ER227/17)

In response to a query from Alderman Hussey, the Director of Environment and Regeneration advised that the Director of Business and Culture had undertaken to write to Ulsterbank Headquarters regarding the proposed branch closures. She undertook to ascertain if a reply had yet been received and report back accordingly.

ER263/17 Magheramason Play Provision Update (Ref ER237/17)

In response to a query from Alderman Hussey regarding the scoping exercise in respect of the Magheramason Play Provision, the Director of Environment and Regeneration advised that it had been agreed at the November Council Meeting that this would be brought to the next Meeting of the Capital Working Group.

ER264/17 Adoption of a Circular Economy/Zero Waste Strategy for Derry City and Strabane District Council

The Head of Environment presented the above report which had been previously circulated to Members. He stated that the purpose of this report was to seek Members endorsement with regard to the final draft of a Circular Economy/Zero Waste Strategy for Council prepared by Eunomia Consulting.

Arising from discussion on the above Councillor Reilly advised that he had been contacted by an individual who had a family member with Alzheimer's disease who was concerned that their family member may be in breach of Councils bye-laws by unintentionally placing waste in the wrong bins. He requested that Officers adopt a sympathetic approach when dealing with all vulnerable people.

The Head of Environment assured that Council Officers would treat such cases sympathetically and ensured a supportive approach in this regard.

Councillor Hastings stated that this strategy would provide employment opportunities for Council together with other economic benefits for the City and district resulting in ultimate savings to ratepayers.

Subsequently the Committee

Recommended that Members endorse the Circular Economy/Zero Waste Strategy.

ER265/17 St Columb's Park – Disk Golf

The Head of Environment presented the above report which had been previously circulated to Members. He advised that the purpose of the report was to advise and seek Members approval with regard to an approach from St Columb's Park House to develop a Disk Golf Course in St Columb's part of their peace in the Park programme.

Alderman Ramsey welcomed the work being carried out at St Columb's Park by Peace in the Park in an effort to combat anti-social behaviour.

The Head of Environment advised Members that CCTV was now operational in St Columb's Park and was being monitored by CCI.

Councillor Reilly welcomed the proposal and anticipated that it would attract people to the general area.

In response to a query from Alderman Hussey, the Head of Environment undertook to ascertain if this was a recognised sport by Sport NI.

Subsequently the Committee

Recommended that Members give approval to support St Columb's Park house to develop a Disk Golf subject to a 1 year trial period subject to confirmation of insurances and final sign off on technical detail and course layout from a management and maintenance perspective.

ER266/17 Street Naming and Property Numbering – Development of 6 New Dwellings art Clooney Road, Derry

The Director of Environment and Regeneration presented the above report which had been previously circulated to Members. She advised that the purpose of the report was to gain Members consent to name a new development of six dwellings at the site of a former nursing home on Clooney Road, Derry.

The Committee

Recommended that Members approve the proposed first name for this development 'Coralmount' as it pertains to the name of a business that previously occupied the side.

ER267/17 Street Naming and property Numbering – Development of 85 New Dwellings at Tullyally Road, Derry.

The Director of Environment and Regeneration presented the above report a copy of which had been previously circulated to Members. She advised that the purpose of the report was to gain members consent to name a new development of eighty five dwellings at a site on the Tullyally Road, Derry.

The Committee

Recommended that Members approve the proposed first name for this development 'The Hillocks' as it complies with Council Policy as it pertains to a translation of the town land name.

Open For Information

ER268/17 Applications Processed Under Building Regulations (NI)

The Director of Environment and Regeneration presented the above report a copy of which had been previously circulated. She stated that the purpose of the report was to advise Members of applications processed under Building Regulation (NI) between 1 October 2017 and 31 October 2017.

Members noted the content of the report.

ER269/17 Street Naming and Property Numbering – Requests for Installation of Bilingual Signage.

The Director of Environment and Regeneration presented the above report a copy of which had been previously circulated to Members. She advised that the purpose of the report was to inform Members of the outcome of recent applications to provide bilingual signage at Durrow Park, Derry and Mount Carmel Heights, Strabane

Members noted the content of the report.

ER270/17 Provision of Portacabin at Culmore Country Park

The Head of Environment presented the above application a copy of which had been previously circulated to Members. He advised that the purpose of the report was to update Members on the cost of siting a portacabin for use by Culmore Community Partnership within Culmore Country Park.

Members noted the content of the report.

ER271/17 Six Monthly Progress Report – Environment and Regeneration Directorate

The Director of Environment and Regeneration presented the above report a copy of which had been previously circulated to Members. She advised that the purpose of the report was to present Members with a six monthly update in relation to progress against the Environment and Regeneration Annual Service Plan for 2017/18. She stated that this provided an opportunity to highlight the Directorate's key achievements during the period.

Councillor Hastings commended the Environment and Regeneration Directorate on their outstanding achievements during the past six months which were all towards the betterment of peoples' health and wellbeing. He thanked Officers on their determination, diligence and planning in this regard and anticipated that this would continue.

In response to concerns expressed by Alderman Hussey, the Director of Environment and Regeneration advised that Council had been progressing with legacy cases transferred from Planning Service over the past two years in terms of achieving targets. She stated that in terms of processing planning applications there had been a considerable number of legacy planning applications which had transferred over from the Department. She said she understood that now less than thirty applications remained outstanding and it was anticipated that this would be reduced below ten in the coming months which would assist the process significantly.

Councillor D Kelly referred to the considerable number of legacy planning applications processed by Council and which had been reduced significantly. Whilst acknowledging the importance of

meeting targets he referred to the need to ensure that the correct decisions were being made even if this delayed the process.

In response to a query from Alderman Hussey, the Head of Environment advised that Officers had reviewed the roll-out of the food waste collection scheme and had identified that it was one collection short of covering the entire Council area. However it was anticipated that it would be extended across the district by the end of March 2018.

Members commended the Directorate on their achievements during the previous six months.

ER272/17 Update Report – Repair of Council Facilities following Flood Damage.

The Head of Environment presented the above report a copy of which had been previously circulated to Members. He advised that the purpose of the report was to update members on works to repair Council properties following the flooding incident of August 2017.

Alderman Hussey welcomed the above report and said it was encouraging that Council was working toward the completion of works in all Councils properties.

In response to a query from Alderman Hussey regarding the anticipated completion date of these works, the Head of Environment explained that there were a number of issues around procurement which required approval. He stated that where possible works had been authorised and it was anticipated that these would be completed without delay.

Councillor D Kelly commended Officers on their hard work and efforts in this regard.

The Chairperson advised that she had requested Officers to invite to the January Meeting of the Committee representatives from a company who manufacture compostable food utensils in line with Council's Zero Waste Strategy.

The Committee

Recommended that Members note the contents of the report.

ER274/17 Result of Legal Proceedings

The Director of Environment and Regeneration presented the above report a copy of which had been previously circulated to Members. She advised that the purpose of the report was to advise members as to the outcome of the Magistrates' Court on 17 August 2017. 21 September 2017 and 19 October 2017.

The Committee

Recommended that Members note the contents of the report.

ER272/17 Proposed Disabled Parking Bays

The Director of Environment and Regeneration presented the above report a copy of which had been previously circulated to Members. She advised that the purpose of the report was to advise Members of correspondence dated 3 November 2017 from Transport Ni, Network Development Section, regarding proposed disabled parking bays throughout the district.

The Committee

Recommended that Members note the contents of the report.

The Meeting Terminated at 6.25 pm

_____ **Chairperson**

_____ **Date**

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Derry City and Strabane District Council

Open Minutes of Health and Community Committee of Derry City and Strabane District Council held in the Chamber, Strabane Council Offices, on Thursday 7 December 2017 at 4.00pm.

Present: - Alderman Drew Thompson (Chairperson); Alderman McClintock, Councillors Campbell, Carlin, Gallagher, Gardiner, Hastings, Jackson, McGinley and R McHugh.

In Attendance: - Director of Health and Community (Mrs K McFarland), Head of Community Development and Leisure (Mr B O'Hagan), Head of Health and Community Wellbeing (Mr S Donaghy), PA to Health and Community Director (Mrs L Shields) and Committee Services Assistant (Mrs T Johnstone).

HC250/17 Notice and Summons for Meeting

The Director of Health and Community read the Notice and Summons for the Meeting.

HC251/17 Members Attendance and Apologies

The Director of Health and Community recorded Members attendance. There were apologies from Alderman R Hamilton and Councillors Cusack, Duffy and Tierney.

HC252/17 Declarations of Members' Interests

There were no Declarations of Interest.

Open for Decision

HC253/17 Deputations

There were no deputations.

HC254/17 Chairperson's Business

There was no Chairperson's Business

HC255/17 Confirmation of the Open Minutes of the Health and Community Committee held on Thursday 16 November 2017

The open Minutes of the Meeting held on 16 November 2017 (HC227/17 –HC246/17) were confirmed and signed by the Chairperson as correct.

As a matter of accuracy Councillor Carlin referred to HC238/17 Grant Aid Programme where the minute had stated - *SDLP had not supported any budget or striking of the rate* – and stated that it should say the Independent Member had not supported the striking of the rate.

It was agreed that the minutes be amended accordingly.

Matters Arising

There were no matters arising.

HC256/17 Draft Street Trading Policy

The Head of Health and Community Wellbeing presented Members with the above report, a copy of which had been previously circulated. The purpose of the report was for Members to consider the development of a Street Trading Policy for the district, incorporating reviews of the designated streets within the district and the licensing fees.

Councillor Gardiner welcomed the report and that discussions would be held with stakeholders as in previous years street traders had been trading from outside shops which sold identical items resulting in a loss of trade to the shop owners. She asked that Council take the matter into consideration as part of the consultation process.

The Head of Health and Community Wellbeing stated that they would be consulting with businesses across the City and District, particularly within the designated streets. He added that any concerns would be taken into consideration as part of that engagement process.

Councillor Gallagher welcomed the report and stated that he hoped it would deal with some of the anomalies that had been identified in the Strabane area. He referred to traders not being able to trade on site at Melvin Sports Complex although he understood this did not occur at

Council owned facilities in the Derry area and hoped the matter would be taken into consideration.

In response, the Head of Health and Community Wellbeing stated that the Street Trading Policy had referred to: *“street” includes: any road or footpath within the meaning of Article 2(2) of the Road Traffic (Northern Ireland) Order 1995; any “public place”; and any part of a street*, which would not cover the anomaly. He further stated it was a matter outside of the Policy but would be taken under consideration.

The Director of Health and Community stated that where there had been individual representation, Officers had met with traders in an attempt to reach solutions. She added that it would be good practice from a Council perspective if all facilities and properties were taken into consideration within the review regarding roads and lands and the processes if trading were permitted on same.

Councillor Campbell referred to item 3.7 within the report regarding the standard, non-refundable charge for each application. He enquired if this was a new element within the Policy.

In response, the Head of Health and Community Wellbeing stated that this was a new element to the Policy. He explained that the initial fee was to process the application and, if granted, the applicant would then pay the licence fee.

Councillor Hastings welcomed the revised, concerted Policy.

Alderman McClintock congratulated Officers on their work which gave an opportunity to regulate street trading activities and complement the regulations already in place. She added that the street traders brought a vibrancy to the area and added to Council’s tourism offering.

The Committee

Recommended that (i) that Members agree to the proposed consultation of the Street Trading Policy, currently in draft form; (ii) agree to commencement of a consultation exercise with key

stakeholders as part of the review of designated streets and (iii) agree to a review of the fees and charges for the scheme as part of the consultation.

HC257/17 Consultation on Changes to the Affordable Warmth Scheme

The Head of Health and Community Wellbeing presented the above report, which had been previously circulated to Members. The purpose of the report was to inform Members that the Department for Communities (DfC) had published a consultation paper entitled 'Changes to the Affordable Warmth Scheme'.

Alderman McClintock stated that the Affordable Warmth Scheme was a lifeline to many people within the City and District and expressed concern at the reduction to the number of properties for the scheme due to the proposed increase to the income threshold. She enquired if any action could be taken regarding the properties that could be included in the scheme.

In response, the Head of Health and Community Wellbeing stated that a number of meetings had been held with the Department for Communities where it was emphasised that demand for the scheme in this Council area was much higher than in other Council areas. He further stated that the officers' response in terms of the consultation recommended that this Council area makes more referrals to the Affordable Warmth Scheme.

Councillor McGinley welcomed the increase in the threshold for households from £20,000 to £23,000. However, he expressed concern that some households would barely reach the £20,000 limit as a large proportion of people within the City and District were between the £18,000 - £20,000 range. He stated that more resources were needed to combat the lengthy waiting list and also in terms of administering the scheme and putting the appropriate personnel in place. He referred to the report which stated that funding had been evenly distributed across all Councils and stated that Members had predicted through the course of the scheme that there would always be an increased demand throughout the City and District. He added that Sinn Fein looked forward to robustly contributing to the response to the Department for Communities.

Councillor Gallagher welcomed the report and stated that he had attended a recent consultation event where concerns had been expressed regarding the reduction to £18,000, however the increase to £23,000 may assist the working poor. He reported that a bid would be entered to continue the Affordable Warmth Scheme for the next five years and would include beneficiaries such as Council and Northern Ireland Housing Executive. Councillor Gallagher proposed that if the bid was successful that the Committee set up a working group comprising of Elected Members, Council Officers and the Northern Ireland Housing Executive to ensure the smooth running of the scheme.

Councillor McGinley seconded the proposal. He referred to procurement of services within the scheme and asked if Members could receive more details as it had been suggested that there would be one contractor for each household.

Councillor Gallagher confirmed that a single provider would be responsible for work at each household.

Councillor Hastings stated that the scheme provided affordable warmth for families in the area and provided employment to small contractors within the City and District. He further stated that the differential between a single person was almost the equivalent to households with more than one person and asked for this to be taken into consideration.

The Committee

Recommended that (i) a draft consultation response is presented for Committee consideration; (ii) approve retrospective Member attendance to a suitable consultation event and (iii) that if the bid for the scheme to run for five years is successful, an all Party plus 1 Independent Member working group be set up to ensure the smooth running of the scheme.

HC258/17 Local Air Quality Management (LAQM)

The Head of Health and Community Wellbeing presented the above report, previously circulated to Members. The purpose of the report was to update Members on the Local Air Quality Management (LAQM)

reports which fulfil the requirements of the Local Air Quality Management process as set out in the Environment (Northern Ireland) Order 2002.

Councillor Carlin referred to the Legacy Strabane District Council which had been very proud of their record in addressing poor air quality in terms of home heating fuel and bonfires. She stated that Strabane should take pride in the glowing report in what was once called a 'dirty old town' due to the bad air quality. She added that it showed what good civic leadership and management by a very able council team had been able to achieve in a relatively short period of time. Councillor Carlin then referred to the attitudinal change regarding the use of fossil fuels. She stated that Council had to adapt a more flexible and compassionate approach as prices had been very high within the global market which resulted in householders finding it difficult to heat their homes economically.

Alderman McClintock welcomed the fact that Council was closely monitoring the areas affected by pollution and looked forward to the action plan being implemented across the entire City and District.

Councillor Hastings referred to Dale's Corner in the Waterside area of the City and other areas where there was a heavy flow of traffic. He stated that nothing could currently be done to reduce pollution in that area and suggested that hopefully in future designs for the city, that pollution issues be taken into consideration.

Councillor Gardiner also referred to Dale's Corner and queried how far into the Limavady Road the assessment extended to. She asked that further monitoring be carried out on that route as new schools were due to open in the area which would increase traffic flow and pollution levels.

The Head of Health and Community Wellbeing stated that that there were no proposals for further monitoring at this stage. However, there had been suggestions regarding the potential for mobile monitoring equipment being used to take samples from various hotspots in the City. He further stated that in relation to the area at Dale's Corner, this required installation of an receptor at properties.

The Committee

Recommended that (i) under Article 12(4) of the Environment (Northern Ireland) Order 2002, Council revoke the AQMA's declared for Strabane, Newtownstewart and Castleberg in relation to exceedances of the air quality objectives for Particulate Matter (PM10) and that the Smoke Control Areas shall be maintained and enforced, (ii) that the extent of the Spencer Road AQMA is reduced and that the Strand Road AQMA is revoked and (iii) Officers within the Health and Community Wellbeing Service produce a draft Air Quality Action Plan for public consultation which shall outline measures that will work towards achieving air quality objectives within the remaining AQMAs.

HC259/17 CCTV at Community Centres (Council Owned Community Managed)

The Head of Community Development and Leisure presented the above report, which had been previously circulated to Members. The purpose of the report was to update Members on the current status of CCTV cameras in operation at Council's community centres in line with the introduction of the Council's new CCTV policy and seek Members approval for the Privacy Impact Assessment in line with Council's CCTV Policy and Operating Procedures.

Councillor Jackson thanked Officers for the report and stated that Sinn Fein would endorse the Privacy Impact Assessment. He referred to CCTV provision currently in place and stated that such provided a safe and secure environment for staff and service users and also acted as a deterrent for anti-social behaviour. He added that with the protocols in place for transferring images from the data controller, the integrity of any CCTV system would not be questioned and would only have a positive impact.

Alderman McClintock supported the recommendation and queried if CCTV would extend to all Council facilities.

In response, the Head of Community Development and Leisure stated that CCTV would be considered for all new Council facilities and for current buildings it would depend on footfall and the risk of anti-social behaviour.

Councillor Hastings stated that Pilot's Row was one of the first centres to have CCTV provision in the City and was successful in reducing the amount of vandalism and break-ins. He added that it had proved its worth over the years as it protected staff and users of the facility.

The Committee

Recommended that (i) the Committee note the level of existing CCTV provision currently present in all four sites and monitor the need for installation in additional sites if required, (ii) endorse the Privacy Impact Assessment completed for all four centres.

HC260/17 Request for Additional Funding to Carry Out Site Works at the Glebe and Victoria Bridge

The Head of Community Development and Leisure presented the above report, which had been previously circulated to Members. The report was to seek Members approval for a financial contribution of £45,000 to carry out required site works, M and E works and other service works at both the Glebe and Victoria Bridge areas.

Councillor Carlin welcomed the report and stated that it was a continuation of the good work already undertaken in providing 2 portacabins in the area. She extended her thanks to Officers for liaising with the local community and for being very responsive to practical ideas brought forward by community groups on how to provide support in the area. She stated that it displayed the good working relationship between rural villages and Council and had allayed fears that the new 'super' Council would have been remote from the rural community.

Alderman McClintock supported the recommendations and stated that it was welcomed to that the rural communities being were supported in this way.

Councillor Hastings concurred and stated that it had given the opportunity for those communities to meet and build their capacity towards providing further services.

The Committee

Recommended that (i) the Committee approve the additional allocation of £45,000 for the associated works to be carried out at Victoria Bridge and the Glebe.

Open for Information

HC261/17 Children and Young People's Programme

The Head of Community Development and Leisure presented the above report for information, previously circulated to Members. The purpose of the report was to update Members on the work streams within the Children and Young People's programme.

The Committee

Recommended that Members note the contents of the report.

HC262/17 Correspondence

The Director of Health and Community presented the above report for information, previously circulated to Members regarding correspondence received by Council.

The Committee

Recommended that Members note the contents of the report.

HC263/17 Consultation List

The Director of Health and Community presented the above report for information, previously circulated to Members regarding consultation papers received by Council.

The Committee

Recommended that Members note the contents of the report.

The Meeting then went into Confidential Business.

The Meeting terminated at 5.25pm

Chairperson: _____

Date: _____

Sealing List December 2017

Documents Sealed 17th November 2017

Agreement in duplicate:- Derry City and Strabane District Council ~and~ Hamilton Architects relating to Templemore and Strabane Leisure Facilities - Tender ref: T HC016-17

Documents Sealed 29th November 2017

Lease in triplicate:- Derry City and Strabane District Council ~and~ Irish Street Youth and Community Association relating to Irish Street.

Tripartite Agreement in triplicate:- Irish Street Youth and Community Association, Derry City and Strabane District Council and Community Foundation for Northern Ireland relating to Irish Street.

Documents Sealed 14 December 2017

Grants of Right of Burial in Ballyoan Cemetery

Ms Faye Troke, 13 Garvagh Court, BT47 6YH.
Mrs Elsie Powell, 20 Esker Gardens, Caw, BT47 6TN.
Ms Noreen Smallwoods, Enagh Crescent, Maydown, BT47 6UG.
Mrs Amanda O'Doherty, 33 Ardgrange, Derry, BT48 0SF.
Mrs Vindi Torney, 3 Bridgewater, Derry, BT47 6YA.
Ms Irene Doherty, 19 Somme Park, Derry, BT47 2NG.
Mrs Allison Howe, 43 Ashburn Avenue, Woodburn, Derry, BT47 5PS.
Mr Thomas Waters, 48 The Beeches, Drumahoe, Derry, BT47 3XS.

Grants of Right of Burial in City Cemetery

Mrs Majella Doherty, 24 Fanad Drive, Derry, BT48 9QE.
Ms Pat Heaney, 76 Marlborough Street, Derry, BT48 9AY.
Mrs Doreen McAdams, 23 Turasmore Park, Derry, BT48 0FF.
Mr Sean O'Driscoll, 6 Limewood Street, Derry, BT48 9JJ.
Mrs Goretti McBride, 15 Lower Galliagh Road, Derry, BT48 8LN.
Mrs Una Quigley, 14 Abercorn Road, Derry, BT48 6SA.
Mrs Prindy McBride, 44 Southend Park, Derry, BT48 9HY.
Mrs Mollie Roberts, 32 Thorndale, Derry, BT48 8TT.
Ms Laura Canavan, 134 Old Fort, Stathfoyle, BT48 6SS.
Mrs Dolores Logue, 6 Eastway Gardens, Derry, BT48 9QB.
Ms Kathy McCallion, 25 Wheatfield, Muff, County Donegal.
Mr Michael Kerrigan, 10 Cranlee Park, Derry, bT48 8AJ.

Ms Kathleen Mullan, Abbey House, Derry, BT48 9EJ.
Mrs Helen Anderson, 87 Ardnamoyle Park, Derry, BT48 8HN.
Mrs Janet Fleming, 27 Circular Road, Creggan, Derry, BT48 9QX.
Mrs Sheena Casey, 11 John Friels Close, Derry, BT48 0QE.
Ms Kelly McFeely, 2 Maybrook Mews, Derry, BT48 7QQ.
Mr Robert Ross, 7 Shantallow Avenue, Derry, BT48 7RZ.
Mrs Annie Duffy, 48 Drumleck Gardens, Derry, BT48 8ET.
Mr Brian Dillon, 32 Central Drive, Derry, BT48 9QH.