

Derry City and Strabane District Council

Minutes of Meeting of the Derry City and Strabane District Council held in the Guildhall, Derry on Thursday 26 July 2018 at 4.00 pm

Present:- Members of the Committee - Councillor Boyle (Chair); Aldermen; Bresland, M Hamilton, R Hamilton, Kerrigan, McClintock, Ramsey, Thompson and Warke: Councillors McCauley, McKnight, Campbell, Carr, Cooper, Cusack, Dobbins, Donnelly, Duffy, Fleming, Gallagher, Hastings, Jackson, C Kelly, D Kelly, P Kelly, Logue, McGinley, R McHugh, McMahan, O'Reilly, M McHugh, Reilly, J McKeever, Robinson and Tierney.

C241/18 Notice and Summons of Meeting

The Mayor read the Notice and Summons for the Meeting.

C242/18 Member Attendance and Apologies

Apologies were received from Councillors Campbell, Carlin, C Kelly, D Kelly, McGuire, McKnight and Tierney.

C243/18 Webcasting Notice

The Mayor read the Webcast Announcement for the Meeting and informed Members that one of the webcast cameras was not currently in operation.

C244/18 Declarations of Members' Interests

There were no Declarations of Interest.
Alderman Ramsey entered the meeting at this point.

C245/18 Chairperson's Business

C245/18 Foyle Maritime Festival

The Mayor expressed his gratitude to everyone involved in the very successful Foyle Maritime Festival, particularly the extensive officer team who had worked diligently throughout. He extended his thanks to Council's strategic partners for their assistance in the delivery of a wonderful

event which resulted in thousands of visitors attending the festival along the banks of the River Foyle.

Members from all parties concurred with the sentiments expressed by the Mayor. They stated that Foyle Maritime Festival was hugely successful due to the tremendous feat of organisation and ability demonstrated by all those involved in making the festival a showcase event for the City and District. They further stated that the event was attended by more than 500,000 visitors over the seven days and they looked forward to the possibility of a future maritime festival.

C246/18 Foyle Cup Football Tournament

The Mayor conveyed his thanks to Mr Hutton and his team on a hugely successful tournament. He stated that a dedicated team of volunteers had supported an excess of 1000 young people who had taken part in the competition. He added that it had been a great honour to meet so many enthusiastic young people who had taken part and that a great display of talent was on show throughout.

Members unanimously conveyed their gratitude to Mr Hutton and his team on another spectacular tournament. They commented on the football excellence that was on display from young people which encouraged them to invest in themselves through the sport.

Alderman Hussey expressed his appreciation to the organisers of the Foyle Cup. He stated that the tournament whilst being competitive, was also inclusive with female football teams and young people with special needs taking part in the competition.

Councillor McMahan reported that the new 3G football pitch at Melvin Sports Complex had successfully hosted several games in the tournament. He stated that the new facility was a credit to Derry City and Strabane District Council and a great showcase for the Strabane area.

C247/18 City Deal

The Mayor welcomed the recent announcement by the Chancellor of the Exchequer, Philip Hammond who has invited a bid for a City Deal which could lead to millions of pounds investment to the region. He stated that it was important to reflect the broad cross party support for Council's bid towards securing a City Deal.

Members collectively concurred with the comments made by the Mayor and emphasised the importance of cross party support and involvement to ensure that Council were successful in securing a City Deal which would be beneficial to all citizens throughout the City and District. Councillor Gallagher stated that the announcement may be a positive step in the right direction. However he stated that Members should err on the side of caution as the announcement could be seen as a 'lure' by the Conservative Government. He stated that the Government had previously offered a £2.5m funding package towards air route development, however Council had not received the support that had been promised.

C248/18 Animal Remains

Alderman Devenney referred to an incident regarding a lorry which had shed its contents of animal remains onto the road from Omagh to Maydown. He stated that it was his understanding that this type of matter had to be transported under licence and in sealed containers. He stated that whilst the driver of the lorry had been cautioned by the PSNI however a full investigation should be carried out to prevent a recurrence. He expressed his gratitude to Council officers on their quick response to the incident. He stated that they had cleared and disinfected some of the roads which had been strewn with blood and animal body parts.

Councillor Gallagher concurred that the matter should be investigated however, it was important to be in possession of all of the facts before apportioning blame. Councillor Donnelly stated that in his opinion, procedures had not been followed and agreed that an investigation should take place as Council had a proud record regarding animal rights.

Alderman Devenney Proposed, Seconded by Alderman Bresland

That this Council writes to the Department for Agriculture, Environment and Rural Affairs to have the matter investigated.

The Director of Environment and Regeneration thanked Alderman Devenney for acknowledging the work carried out by officers when the incident occurred. She stated that a letter would be sent to DAERA requesting an

investigation and an update would be provided to Members at a future Environment and Regeneration Committee meeting.

C249/18 25th Anniversary of Foyle Pride

Councillor McCauley stated that this year marked the 25th anniversary of Foyle Pride. He requested that as an act of solidarity towards the LGBT community that Council offices be lit in pride colours as part of the Foyle Pride Festival which will commence on 18 August.

The Mayor stated that he was happy to accept this request as part of the Mayor's Initiative.

C246/18 Confirmation of the Open Minutes of the Meeting of the Derry City and Strabane District Council held on Thursday 28 June 2018

The Minutes of the Open Meeting of Derry City and Strabane District Council held on 28 June 2018 (C205/18-C233/18) were submitted.

Councillor Hastings Moved, Councillor McMahon Seconded and the Council.

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

C247/18 Matters Arising

C251/18 Congratulations (C211/18)

Alderman Hussey stated several congratulations had been offered with requests for recognition by holding a civic reception. He enquired if the requests had been progressed.

In response, the Mayor stated that the requests should be forwarded to the Mayor's Office.

C252/18 Roll Out of Brown Bin Provision (C221/18)

Councillor P Kelly referred to the piloting of combined food and garden waste collections in the Strabane area. He asked what Council had planned for the food caddies that were no longer in use as they had been quite costly to introduce. He stated that he had been contacted by constituents who had raised environmental concerns regarding using the larger bins.

Councillor Gallagher stated that the food waste collection service had been successfully rolled out in the Strabane

area. He stated that the piloting of combined food and garden waste collections has been introduced at a further cost and that environmental and health issues had been reported.

Councillor M McHugh concurred with Councillor Gallagher's comments. He stated that the bins were often inundated with flies which was not environmentally friendly and probably would discourage people from using the larger bins. He added that the previous system whereby food waste green waste was collected separately was excellent.

Councillor Gallagher stated that the pilot scheme was not cost effective and asked why it had been introduced.

Alderman Hussey enquired as to how long the pilot scheme would last as issues were being identified within the pilot scheme.

In response, the Director of Environment and Regeneration stated that the pilot scheme was introduced to consider the potential for the combined collection of green waste and food waste. She stated that she was happy to take Members comments on board in relation to any issues and a report on the matter will be brought to a future meeting of the Environment and Regeneration Committee.

C248/18 Confirmation of the Open Minutes of the Special Meeting of Derry City and Strabane District Council held on Wednesday 27 June 2018

The Minutes of the Special Meeting of Derry City and Strabane District Council held on 27 June 2018 (SC27/18-SC31/18) were submitted. Councillor Duffy Moved, Councillor Reilly Seconded and the Council

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

Matters Arising from the Minutes

C254/18 Update on North West Flooding August 2017 from Relevant Agencies (SC31/18)

Alderman McClintock requested an update on the flood re-insurance scheme which would provide those affected by flooding access to affordable insurance levels.

In response, the Mayor stated that there had been no update received on the matter.

Councillor P Kelly referred to the MUGA football pitches at Donemana and Plumbridge that had been damaged by the floods and enquired when the repairs to those pitches would be completed.

In response, the Director of Environment and Regeneration stated that she would contact him directly to furnish him with the details.

C249/18 Confirmation of the Open Minutes of the Special Meeting of Derry City and Strabane District Council held on Monday 16 July 2018

The Minutes of the Special Meeting of Derry City and Strabane District Council held on 16 July 2018 (SC32/18-SC35/18) were submitted.

Alderman Hussey Moved, Alderman Bresland Seconded and the Council

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

Matters Arising from the Minutes

C256/18 To Discuss the Current Situation in the Bogside and Fountain Areas of the City (SC35/18)

Alderman Hussey asked for clarification regarding a Motion that had been passed at the meeting. He stated that the Motion was in fact, an Amendment and that, in his opinion the Amendment and not the Motion had been passed.

The Lead Legal Services Officer stated that clarification had been provided prior to the vote being taken on the Motion. He further stated that the minutes had not stated a vote on an amendment. He stated that clarification was given that the item would be taken as an entire motion and subsequently voted on as a substantive motion.

Councillor Donnelly stated that the meeting had been called to discuss the violence that had occurred in the Fountain and Bogside areas of the City and that Members had voiced their condemnation regarding those attacks. However, he expressed his surprise that no Members had

availed of the opportunity to voice their condemnation regarding a recent attack in the Waterside.

Councillor Reilly stated that the media had reported widespread condemnation on the attack from the SDLP and other political parties.

Councillor Jackson concurred with Councillor Reilly's comment adding that Council had a direct role in addressing the violence that occurred in the Fountain and Bogside areas.

Alderman Thompson stated that it was interesting that Councillor Donnelly had called for condemnation when he refused to express his condemnation in the past. He stated that political parties had publicly and clearly condemned the attack in the Waterside on local media.

Alderman M Hamilton stated that on behalf of the Ulster Unionist Party, she totally condemned the recent attack that occurred in the Waterside area of the City.

Councillor O'Reilly stated that Elected Representatives should collectively address the issues and find solutions rather than making hollow gestures.

Alderman Thompson Proposed, Seconded by Alderman Ramsey

That this Council condemns the recent attacks in the Waterside and that anyone with any information should pass it on to the relevant authorities.

Councillor Carr proposed an amendment that this Council condemns all acts of violence since the beginning of the troubles.

The Mayor informed Councillor Carr that his proposal did not constitute as an Amendment to the original Motion. However, it could be considered as a separate Motion. The Lead Legal Services Officer outlined that Standing Order 17.1 states that *'to Amend the Proposal, an amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be,*

in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.' Therefore it could not be considered as an Amendment as it effectively supplanted the original Motion.

Alderman Thompson Proposed, Seconded by Alderman Ramsey

That this Council condemns the recent attacks in the Waterside and that anyone with any information should pass it on to the relevant authorities.

Alderman Thompson requested a recorded vote. Following a request for a recorded vote the voting was as follows:

For the Proposal – Aldermen Bresland, Devenney, M Hamilton, R Hamilton, Hussey, Kerrigan, McClintock, Ramsey, Thompson and Warke; Councillors Boyle, Carr, Cooper, Cusack, Dobbins, Duffy, Fleming, Gardiner, Hastings, Jackson, P Kelly, Logue, McCauley, McGinley, M McHugh, R McHugh, McKeever, McMahan and Reilly – 29.

Against the Proposal – 0.

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

The Proposal was therefore carried.

Councillor Carr then proposed that this Council condemns all acts of violence that has taken place in this Council area since the beginning of the Troubles.

The Mayor stated that as there was no seconder for the proposal it could not be debated.

Councillor Carr expressed his disappointment that Members would not second his proposal and that Members were being selective in their condemnation.

Councillor Duffy stated that she had found it bizarre when Councillor Donnelly had raised the point regarding the lack of condemnation and when the opportunity had arose to voice his condemnation, had decided to abstain.

C250/18 Adoption of the Open Minutes of the following Committees

a Monthly Assurance, Audit and Risk Committee held on Thursday 21 June 2018

The Minutes of the Assurance, Audit and Risk Committee held on 21 June 2018 (AAR73/18- AAR81/18) were submitted.

Alderman McClintock Moved, Seconded by Councillor Duffy and the Council

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

b Monthly Governance and Strategic Planning Committee held on Tuesday 3 July 2018

The Minutes of the Governance and Strategic Planning Committee held on 3 July 2018 (GSP110/18-GSP125/18) were submitted.

Alderman Kerrigan Moved, Councillor Hastings Seconded and the Council

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

Matters Arising from the Minutes

C259/18 Encouraging those with a Disability into the Workplace (GSP121/18)

Councillor Dobbins stated that the SDLP and other parties had been lobbied by Foyle Downs Syndrome Trust and Destined regarding the provision of work for disabled people rather than placement opportunities. She stated that the organisations considered Derry City and Strabane District Council as the forefront of their aspirations of promoting meaningful employment roles. She requested that a more comprehensive report be brought to a Governance and Strategic Planning Committee meeting detailing how Council would commit to the provision of

stand-alone employment for people with disabilities who were sadly under-represented.

Alderman McClintock and Councillors O'Reilly and Cooper concurred with the sentiments expressed by Councillor Dobbins. They stated that the report was not as comprehensive as expected by Destined and Foyle Downs Syndrome Trust and suggested that both organisations be invited to make a presentation to Members to discuss their objectives. They stated that the outcome of the presentation would result in a more substantive report to become available to address any issues that had been raised.

Alderman McClintock suggested that Council explore the pilot schemes currently underway in Leicester and Glasgow as a further option to be considered. The Chief Executive stated that the purpose of the initial report was to advise that substantial work would be undertaken after consultation with Foyle Downs Syndrome Trust, Destined and other agencies and that those agencies would be invited to make a presentation to Council.

C260/18 Capital Projects Approval (GSP114/18)

Alderman Hussey stated that there had been issues raised concerning the play provision at Ballymagorry and Carricklee, which had not been included in the recommendations and sought assurance that the areas highlighted by Members as having a facility deficit would be addressed.

In response, the Chief Executive stated that they would be referred to the relevant officer team to be raised at the next Capital Working Group meeting and subsequently to the Governance and Strategic Planning Committee.

c Monthly Planning Committee held on Wednesday 4 July 2018

The Minutes of the Planning Committee held on 4 July 2018 (P114/18-P131/18) were submitted.

Alderman Bresland Moved, Seconded by Alderman McClintock and the Council

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

d Monthly Business and Culture Committee held on Tuesday 17 July 2018

The Minutes of the Business and Culture Committee held on Tuesday 17 July 2018 (BC148/18 – BC167/18) were submitted.

Councillor Reilly Moved, Seconded by Alderman Warke and the Council

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

Matters Arising from the Minutes

C263/18 Representation on the Northern Ireland Museums Council (BC153/18)

Councillor Cooper was nominated to sit on the Northern Ireland Museums Council.

e Monthly Environment and Regeneration Committee held on Wednesday 18 July 2018

The Minutes of the Environment and Regeneration Committee held on 18 July 2018 (ER157/18 – ER173/18) were submitted.

Councillor Reilly Moved, Seconded by Alderman Bresland and the Council

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

f Monthly Health and Community Committee held on Thursday 19 July 2018

The Minutes of the Health and Community Committee held on Thursday 19 July 2018 (HC146/18-HC165/18) were submitted.

Councillor Gardiner Moved, Seconded by Alderman McClintock and the Council

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

C251/18 Notice of Motion

C266/18 Just A Minute (JAM) Card

Councillor Dobbins Moved, Seconded by Councillor Gardiner

That This Council recognises the JAM Card 'Just A Minute' and make every effort to become a JAM Card friendly organisation in compliance with its' autism and disability friendly policy and will support and encourage proper training in this regard.

Also that this Council will promote JAM Card acceptance for all people with a disability throughout this Council district area.

After voting by a show of hands the result was as unanimous.

Subsequently Councillor Dobbins Moved, Seconded by Councillor Gardiner and the Council

Resolved That this Council recognises the JAM Card 'Just A Minute' and make every effort to become a JAM Card friendly organisation in compliance with its' autism and disability friendly policy and will support and encourage proper training in this regard.

Also that this Council will promote JAM Card acceptance for all people with a disability throughout this Council district area.

C252/18 Delegated Authority to the Chief Executive During Summer Recess

The Mayor referred to the report which had been previously circulated to Members. He stated that the purpose of the report was to seek Members approval to delegate powers to the Chief Executive (or his nominee) to act on behalf of Council when required to do so, during summer recess.

Alderman Devenney Proposed, Seconded by Councillor Reilly and the Council

Resolved That Council approve delegation powers to the Chief Executive (or his nominee) to act on behalf of Council when required to do so, during summer recess.

C253/18 Responses to Motions

The Chief Executive presented the above report, a copy of which had been previously circulated to Members. The purpose of the report was to advise Members of correspondence received in relation to Motions passed by Council.

C254/18 Seal

Members noted the content of the report.

Councillor Reilly Moved, Alderman Devenney Seconded and the Council

Resolved that the seal of the Council be affixed to the following documents
Sealing List July 2018

Documents Sealed 20th June 2018

Licence in duplicate:- Department for Communities and Derry City and Strabane District Council relating to use of Strabane Score Site for Summer Jamm Programme.

Documents Sealed 25th June 2018

Supplemental Lease in duplicate:- Shipquay Investments Limited ~and~

Derry City and Strabane District
Council relating to Unit 22B
Rathmore Business Park, Derry.

Documents Sealed 26th June 2018

Agreement in duplicate:- Derry City
and Strabane District Council ~and~
Strabane Bid Company Limited
relating to Strabane Score Site, Dock
Street, Strabane.

Documents Sealed 10th July 2018

Release of Small Dwellings
Acquisition Charge:- 171 Laurel Drive,
Strabane.

Licence Agreement in duplicate:-
Department for Communities ~to~
Derry City and Strabane District
Council relating to Foyle Maritime
Festival.

Documents Sealed 26th July 2018

Grant of Right of Burial in Ballyoan
Cemetery

Mrs Jennifer Burton, 49 Allen Park,
Donemana.

Mrs Kathleen Steele, 173 Lincoln
Courts, BT47 5NX.

Mrs Ruby Colhoun, 126 Ardlough
Road, L'derry, BT47 5SP.

Mr David McNatt, 41B Whitehall
Road, Eglinton, BT47 3JJ.

Grant of Right of Burial in Claudy
Cemetery

Mr Andrew Temple, 127 Bonds Glen
Road, Claudy, BT47 3SU.

Grants of Right of Burial in City
Cemetery

Mr Gerard Gray, Shantallow Avenue,
Derry, BT48 7UR.

Mr Michael Kerr, 69 Ardnamoyle,
BT48 8HN.

Mr James Callaghan, 5 Ederowen
Park, Galliagh, Derry, BT48 8NY.

Mrs Christine O'Hagan, 52 Culmore
Road, Derry, BT48 7RT.

Ms Ciara Nash, 44 Elaghmore Park,
Derry.

Mr Michael McDaid, 23 High Park,
Derry.

Mr Michael Boyle, 46 Thornlea
Gardens, Waterside, BT47 2JW.

Mr Damien Gill, 9 The Meadows,
Derry, BT48 8RJ.

Mr John Henderson, 19 Culmore
Park, Derry, BT48 7AN.

Mr Kevin Coyle, 48 Templetown,
Maydown, BT47 6TZ.

Mr Shaun Cusack, 56 Cashelmore
Park, Derry, BT48 0RU.

Ms Kathleen Sweeney, 7 Carrickreagh
Gardens, Derry.

Mrs Doreen Dunne, 24 Grainan Park,
Belmont, Derry.

Mrs Betty McNamee, 6 Strangford
Park, Derry, BT48 0JW.

Mrs Sadie O'Hara, 7 Elagh Road,
Derry, BT48 8LU.

Mrs Pam Mitchell, 61 Rosemount
Gardens, Derry, BT48 0HW.

Mrs Daisy McDaid, 32 Inch View,
Derry, BT48 0QS.

Mr Terence Crawley, 26 Meenan
Drive, Derry, BT48 9EY.

Mrs Eileen O'Connell, 7 Maybrook
Park Derry.

Mr John McCamphill, 21 Blighs
Gardens, Derry, BT48 9PJ.

Mr Brendan Burke, 602 Atlantic Quay,
100-114 Strand Road, Derry, BT48
7NR.

**Grants of Right of Burial in
Castleberg Burial Ground**

Olive Evelyn Ogle, 6 Harpur Park,
Castleberg, Co Tyrone, BT81 7HL

The Meeting went into Confidential Business

Signed:_____
(Chairperson)

Date:_____