

Derry City and Strabane District Council

Minutes of Meeting of the Special Meeting of Derry City and Strabane District Council held in the Guildhall, Derry on Monday 16 July 2018 at 4.00 pm

Present:- Councillor Boyle (Chair); Aldermen Bresland, Hussey, M Hamilton, Kerrigan, McClintock, Thompson and Warke ; Councillors Carr, Cooper, Donnelly, Duffy, Fleming, Gallagher, Hastings, Jackson, C Kelly, P Kelly, Logue, McCauley, McGinley, McGuire, M McHugh, R McHugh, J McKeever, McKnight, O'Reilly, Reilly, Robinson and Tierney.

In Attendance:- Mr J Kelpie (Chief Executive) and Mr P Kingston (Lead Legal Services Officer); Mrs T Johnstone (Committee Services Assistant)

SC32/18 Notice and Summons of Meeting

The Mayor read the Notice and Summons for the Meeting.

SC33/18 Member Attendance and Apologies

The Chief Executive completed the roll call.

Apologies were received from Aldermen Devenney, R Hamilton and Ramsey and Councillors Campbell, Carlin, Cusack, Gardiner, D Kelly and McMahon.

SC34/18 Declarations of Members Interests

There were no Declarations of Interest.

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

Councillor Reilly stated that the SDLP had called the Special Meeting as it was the only opportunity, in the absence of a functioning Northern Ireland Assembly, to meet as Elected Representatives and say to the people of the Bogside and Fountain areas and to those who have had their work vans hijacked, that Council stands with them and that those acts of violence are not supported by Council. He stated that the

strength of feeling of anger and frustration from local residents was evident at the recent public rallies and by statements from church leaders, trade unions, the local Chamber of Commerce local community activists and An Tánaiste and Mrs Arlene Foster MLA who had visited the City over the weekend.

He stated that the meeting was not about condemnation as some had attempted to portray it. He stated that it was to make clear to those who fire guns and throw petrol and blast bombs that such activities did nothing for the City, or indeed, the country. Criminalising vulnerable young people was no way to a United Ireland or a peaceful, stable society. He referred to remarks made by Bishop McKeown at a recent rally that, *'If there is one lesson that the people of this City have learned over the years, is that violence and destruction do not help anyone. They do not advance any cause. You cannot claim to love your country and at the same time, cause pain and destruction to the people who live there'*. He emphasised that it was important to recognise the amount of good community work being undertaken both for, and with, young people in the Bogside and beyond. He stated that people had come together as peers across the sectarian divide to learn more about each other. He added that the Foyle Cup and the Foyle Maritime Festival were demonstrable ways of showing that so many of Derry's young people were doing positive things and were a credit to the City and District. Continuing, Councillor Reilly said that he welcomed the fact that over recent nights there was a marked decrease in violence in the Bogside and Fountain Estate. He paid tribute to the work carried out by all community activists who had been involved in making that happen. He stated that he recognised that for the PSNI, the task of striking a balance between under policing and over policing had been difficult. He stated that officers had been in a direct line of fire to keep people safe and that the SDLP did not want to see any type of bullets, plastic or otherwise, being fired on the streets. He stated that while the 'tap' of the violence seemed to have been turned off, he felt that all Members should be able to unambiguously commit to ensure that it did not re-occur. He further stated that the underlining conditions that lead to some people feeling marginalised and with little hope for the future had to be addressed. He emphasised that while it was not an excuse for engaging in violent acts against other people, Council should continue to work with governments to tackle deprivation and strive to the motto of Unicef of being *'For Every Child'*.

He stated that the meeting was also an opportunity to present and discuss solutions regarding the recent violence. He described how the building at Meenan Square in the Bogside was an eyesore and a grave

nuisance, especially for people in the area. He stated that it would be greatly advantageous if Council could urgently address the matter.

Councillor Reilly Proposed, Seconded by Councillor Hastings

That Officers urgently work with all relevant agencies such as Urban Villages and the local community to bring forward options to find a resolution to the problems posed at this location so close to our iconic Free Derry Corner, which causes concerns for both residents and visitors alike.

Councillor Logue stated that work was already being undertaken regarding refurbishment at Meenan Square. She asked that the buildings at Meenan Square be demolished as soon as possible. Councillor Logue stated that Sinn Fein condemned the anti-social and criminal activities that had occurred over the past week. She stated that the residents of the Bogside and Fountain Estate have had to endure a lot of anti-social behaviour which must cease. She further stated that although young people had been involved in the attacks, other sinister elements had used these young people for their own gain which must be condemned. She said that the Bogside has a history of strong resilience with committed people who engage with everything that the community had to offer both at community and civic level. She stated that to portray that the majority of people from the area had disengaged was a disservice to that community.

She further stated that there were processes in place to build confidence in the policing of the area and while Sinn Fein fully understood the complexities involved in policing, heavy handed policing in any situation was extremely concerning and the people in this Council area did not wish to see the use of bullets, plastic or otherwise, on the streets. She stated that the PSNI were expected to carry out their operations in compliance with Human Rights legislation and guidance and that Sinn Fein had met with them to directly raise their concerns on the matter, adding that the arrest of a 16 year old had rightly been reported to the Police Ombudsman.

She acknowledged all efforts made by community leaders, political representatives, young people, community workers and youth workers who had worked tirelessly over the past week. She stated that everyone must stand together in unison to have the situation brought to a close.

Councillor Logue Proposed Seconded by Councillor Reilly

That Officers urgently work with all relevant agencies such as Urban Villages and the local community to bring forward options to find a resolution to the problems posed at the Meenan Square location including potential demolition of derelict buildings.

The Mayor stated that Councillor Logue's Proposal could be included into the Proposal put forward by Councillor Reilly.

Alderman Thompson stated that the previous comments had represented a change of tact by a party who had called for the PSNI to deal with the issue and were now making comments on their heavy handedness. He stated that he had spoken to residents of the Fountain Estate and the Bogside regarding the attacks on the Fountain, the Memorial Hall and on the PSNI, which had been described as anti-social behaviour by young people from 10 years of age. He stated that the attacks may have begun as anti-social behaviour, however once petrol bombs had been used it had become a criminal effort to cause mayhem and possibly murder. He stated that residents from both sides of the divide were terrified and that a 6 year old child had been playing in a garden in the Fountain Estate just minutes before a petrol bomb had landed.

He referred to comments made regarding heavy handedness by the PSNI. He stated that the PSNI had responded after becoming under sustained attack. He stated that the situation had been orchestrated by adults who had coerced the younger generation into acts of violence.

Alderman Warke stated that during the past couple of weeks in Londonderry, the Fountain community had been brought under siege by dissident republicans. He described how residents' homes had been attacked with bricks, bottles, paint bombs and petrol bombs. He emphasised that the attacks must stop and that the residents of the area be allowed to live in peace. He stated that the young people from the Fountain area were to be commended on the restraint shown by them during the attacks. He also commended Chief Constable Hamilton, PSNI and his officers on how they dealt with the situation and their attempts to ensure the safety of everyone throughout the City. He stated that he wished to pay tribute to the young people from Cathedral Youth Club who had participated in a cross community project with An Culturlann. He stated that the youth involved in this project were paving a way for the future. He expressed his gratitude to

Arlene Foster MLA for her visit to the people of the Fountain Estate. He proposed that Council act on the wishes of the residents of the Fountain who have called for the interface to be raised to ensure their safety.

The Mayor informed Alderman Warke that his proposal was a separate matter.

Councillor Gallagher referred to Councillor Reilly's proposal and stated that it did not contain any solutions. He felt that in his opinion, it was another large funding application for Meenan Square. He stated that the proposal did not include addressing the heightened youth unemployment, suicide or the marginalised youth living throughout the City and District. He added that politicians were devoid of finding solutions and that condemnation was 'masking' the actual problems.

Alderman Hussey referred to the comments made by Councillor Gallagher and expressed his surprised that the Councillor had not tabled a Motion on the matter. He stated that recent events in Londonderry was not representative of the wishes of the majority of people living in the City. He stated that the rioting had terrorised the people of the Fountain Estate and also the Bogside. He stated that residents in the Fountain had asked for protection and prevention from further attacks. He praised the resolve and strength of the people from the area against despicable and violent intolerance. He also praised the restraint shown by the PSNI who were thankfully not injured, but had been shaken by the attacks on them. He stated that they were not deterred and had remained and returned to duty on future occasions. He further stated that what had occurred was not recreational rioting as described by an MP for the area and the use of such a term would only diminish the seriousness of what had taken place in the City. He stated that the attacks had been orchestrated by violent criminals who attempted to create a reaction from the police in order to justify further reactions against the police. He stated that grown men using children in the firing line was nothing less than child abuse.

He stated that there were tremendous events happening in the City over the next few weeks and thankfully events had settled down and hopefully would remain settled. However, the situation must be addressed. He stated that some of the issues raised by Councillor Gallagher must also be addressed but the initial issue was to prevent the re-occurrence of further violence. He referred to Councillor Reilly's proposal and suggested that the boundary of the Fountain Estate and

Bishop Street and a section of the City walls at the Memorial Hall be included in the Proposal.

The Mayor stated that as with Alderman Warke's Proposal it would be considered as a separate proposal.

Councillor Donnelly stated that decades after the Good Friday Agreement, sectarian attacks had taken place which were not one sided. He reported that he had been contacted by people who had felt intimidated by the pavements in their area being painted red, white and blue whilst the PSNI had stood by. He stated that a resident from the vicinity of the Fountain Estate had to leave her home because of sectarian abuse. He stated that all forms of sectarianism was wrong. He stated that a section of the young people throughout the City had no respect for any type of authority as they had disconnected from their communities.

He further stated that in his opinion, there were serious issues within the Moor Ward of the City. He maintained that because of community and political gatekeeping, large amounts of funding were not being allocated appropriately to those who need it. He referred to the recent arrest of a youth in the City and also the actions by the PSNI on a senior citizen who had been removed from his car and searched. He stated that Council had previously asked the PSNI to deal with a matter regarding bonfires which had been unsuccessful. He added that condemnation would not work as there were serious problems within all the communities which must be addressed.

Alderman McClintock stated that events in the City over the past number of days was despicable. She stated that a negative image of the City had once again been portrayed during a time when many visitors and tourists had arrived for the Twelfth of July celebrations, the Foyle Maritime Festival and the Foyle Cup. She stated that the residents of the Fountain Estate, Alexander House and the Bogside had been traumatised and terrorised. She commended the Chief Constable of the PSNI for the proportionate response from his officers as there could have been the murder of innocent civilians or a PSNI officer in the City. She praised the restraint shown by them during this time. She stated that the young people involved had been used by those with ulterior motives which was despicable.

She further stated that so much good work had been undertaken in the City by youth workers and community workers. However, excuses cannot be made for those who were involved in the attacks, regardless

of their age. She stated that zero tolerance was needed towards acts of criminality. She maintained that the recent violence had been orchestrated and that a turf war was taking place in the City. She emphasised that all Members must send out a clear message to condemn what has happened in the City. She stated that unfortunately it may not happen, as excuses were already coming forward. She stated that high unemployment mental health issues, bonfires and the painting of pavements could not be used as an excuse for criminality.

Councillor McCauley commented on the tremendous work carried out by all the community and youth groups. He stated that six youth organisations had professional youth workers working tirelessly over the past week. He stated that they had worked with the most marginalised and hard to reach young people in the City. He stated that the minority who were involved in the recent situation did not represent the young people of the City of Derry. He further stated that describing the reasons or excuses for these actions as 'young people having nothing to do' was disingenuous. He stated that over 200 children and young people were taking part in a summer scheme in the area and a further 100 had engaged in community activities during the 11 and 12 of July. He reported that a further 60 young people had completed an Open College Network (OCN) Law and Order Award, therefore a total of 360 children and young people had engaged in summer programmes. He stated that youth leaders had asked that the young people involved in the anti-community attacks should not be disenfranchised as they had engaged with peers within their community for the majority of the year. He added that the work carried out by youth workers must be commended and that making excuses was counter-productive within our society.

Councillor M McHugh referred to comments made regarding gatekeepers within the community. He stated that during his tenure of Mayor of the City and District, he had met with many community groups and had commented on their magnificent work. He stated that community groups in Derry, had one of the most sophisticated and well developed social frameworks with people who worked tirelessly for everyone in the community. He stated that the people who had made the remarks had also attended events held by those same community groups and had acknowledged their hard work. He referred to the recent violence in the Bogside and Fountain Estate and stated that although many underlying issues had to be addressed, he hoped that it had now come to an end. He stated that there was now an opportunity for people to come together to address those issues and perhaps have the confidence that the recent events would become experiences of the past.

Councillor Robinson stated that nobody could say the social and economic condition did not have an impact on these issues. He recognised that the sectarian attacks on the Fountain Estate were wrong and that intervention by local republican activists had brought the attacks to a halt. He further stated that the false information issued by the PSNI saying that the attacks had continued when it was clearly not the case, was a dangerous intervention which the PSNI were later forced to retract. He stated that when young people feel isolated and detached from their communities, it could lead to this type of activity and was not isolated to the Bogside. He emphasised that condemnation would not solve these issues and if the socio-economic issues were not addressed there could be a re-occurrence of recent events.

Councillor O'Reilly stated that events of the past week had went against the constructive, progressive struggle for a decent, equal society and reiterated that they must cease. He highlighted that these type of incidents had not just taken place over the past week but for 365 days of the year with serious situations such as armed robbery, arson, burglary, joy-riding and even murder taking place in this Council area over the past 12 months. He stated that unfortunately Members were failing as political leaders due to a failure to resource and fund the necessary community projects because of the austerity being forced upon working class communities. He further stated that the Education Authority urgently needed funding to employ youth and intervention workers to engage with our young people. He stated that whilst the blame was being pointed at each other, there should be a joint statement from Council that political leaders would work together to address these issues. He emphasised that unless Elected Representatives could work together to fund proper community initiatives, there would be no progression in those matters. He stated that his door was open to anyone who had any suggestions on how active engagement could take place with the young people and work towards a resolution.

Councillor Tierney also commended the good work carried out across the City and District by community and youth workers over the past seven days. He reported that he had attended a number of community based fun days where he witnessed the hard work and dedication carried out by community leaders and workers. He stated that this meeting had been called to find positive solutions to how Council could affect change within the Bogside area regarding recent events. He added that Members also wanted to provide hope to the residents of the

Bogside and the Fountain Estate. He expressed his disappointment that this was not the case due to political divisions between orange and green. He stated that comments such as 'political gatekeeping' and praising young people for not retaliating did not help the situation nor the people from the Bogside and the Fountain. He appealed to Members to come together to find a positive solution and provide leadership to the people. He reiterated that, as Councillor O'Reilly had remarked, his door would also be open to anyone who wished to discuss the matter and work towards a solution.

Councillor Jackson highlighted that a number of positive community initiatives were taking place across the City, particularly during the summer months. He acknowledged the valuable and tremendous work carried out by the community and youth groups and positive impact this had on their communities. He stated that he wished to pay tribute to community workers from the Top of the Hill and Irish Street whose positive community leadership had resulted in the delivery of the first cross-community summer scheme. He stated that over 200 children from both areas that were taking part in the scheme have been socialising and playing together and this is what everyone should be working towards. He added that whilst Members were asking for solutions regarding the Bogside and the Fountain Estate, the tremendous work carried out at other parts of the City must also be recognised.

The Mayor concurred with the sentiments expressed by Councillor Jackson and stated that it was important to recognise the fantastic dedication by the youth and community workers across the City and District, particularly in the Bogside and Fountain Estate.

Councillor Reilly concurred with Councillor Jackson's comments and welcomed the people from those communities who had come together to learn from each other. He stated that some of the younger people from the City were further ahead than some of the people present in the Chamber in that regard. He referred to previous comments regarding his proposal not addressing the problems and stated that the meeting had been called to provide action points and to show the people that Members were standing together to help the residents of the Fountain Estate and the Bogside. He stated that the SDLP stood behind the people who have had to endure violence over recent days. Any violence is not being carried out in the name of Council and we must ensure that Council does all it can to prevent a re-occurrence.

Councillor Logue expressed concern regarding comments made by Alderman Thompson. She stated that there had been no change of tact from Sinn Fein. She further stated that where wrong policing had occurred, Sinn Fein would address it, therefore there was no change of tact. She stated that she was saddened that the Party Leader of the DUP had called for the interface (known as the peace wall) to be heightened. She added that her party were seeking to remove walls, not build them higher as building walls did not solve problems.

Alderman Thompson corrected Councillor Logue and stated that it was the residents of the Fountain Estate who had requested the interface to be raised and not the Party Leader of the DUP.

Councillor Logue stated that the matter should be addressed by the Peace Wall Project as they had successfully engaged with both sides of the community, which should be continued. She stated that she understood the fear held by the residents of the Fountain Estate, however her party believed that building walls would not bring solutions.

She referred to comments made by Councillor Gallagher. She stated that she has lived and raised her children in a deprived area along with many others present in the Chamber. She stated that to excuse the recent events over the past days as a symptom of deprivation was an affront to the people who lived in the area. She then referred to his comments regarding the Motion and stated that if a funding application was required to demolish the buildings at Meenan Square she and her party, would happily sign the application.

She then referred to comments made by Councillor Donnelly regarding gatekeeping and community groups being led by political parties. She stated that four Independent Councillors, including Councillor Donnelly, had supported a statement to the press to express concern that political and community gatekeeping was compounding the situation on the ground and that there was a misuse of public money by community groups in the Moor Ward. She stated that Councillor Donnelly had made a very serious allegation. She further stated that she represented many of those community groups and if he had any evidence regarding misuse of public money, he should take it to the relevant authorities.

Councillor Logue Proposed, Seconded by Councillor Reilly

That Officers urgently work with all relevant agencies such as Urban Villages and the local community to bring

forward options to find a resolution to the problems posed at the Meenan Square location including potential demolition of derelict buildings.

The Mayor stated that the Proposals by Councillor Reilly and Logue be taken as an entire Motion.

Councillor Logue requested a recorded vote.

Following a request for a recorded vote the voting was as follows:

For the Proposal – Aldermen Bresland, M Hamilton, Hussey, Kerrigan, McClintock, Thompson and Warke; Councillors Boyle, Carr, Cooper, Donnelly, Duffy, Fleming, Hastings, Jackson, C Kelly, P Kelly, Logue, McCauley, McGinley, McGuire, M McHugh, R McHugh, McKeever, McKnight, O'Reilly, Reilly, Robinson and Tierney – 29.

Against the Proposal – 0.

Abstentions – Councillor Gallagher – 1.

The Proposal was therefore carried.

Subsequently Councillor Logue Moved, Seconded by Councillor Reilly and the Council

Resolved that Officers urgently work with all relevant agencies such as Urban Villages and the local community to bring forward options to find a resolution to the problems posed at the Meenan Square location including potential demolition of derelict buildings.

Alderman Hussey stated that he wished to make an amendment to the Motion.

The Mayor stated that the Motion had already been voted on and carried. Therefore no subsequent amendments would be considered.

Alderman Hussey asked for legal clarification on the matter as he wished to propose a further amendment to the Motion.

In response, the Mayor clarified that Councillor Reilly had agreed to include changes proposed by Councillor into his proposal and the subsequent proposal had been voted upon.

Councillor Gallagher commented that the Mayor had advised Alderman Warke that his amendment could not be considered as the Amendment proposed by Councillor Logue was being dealt with.

The Mayor reiterated that he had advised Members that Councillor Reilly's and Councillor Logue's proposals were being considered as one combined proposal, rather than a proposal and an amendment.

Alderman McClintock Proposed, Seconded by Alderman Thompson

That this Chamber condemns the violence in our City over the past days.

In response, to a query from Councillor Donnelly, Alderman McClintock stated that the content of the Motion was quite simple, that this Chamber condemns the violence in the City over the past days.

Councillor Gallagher stated that civic, youth, community and political leaders had all spoken on the events of the past week. He stated that Bishop McKeown had spoken at a recent rally and asked that people 'don't do that'.

Alderman Thompson asked for clarification on the remarks made by Councillor Gallagher.

Councillor Logue stated that she had listened to Bishop McKeown and his words were, 'do not demonise the young people involved'.

Councillor Reilly reaffirmed the remarks made by Bishop McKeown that, *'If there is one lesson that the people of this City have learned over the years it is that violence and destruction do not help anyone. They do not advance any cause. You cannot claim to love your country and, at the same time, cause pain and destruction to the people who live there'*.

Councillor Dobbins joined the meeting at this point.

Councillor O'Reilly stated that the politicking and political point scoring taking place was atrocious and that everyone should be in agreement for calling a halt to the violence. He recalled that on his first day as an Elected Member he had been asked in a radio interview to condemn a bomb attack. He stated that his condemnation did not stop further attacks and that condemnation by Members was hollow and he would therefore be abstaining from voting on the Proposal.

Councillor Donnelly stated that the meeting was nothing more than a box-ticking exercise, to give the impression that Council was doing something.

Councillor Cooper stated that the Proposal enabled Members to be more flexible than usual as it could include violence from all sides. He stated that it was a very straightforward statement and was not being selective.

Alderman McClintock Proposed, Seconded by Alderman Thompson

That this Chamber condemns the violence in our City over the past days.

Alderman McClintock requested a recorded vote.

Following a request for a recorded vote the voting was as follows:

For the Proposal – Aldermen Bresland, M Hamilton, Hussey, Kerrigan, McClintock, Thompson and Warke; Councillors Boyle, Carr, Cooper, Dobbins, Duffy, Fleming, Hastings, Jackson, C Kelly, P Kelly, Logue, McCauley, McGinley, McGuire, M McHugh, R McHugh, McKeever, McKnight, Reilly and Tierney – 27.

Against the Proposal – 0.

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

The Proposal was therefore carried.

Subsequently Alderman McClintock Moved, Seconded by Alderman Thompson and the Council

Resolved That this Chamber condemns the violence in r the past days.

Alderman Hussey Proposed, Seconded by Alderman Warke

That this Council requests options to be considered subsequent to problems posed at the Bishop Street boundary of the Fountain Estate and that section of the City walls adjacent to Society Street in the past immediate period.

Alderman Hussey stated that the proposal was to consider the issues and problems that needed to be addressed rather than a physical aspect.

Alderman Warke welcomed the proposal and stated that the people of the Fountain community had been the target of sectarian attacks and the community had called for the interface to be raised. He stated that work had been undertaken by Mrs Arlene Foster MLA, Mr Gary Middleton MLA and Mr Gregory Campbell MP to have this progressed.

Councillor Reilly asked for clarification on who Alderman Hussey was requesting options from.

Alderman Hussey stated that his Proposal was in a similar vein to Councillor Reilly's.

Councillor Reilly stated that the SDLP did not see the need for a peace wall. He stated that his party were in the business of building bridges rather than higher fences. He stated that addressing the underlying issues and more protection from the PSNI could help prevent a reoccurrence of the violence. He stated that the proposal was vague regarding what was being requested and that more clarification was needed.

Councillor Cooper concurred that the Motion was quite vague and open to interpretation. He stated that from a Sinn Fein perspective the raising of the interface would not bring a solution.

Councillor Cooper Proposed an Amendment, Seconded by Councillor Duffy

That this Council asks that all relevant agencies be consulted on finding solutions to events that have recently occurred along sections of the City walls and the Bishop Street/ Fountain interface.

Alderman Hussey stated that he had found it ironic that Councillor Cooper had praised the previous proposal on its flexibility and he was likewise permitting flexibility within his. He stated that as Councillor Cooper wished to prescribe how the matter would be taken forward, he could not support the Amendment.

Councillor Cooper stated the inclusion of 'all relevant agencies' was included as Alderman Hussey had not specifically referred to anyone in particular. Relevant agencies could include the Department of Justice, PSNI, the Peace Wall Project and community organisations from the Bogside, Fountain Estate and Bishop Street areas, who would all be consulted. He stated that the objective was for all relevant agencies to be consulted on a way forward.

Councillor Cooper Proposed, Seconded by Councillor Duffy

That this Council asks that all relevant agencies be consulted on finding solutions to events that have recently occurred along sections of the City walls and the Bishop Street/ Fountain interface.

After voting by a show of hands the result was as follows:

For – 19; Against – 7; Abstentions 3.

The Amendment was therefore carried

Subsequently the Amendment became the Substantive Motion which was voted upon. After voting by a show of hands the result was as follows:

For – 26; Against – 1; Abstentions 3.

Subsequently Councillor Cooper Moved, Seconded by Councillor Duffy and the Council

Resolved that this Council asks that all relevant agencies be consulted on finding solutions to events that have recently occurred along sections of the City walls and the Bishop Street/Fountain interface.

The meeting terminated at 5.30 pm