

Derry City and Strabane District Council

Open Minutes of Health and Community Committee of Derry City and Strabane District Council held in the Council Chamber, Guildhall on Thursday 12 May 2016 at 4.00pm.

Present:- Aldermen Thompson (Chairperson), R Hamilton and McClintock; Councillors Campbell, Carlin, Donnelly, Gallagher, Hastings, Jackson, McGinley, R McHugh and Reilly.

Non Committee Members:- Alderman Hussey, Councillor's Carr and P Kelly

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 Clerk (Ms N Meehan).

HC109/16 Notice and Summons for Meeting

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

HC110/16 Apologies

Apologies for absence were received from Councillors Cusack and McGuire.

HC111/16 Declarations of Members' Interests

Councillor Campbell declared an interest in Item 9- Community Support.

Alderman Hamilton declared an interest in Item 12- Amazing the Space 'Who will YOU make peace with?'

Councillor Carlin declared an interest in the following Items: Item 8- Extension of Commissioning Agreements for Advice Services; Item 9 – Community Support Programme 2016/17; Item 11 –Sports Level Agreements and Contributions and Item 21- DSD Consultation on the

Review of the Statutory Minimum Housing Fitness Standard for all Tenures of Dwelling.

Councillor McGinley declared an interest in the following items: Item 8 - Extension of Commissioning Agreements for Advice Services; Item 10 – Support for Sport 2016/17 and Item 11 - Sports Level Agreements and Contributions.

Alderman McClintock declared an interest in Item 8- Extension of Commissioning Agreements for Advice Services.

Alderman Hussey declared an interest in items 10 - Support for Sport 2016/17 and Item 12- Amazing the Space 'Who will YOU make peace with?'

Councillor P. Kelly declared an interest in Item 12 - Amazing the Space 'Who will YOU make peace with?'

In response to a query from a Non-Committee Independent Member, the Director of Health and Community explained that Item 32 of the agenda was contained in confidential business because of the possibility of legal action arising from contractual matters in relation to this issue.

HC112/16 Deputation – Public Protection Arrangements Northern Ireland

The Chairperson welcomed Ms. Julie Smyth, PPANI Co-ordination, Ms. Tara Swann, Detective Inspector Co-Located Public Protection Team and Mr John O’Kane, PBNI Area Manager to the Meeting.

Ms Smyth and Detective Inspector Swann gave a joint presentation, a copy of which had previously been circulated updating Members on Public Protection Arrangements in Northern Ireland with specific reference to the following areas:

- **Background to Public Protection in N. Ireland**
- **Public Protection Arrangements NI (PPANI)**
- **Who Is Subject to the Public Protection Arrangements NI?**
- **PPANI Organisational Structure**
- **Agencies Contributing to PPANI**
- **Local Area Public Protection Panel (LAPPP)**

- **LAPPP Process**
- **Risk Assessment**
- **Categorising the Seriousness of Risk of Offenders**
- **Risk Management**
- **Current Statistics re Categories of Offender Subject to PPANI Resident in Derry City and Strabane District Council Area**

Members from all Parties thanked the representatives for their comprehensive and informative presentation.

In response to a query from a Member of the DUP grouping Ms. Smyth explained that Category 2 and 3 offenders were reviewed on a six weekly basis. However, Category 1 offenders were reviewed every sixteen weeks, unless otherwise stipulated in their probation conditions. She stated that PSNI would continuously monitor individual cases and the length of time offenders remained on Police files depended on the nature and seriousness of their offence.

Detective Inspector Swann pointed out that Category 3 offenders were reviewed weekly by a multi-agency team. Such reviews were extremely intensive but very effective. She continued that many offenders who had been designated as Category 3 would remain so. However, there were others who had been successfully re-categorised to a lesser risk category. She stated that a wealth of knowledge was retained once an offender had undergone the public protection process.

Mr. O’Kane explained that the situations in relation to the reassessment and re-categorisation of Category 1, 2 and 3 offenders were fluid.

A Member of the SDLP grouping sought a breakdown of Category 1 offenders in the Derry City and Strabane District Council area. He enquired how well equipped PPANI was to deal with those offenders who moved around the North and the Republic of Ireland and those who came here from other places. He enquired as to what, if any, resources were available to deal with the cross border movement of offenders from Northern Ireland.

The said Member said it was crucial that victims’ voices were heard and they were kept up-to-date regarding the process in relation to individual cases.

Detective Inspector Swann stated that in relation to monitoring the movement of offenders, they were granted three days to notify their Probation Officer of a change of address and if they failed to do so were in breach of their probation conditions and would be returned to Court. She reiterated that work was carried out on a multi-agency basis. She stated that it was astonishing how much information had been accumulated and shared between the various agencies which had proved most beneficial.

Detective Inspector Swan explained that each of the Agencies operated on a cross-border basis and liaised regularly in relation to this problem. She continued that the Garda were involved in relation to offenders who moved to cross border areas. All of the various agencies including the Garda were members of SOMAC which was a Europe-wide organisation in relation to the sharing of information. However, some difficulties had been experienced due to the fact that a number of countries did not record information relating to offences. She stated that PPANI worked closely with the Borders Agency.

Ms. Smyth advised that a Victims Support Group had been set up which included victim representation. She stated that there was an extremely high level of offending against ethnic minorities. She pointed out that victims were provided with an information booklet when their offender had been brought into the system. She stated that victims and their families were always advised about serious case reviews. She pointed out that the Agency also ensured that victims had a voice in relation to licence regulations and probation which was one of the most important functions.

An Independent Member of Council referred to the case of Arlene Arkinson and the widely held view that the individual believed to be responsible for her murder was a Police Informer and therefore benefited from some form of immunity and queried what assurances, if any could be given that a similar situation would not arise in the future.

Detective Inspector Swann said she did not feel she was in a position to comment as she did not possess intricate knowledge on the subject. She said the PSNI continuously strived towards being open and transparent in relation to public protection. She stated that information relating to specific cases was readily disclosed, if requested and she was confident that the PSNI operated in an open and transparent manner. She reiterated that offenders were dealt with through a multi-agency approach.

A Member of the Sinn Fein grouping stated that in view of the 106 Category 1 offenders in the Derry City and Strabane District Council area, it was not surprising that difficulties would be experienced in terms of rehousing these individuals. He said he had been made aware of a number of cases in this respect and had been contacted by victims who were sometimes living in the same community as the offenders. He said he found that in some of the cases he was dealing with the victim's voice had not been heard. He stated that when he had raised the matter with Community Police Officers within the community neighbourhood they stated that this was dealt with by a different Police department and information was not shared e.g. the conditions of release. He stated that local communities did not acknowledge the purpose of the category system but only recognised that a sexual offender was living in the local area which may be placing their children at risk. He did not feel that as such the victim's voice was being somewhat disregarded. He said it was vital that information in relation to such issues was shared in order to bring contentment to the communities affected.

Ms. Smyth stated that in order to receive information regarding offenders it was necessary for victims to register with the Victims Scheme. She stated that some victims felt they could not do so. She stated that information was disclosed on a formal and informal basis daily e.g. if an offender begins a new relationship. She stated that there were mechanisms in place and that each case was assessed on an individual basis.

Detective Inspector Swann stated that in relation to the disclosure she urged all victims to register with the Victims Scheme as this provided the various agencies involved with a clear pathway, particularly in terms of influencing decisions regarding rehousing of offenders. She referred to a new scheme which had been introduced in Northern Ireland which allowed for limited disclosure in relation to child protection disclosure. She stated that there were leaflets available which it was hoped would prove beneficial.

Mr. O'Kane pointed out that the victim's position was treated with sensitivity and sincerity. He stated that many people were not permitted to return to a specific area due to concerns of their close proximity to the victim.

A Member of the DUP grouping enquired if there were offenders who had not been categorised.

Ms. Smyth explained that when offenders had been assessed by the Court they would enter the categorisation system. Once an offender had been convicted and sentenced they would be referred to the community.

A Member of the SDLP grouping enquired as to who was responsible for deciding where offenders were rehoused. He also queried what action was taken against individuals who offended through the internet.

Ms. Smyth pointed out that in relation to accommodation if an offender was subject to probation supervision, they had to reside in the approved area and this decision was taken by the Public Protection Unit, the PSNI, victim and potential victims. She stated that often the decision was taken at the local public protection group.

Mr. O'Kane advised that each case was individually assessed on a perceived risk basis. He stated that hostels were used to providing housing in instances where it was felt the risk was higher. This decision would be made through a multi-agency system.

A Member of the SDLP grouping enquired as to how those communities concerned were advised of such decisions.

Mr. O'Kane advised that no community was made aware of every sex offender who would be located within their area. He referred to the dilemma which existed citing that in the United States offenders were not permitted to reside within local communities forcing them to inhabit the outskirts where they were more likely to form groups and subsequently creating a greater risk to society.

Ms. Smyth pointed out that in terms of sexual and domestic violence the various agencies involved endeavoured to adopt a public health approach. She pointed out that in cases of abuse against children these predominantly involved persons known to their victims. It was crucial to publicise the message of protective parenting.

A Member of the Sinn Fein grouping expressed serious concerns regarding the opt-in policy in respect of the Victims Scheme which she perceived to be dangerous as many of the victims were very young and

relied on their parents/guardians to put forward their case and who may in some cases have an interest in the offender. As such their position might not be in the best interest of the victim.

The said Member acknowledged the need to rehouse offenders in a safe environment but pointed out that the danger presented to victims was not just in terms of re-offending. She stated that the emotional and psychological impact of an offender returning to a particular community, in some instances, was much greater than the risk of re-offending. The impact of allowing an offender to return to the community was significant.

Ms. Smyth explained that this was not a planned policy in relation to victims and could be altered following public representation. She said PPANI did encourage victims to register on the Victims Scheme and public representation which proved very powerful. She acknowledged the psychological and emotional impact of offenders being rehoused in areas where there was close proximity to victims. She confirmed that the agencies involved took such issues very seriously and as such licences were incorporated into the offender's probationary terms in order to reduce the risk posed to victims as much as possible.

An Independent Member of Council enquired as to the availability of information regarding indigenous offenders.

Detective Inspector Swann pointed out that the availability of such information was improving, particularly in regards to the risk management of offenders through SOMAC. She stated that SOMAC had worked tirelessly to build a framework of information sharing and to change the notification requirements. She referred to an ongoing Europe-wide process to try and expand the information sharing which, whilst proving challenging, was improving. Numerous countries withheld little information regarding such cases.

An Independent Member of Council described the situation as being less than ideal.

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

HC113/16 Deputation – Derry Healthy Cities

The Committee received Ms. Shauna Houston, Director, Derry Healthy Cities outlining Phase V 2009-2013 and Phase V1 2014-2018.

Ms. Houston gave a power-point presentation a copy of which had been previously circulated to Members and made specific reference to the following areas:

- **Context**
- **What Is Healthy Cities?**
- **Work Streams**
- **Delivery Team**
- **Thematic Priorities**
 - Early Intervention**
 - Age Friendly City and District**
 - Culture of Alcohol**
 - Active City Region**
- **Pioneer Community Approach**
- **Cross cutting Themes**
- **Strategic Projects**
 - Health @ Work**
 - CLEAR**
 - Bereaved by Suicide Project**
 - Strengthening Families**
- **Other Work streams**
- **Challenges and Opportunities**

Members from all Parties thanked Ms. Houston for her presentation and acknowledged the excellent work carried out by Healthy Cities.

A Member of the Sinn Fein grouping welcomed the Healthy Cities ethos of addressing issues before they became problems and in particular their focus on mental health. She praised the work carried out by Healthy Cities to date and anticipated that the project would continue to be sustainable into the future. She commended Healthy Cities on their effective allocation of budget.

In response to a query from a Member of the DUP grouping, Ms. Houston said it would be possible to promote the Healthy Cities Project through schools, colleges and universities, if they had additional human resources; currently there were 19 employees. However, they were open to suggestions regarding alternative channels within their capacity.

A Member of the SDLP grouping endorsed the work carried out by Healthy Cities both in terms of prevention and cure which produced huge benefits.

In response to a query from an Independent Member of Council, Ms. Houston explained that all of the regional Healthy Cities Projects operated within the European Healthy Cities Forum. The operation of the various projects was dictated by their specific strategic direction which was guided by the Strategy Group, Council and the local community and voluntary sector. She said each of the projects was a member of the same network but carried out different tasks. She pointed out that there were 12 Healthy Cities projects operating across the United Kingdom.

An Independent Member of Council in referring to the work carried out locally by Healthy Cities queried if the £8,000 which Council currently subscribed to the World Health Organisation for membership fees would be better spent locally.

Ms Houston explained that Healthy Cities was a small organisation whose range was limited. She said their work encompassed a number of areas and forums which formed the basis of the various programmes. She pointed out that the extremely wide-ranging focus of health was a major consideration when deciding Healthy Cities programmes and policies.

Ms Houston said the Healthy Cities project was about promoting best practice and there were various forums from which to retrieve information; however it was unlikely that their profile would have been as prominent had the project not been promoted. The Healthy Cities project required constant publicising which enabled the organisation to operate on the policy of best practice and subsequently have access to information and links with other areas and the best initiatives available. She said the aim of Healthy Cities was to grasp opportunities and attract the best sources of investment. In terms of placing a monetary value on this it would be much greater than £8,000. The WHO provided Healthy Cities with these opportunities and access to information.

The Chairperson thanked Ms. Houston for her presentation and she withdrew from the Meeting.

HC114/16 Chairperson's Business

Thanks

The Chairperson referred to the fact that this was the last meeting of the Committee prior to Council's Annual Meeting and thanked both Officers and Members for their support and hard work during the last 12 months.

Members from all parties commended Alderman Thompson on his excellent stewardship of the Committee over the last 12 months with comments highlighting the effectiveness in which he had undertaken his role as Chairperson.

HC115/16 Confirmation of the Open Minutes of the Health and Community Committee held on 14 April 2016

The Open Minutes of the Meeting held on 14 April 2016 (HC82/16-HC106/16) were confirmed and signed by the Chairperson as correct.

HC116/16 Matters Arising

Bell Gray Nursing Home, Newtownstewart (HC106/16)

In response to a query from a Non-Committee Independent Member, the Head of Health and Community Wellbeing advised that a Meeting had taken place with Members in relation to the closure of the Nursing Home and he understood that Members had taken on board the comments of the Apex Housing's Chief Executive in relation to moving the residents from the Nursing Home to Castledearg.

A Non-Committee Independent Member said it was apparent that those who had attended that meeting were faced with something of a fait accompli.

HC117/16 Extension of Commissioning Agreements for Advice Services

The Head of Community Development and Leisure presented the above report, which had been previously circulated to Members. He stated that the purpose of the report was to seek Members approval of the recommendations of the Advice Panel to extend existing Advice Services Commissioning Agreements until 30 June 2016.

The Committee

Recommended **that Members approve the recommendations of the Advice Panel to extend existing Advice Services Commissioning Agreements until 30 June 2016.**

HC118/16 Community Support Programme 2016/17

The Head of Community Development and Leisure presented the above report, which had been previously circulated to Members. He stated that the purpose of the report was to update Members on the allocation of funding to Council from the Voluntary and Community Unit (DSD) under the Community Support Programme 2016/17 which was confirmed to Council on 31 March 2016.

The Head of Community Development and Leisure informed Members that a letter of offer was in place for the same amount as awarded the previous year.

The Committee

Recommended **that Council accept the funding award of £824,626.02 to administer the Community Support Programme for 2016/17.**

HC119/16 Support for Sport 2016/17 – Round One

The Head of Community Development and Leisure presented the above report which had been previously circulated to Members. The purpose of this report is to inform Members of the decisions of the Support for Sport Grant Aid 2016-2017 selection panel and to seek approval for same.

In response to concerns expressed by a Member of the DUP grouping regarding a potential legal challenge, the Head of Community Development and Leisure advised that 65% or above was the score required by applicants to be eligible for funding. He stated that additional funding resources could become available and if so, further grants would be awarded.

A Member of the Sinn Fein grouping whilst acknowledging that further grants would be awarded if additional resources became available, expressed concern at those applicants whose application had been unsuccessful, a number of which were self-funded. She stated that perhaps they did not have the capacity to understand the funding structures. She said she was sure there was support available and felt that this should be distributed. She expressed concern that the available funding was being distributed too widely or that insufficient monies had been set aside in respect of this fund.

The Head of Community Development and Leisure explained that, where possible, Officers endeavoured to grant funding to those applicants who had scored 65% and above.

The said Member stated that the benefit to amateur sports groups were immeasurable from grants awarded from this fund.

An Independent Member of Council referred to one of the applicants who was disabled and was seeking funding towards the cost of going to Rio for the Special Olympics and who had scored 50%. The applicant in question had been encouraged to submit an application for funding. He enquired if all relevant issues were considered when assessing applications.

The Chairperson whilst acknowledging Members comments, pointed out that the assessment panel had the arduous task of assessing and deciding on successful applications and he was confident that assurances had never been given to any of the applicants that their application would be successful. He referred to the previous speaker's comments and suggested that the applicant in question meet with Officers to discuss possible alternative funding options.

A Member of the DUP grouping referred to a number of organisations who were extremely knowledgeable in terms of the application process and were subsequently in a more advantageous position in terms of submitting a successful application.

Another Non-Committee Independent Member suggested that if the applicant referred to above was a member of Team GB, surely they would be funding his travel costs to the Special Olympics.

In response to a query from the Chairperson, the Head of Community Development and Leisure explained that if an applicant was successful in round one of the process the maximum funding they could be awarded was £2,000.

The Head of Community Development and Leisure explained that if additional funding could be sourced, those applicants who had scored 65% and above would be awarded funding. He referred to the outstanding calibre of the applications submitted. He explained that Council's Sports Development Team had been available to assist potential applicants in the completion of application forms however, this service had not been widely availed of.

An Non-Committee Independent Member enquired if a separate process should be established to assess applications submitted by clubs and individuals.

In response to a query from an Independent Member of Council, the Head of Community Development and Leisure advised that Council did provide an Athlete Support Programme whereby individual athletes could make application through a specific sports club. He undertook to prepare a further report on the matter with particular reference to the allocation of the 2017/18 fund, to a future Meeting of the Committee

A Member of the SDLP grouping said it was not possible to approve all applications as the required funding was not available. However, he suggested that this be addressed during the rates estimates process.

The Committee

Recommended **i) that Members endorse the decisions of the Assessment Team and the Sports Committee to award Support for Sport Fund Grants to those applicants who scored 65% or above in Category 1 and to the applicants who scored 70% or above in Category 2.**
ii) should further funding become available, all applicants scoring above 65% would be considered for funding.

HC120/16 Sports Level Agreements and Contributions

The Head of Community Development and Leisure 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 the current position regarding Service Level Agreements (SLA's) and Contributions in relation to sports events and healthy living initiatives and also to agree a new competitive process for the allocation of Council funding.

A Member of the Sinn Fein grouping referred to a discrepancy in terms of the Strabane Neighbourhood Renewal Area. She welcomed Officers proposals.

A Non-Committee Independent Member queried if the 25% reduction was across all the groups concerned and stated that if so, he would oppose the recommendation contained in the report when presented to the May Council Meeting.

The Head of Community Development and Leisure explained that the recommendation was for a 25% reduction across all of the groups.

The same Non-Committee Independent Member reiterated that he would be opposing the recommendation contained in the above report which he described as totally irrational.

The Committee

Recommended (i) that Members agree the new process for 2016/17; and

(ii) That Members agree to the recommendations of the Sports Committee for a new competitive process for 2017/18.

HC121/16 Amazing the Space – “Who will YOU make Peace with?”

The Head of Community Development and Leisure presented the above report, a copy of which had previously been circulated to Members. He advised that the purpose of the report was to seek Members support and approval of funding of £5,000 towards the local satellite costs for the ‘Amazing the Space’ Peace Pledge Programme and International Peace day event.

The Head of Community Development and Leisure advised that a meeting had been scheduled for 20 May with Reverend Latimer to discuss how to take this project forward.

A Member of the Sinn Fein grouping enquired as to the uptake from local schools. He suggested that it would prove more cost effective taking the students to the actual sites rather than to satellite venues.

The Head of Community Development and Leisure undertook to provide the relevant information to Members.

The Committee

Recommended that Council provides up to £5,000 from the Good Relations Programme towards the

provision of a local satellite within the Council area to support this Peace Pledge Programme and International Peace Day event which will be held on 21 September – International Peace Day.

HC122/16 Extension of Licence Agreement with Shantallow Community Residents Association

The Head of Community Development and Leisure presented the above report, a copy of which had previously been circulated to Members. He advised that the purpose of the report was to request Members approval for the extension of the current Licence Agreement between Derry City and Strabane District Council and Shantallow Community Residents Association to include office accommodation.

The Committee

Recommended

that Members approve the extension of the current Licence Agreement between Derry City and Strabane District Council and Shantallow Community Residents Association to include the office accommodation.

HC123/16 Extension of English Language and Local Awareness Initiative Contract

The Head of Community Development and Leisure presented the above report, a copy of which had previously been circulated to Members. He advised that the purpose of the report was to request Members' approval for the extension of a contract for English Language and Local Orientation Classes for migrant workers with the North West Academy of English at the award allocation of £12,000 for the 2016/17 financial year.

A Non-Committee Independent Member enquired as to the assessment procedures in relation to these classes and if there was a governing body overseeing that specific standards were attained. He pointed out that in any academic programme there was normally an examination to assess achievements and queried if such would be the case in this situation.

The Head of Community Development and Leisure undertook to ascertain this information from the Good Relations Team.

A Member of the Sinn Fein grouping expressed concern at how this had been availed of throughout the Council district. She stated that despite erstwhile efforts only three candidates from the Strabane area had availed of the course. She queried if the funding had become available through a Service Level Agreement. She made reference to classes provided by Strabane Ethnic Community Association at the participants own expense, particularly for Polish immigrants. She welcomed this course and referred to the need to look again at provision in the Strabane area and how this can be rolled out more effectively.

The Committee

Recommended that Members approve the listed Contract extension as outlined in the Report.

HC124/16 Animal Welfare Service

The Head of Health and Community Wellbeing 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 the levels of activity in the Animal Welfare function within the Derry City and Strabane District Council area during 2015/16 and seek the endorsement of associated papers.

An Independent Member stated that in terms of animal welfare, circus performing animals was considered unethical by many and may be regarded as abuse. These animals were confined in cages travelling in vehicles for lengthy periods of time. He suggested that Council oppose the exploitation of animals in this manner. He proposed that Council ban circuses with performing animals from the Derry City and Strabane District Council lands from an ethical perspective.

A Member of the Sinn Fein grouping pointed out that since the Review had been commissioned, increased focus had been placed on animal welfare, prior to which society did not have a glorious history of its regard and treatment of animals. However, the Review had assisted in the development of a different ethos regarding animal rights. She welcomed the Review and the final report which would be forthcoming and anticipated that the incoming Minister would continue the good work carried out by their predecessor and retain the focus. She stated that whilst much had been achieved there was still a considerable amount to be done particularly in terms of prosecutions.

A Member of the SDLP grouping expressed his support for the recommendation contained in the report and commended Officers on the work carried out in this regard. He acknowledged the concerns regarding the provision of circuses with performing animals on Council land.

The Chairperson suggested that given the possible legal implications regarding banning animal circuses, which may require clarification, a report on the matter be prepared for submission to a future Meeting of the Committee.

An Independent Member of Council suggested that any potential legal implications be addressed. He referred to similar motions being passed in other Councils and felt that the proposal should stand.

The Director of Health and Community undertook to seek legal advice prior to the recommendation being presented to full Council.

The Committee

Recommended

that Council (i) Note level of activity in relation to Animal Welfare;

(ii) Note Final Animal Welfare Review Report Feb 2016;

(iii) Endorse the enforcement actions that have been taken in the Derry City and Strabane District Council area;

(iv) Note level of Budget required From DARD to fund the Animal Welfare Service for 2016/17;

(v) that the proposal to ban circuses with performing animals on Council land pending any legal implications being addressed be implemented.

HC125/16 Dog Control Service

The Head of Health and Community Wellbeing 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 Dog Control service activity during 2015 and seek approval of the Dog Control work plan 2016/17.

An Independent Member referred to the viability of using DNA testing to combat dog fouling in the City and District and referred to the need for an in-depth study into how Council could reduce this huge nuisance factor. He stated that there had been no consideration of the long-term viability and impact to support the use of DNS testing, which he believed would prove more effective in tackling this problem.

A Member of the Sinn Fein grouping pointed out that cost was a serious consideration in terms of which method would be chosen to deal with the problem. It was important that a situation did not arise that only the wealthy could afford to have a dog. DNA testing would appear to be an extremely costly method and she did not consider it a feasible option.

The Chairperson said that the issues could be addressed by the Working Group, as included in the Work Plan.

The Committee

Recommended

that Council approve the Dog Control Service Work Plan for 2016/17.

HC126/16 Dog Kennelling Provision

The Head of Health and Community Wellbeing 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 dog kennelling provision for stray and unwanted dogs within the Council area and seek Members views on options for providing this service. Additionally, Members approval was sought to provide all required dog kennelling services at the Councils kennels and to terminate any existing arrangements.

An Non-Committee Independent Member referred to the kennels in Strabane which he said provided a worthwhile service and enquired if these were being closed. He stated that if so, in the future if a dog was seized in Castledearg it would have to be taken to Derry which would be a time consuming exercise. He expressed concern that this would be another service which was being removed from Strabane ratepayers and being placed in Derry. He enquired how many of the dogs rehomed were from Strabane and how many were from Derry.

Another Non-Committee Independent Member stated that the facility should be located in the area where the problem was most apparent.

A Member of the Sinn Fein grouping said she understood that there had been a decrease in the number of stray dogs seized in both the Strabane and Derry areas which would suggest that Council's policy in terms of responsible dog ownership was proving successful. This was subsequently placing less demand on the service. She said she understood that the dog kennels in Sion Mills were privately owned. She acknowledged that the position would be reviewed after one year but suggested that it may prove useful to have the situation reviewed on a six monthly basis which she felt would be a more feasible option.

In response to a query from an Independent Member of Council, the Head of Health and Community Wellbeing explained that there were eleven unused kennel places. He stated that any dogs which had not been rehomed in Strabane would be placed in a rehoming facility in Derry. He referred to a proposal going forward that the Dog Teams in Strabane and Derry operate as a single unit. He stated that although 6,000 dogs had been licenced it was believed there were many more who were not.

An Independent Member of Council who was a non-Member of Committee enquired if it would be possible for Officers to prepare a diagram depicting where the dogs exist, which would assist in the deciding where the facility should be located.

The Head of Health and Community Wellbeing advised that Officers had considered all of the options available including having temporary homing options. However, the Dog Wardens had indicated that this would result in two journeys per week which was not feasible. He stated that Officers were endeavouring to provide the best service for both areas.

The Committee

Recommended (a) that based on the net cost for providing dog kennelling in the Council area that the Council kennels located in Pennyburn Industrial Estate are used to accommodate all stray and unwanted dogs and a review of this service be carried out after six months;

(b) that Council terminate the current kennelling contract in the legacy Strabane Council area by providing 3 month's written notice as outlined in the conditions of contract; and

(c) that Officers provide additional information on dog populations at a future meeting.

HC127/16 Department of Finance and Personnel Consultation on Enhanced Sport and Recreation Relief for Unlicensed Community Amateur Sports Clubs

The Director of Health and Community 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 Department of Finance and Personnel's consultation on Enhanced Sport and Recreation Relief for Unlicensed Community Amateur Sports Clubs and to seek Members views for inclusion in the Council's consultation response.

An Independent Member of Council who was a non-Member of Committee said he presumed this referred to clubs that were outside the registration of the governing bodies.

The Director of Health and Community clarified the definition was provided in the document. She stated it included guidance on the apportionment of bar facilities and non-sporting areas.

An Independent Member of Council who was a non-committee Member enquired as to the method of distinguishing between licensed areas and training areas.

The Director of Health and Community explained that this would be determined by the District Valuer.

The Committee

Recommended

that Members consider the policy issues raised within the consultation and review the response by which would be distributed for Members information.

HC128/16 Annual Service Plan

The Director of Health and Community presented the above report, a copy of which had been previously circulated to Members. She advised that the purpose of the report was to seek Members' approval to adopt a Service Plan for 2016/17 for the Health and Community Directorate.

The Committee

Recommended

that Council adopt the attached Service Plan for 2016/17 for the Health and Community Directorate.

HC129/16 Bonfires

The Head of Community Development and Leisure and the Head of Health and Community Wellbeing jointly presented the above report, a copy of which had previously been circulated to Members. They advised that the purpose of the report was to update Members of the Council-led actions which have contributed to a safe and sustainable environment in relation to bonfires in conjunction with the other agencies.

A Non-Committee Independent Member said he had contributed to the Burning Issues Report which was not an anti-bonfire report and should be used as the basis for moving forward on this issue. He felt that it would be useful for either Party Leaders or Members of the Committee to have a hard copy of the report available to them.

A Member of the SDLP grouping said that whilst he would like to eradicate bonfires this was apparently not possible, and it was therefore necessary to educate the public on safer managed and more environmentally friendly bonfires. He suggested writing to the Minister concerned enquiring as to who was ultimately responsible for the disposal of tyres and pallets.

An Independent Member of Council expressed his opposition to bonfires and agreed that as there were no plans to eradicate them, it was necessary to ensure they were managed as safely as possible. He expressed concern at the apparent dumping of over 100 tyres in the Fountain Estate.

The Chairperson acknowledged the dumping of tyres referred to and the ongoing work being carried out to ensure this did not happen again.

A Member of the Sinn Fein grouping thanked Officers for the comprehensive report and said this was a work in progress.

An Independent Member of Council said he felt the report was dated in many respects. He said it was evident that local communities were opposed to bonfires and as such he felt Council should not remain undecided regarding its opposition to bonfires.

The Chairperson pointed out that he had been involved with the issue of bonfires and as a result of this, there were a number of areas which no longer had bonfires. However, he expressed concern that an outright banning of bonfires was the answer as some communities were still very much in favour of them. He queried who would ultimately oversee such a ban.

An Independent Member of Council felt that Council should express its' outright opposition to bonfires.

The Committee

- Recommended**
- (i) that Committee note the Council led actions which had contributed to a safe and sustainable environment in relation to bonfires, in conjunction with the other agencies;**
 - (ii) that a Working group be established to further discuss relevant issues including cost estimates and report back to Council; and**
 - (iii) that Councillor Gallagher be nominated to serve on the Working Group and the nominations from the other Parties be made at the May Council Meeting.**

HC128/16 DSD Consultation on the Review of the Statutory Minimum Housing Fitness Standard for all Tenures of Dwelling

The Head of Health and Community Wellbeing presented the above report, a copy of which had previously been circulated to Members. He stated that the purpose of the report was to advise Members on the Department for Social Development (DSD) Pre-Consultation on the Review of the Statutory Minimum Housing Fitness Standard for All Tenures of Dwelling.

A Member of the SDLP grouping stated that if following an inspection it was deemed that a property was not fit for purpose, funding would be required to bring the property up to a suitable standard. He felt that the response should include reference to DSD providing support to residents to bring housing up to appropriate standards.

The Committee

Recommended **that Members endorse the draft response provided subject to above inclusion.**

Matters for Information

HC129/16 Environment Fund Application – Air Quality

The Head of Health and Community Wellbeing presented the above report, a copy of which had been previously circulated to Members. He advised that the purpose of the report was to inform Members that the Department of the Environment (DOE) has awarded a total of £25,839.84 to Derry City and Strabane District Council to improve air quality as part of the Environment Fund.

The Committee

Recommended **that members note the funding awarded to continue air quality monitoring and assessment work.**

HC130/16 Entertainment Licence Applications

The Head of Health and Community Wellbeing presented the above report, a copy of which had been previously circulated to Members. He advised that the purpose of the report was to inform Members of Licensing Activity during March – April 2016 under delegated authority.

The Committee

Recommended **that Members note the information.**

HC131/16 Street Trading Licence Applications

The Head of Health and Community Wellbeing presented the above report, a copy of which had been previously circulated to Members. He stated that the purpose of the report was to inform Members of licensing activity during March-April 2016, under delegated authority.

A Member of the DUP grouping queried if Street Trading Licences were issued for a specific location and if the trader was obliged to produce the Licence if requested. She enquired as to Council's enforcement procedures if the licensee started to trade on another site.

The Head of Health and Community Wellbeing confirmed that the Licence specified where the trader would be located and the type of goods in which he was trading. He stated that issues relating to illegal street trading did arise from time to time particularly at organised events. In such instances, Council would take enforcement action against the illegal trader.

The Head of Health and Community Wellbeing pointed out that where a trading van was off the road, the trader may not require a Street Trading Licence; this was deemed a Planning issue.

In response to a query from a Member of the SDLP grouping, the Head of Health and Community Wellbeing explained that the issue of selling cars along roadsides would be dealt with under the Clean Neighbourhoods Act. It was an offence to have two or more vehicles parked and Council could take enforcement action in such instance.

In response to a query from a Member of the DUP grouping, the Head of Health and Community Wellbeing advised that Council would be investigating the situation regarding the sale of multiple vehicles in certain localities.

In response to query from a Non-Committee Independent Member said it was difficult for Council to take action in cases where a "For Sale" sign was not evident.

The Committee

Recommended **that Members note the information.**

HC132/16 Amusement Permit Application

The Head of Health and Community Wellbeing presented the above report, a copy of which had been previously circulated to Members. He advised that the purpose of the report was to inform Members of Licensing activity during March-April 2016, under delegated authority.

The Committee

Recommended **that Members note the information.**

HC133/16 Amusement Permit Renewal Application

The Head of Health and Community Wellbeing presented the above report, a copy of which had been previously circulated to Members. He advised that the purpose of the report was to inform Members of licensing activity during March-April 2016 under delegated authority.

The Committee

Recommended **that Members note the information.**

HC134/16 Application for the Registration of a Society

The Head of Health and Community Wellbeing presented the above report, a copy of which had been previously circulated to Members. He advised that the purpose of the report was to inform Members of licensing activity during March-April 2016 under delegated authority.

The Committee

Recommended **that Members note the information.**

HC135/16 Foyle Haven Update

The Head of Health and Community Wellbeing presented the above report, a copy of which had been previously circulated to Members. He advised that the purpose of the report was to provide Members with an update on the funding situation in respect of Foyle Haven.

The Committee

Recommended that Members note the information.

HC136/16 Correspondence

The Head of Health and Community Wellbeing presented the above report, a copy of which had been previously circulated.

The Committee

Recommended that Members note the contents of the report.

HC137/16 Consultations

The Head of Health and Community Wellbeing presented the above report, a copy of which had been previously circulated.

The Committee

Recommended that Members note the contents of the report.

The Meeting terminated at 7.00 p.m.

Chairperson: _____

Date: _____