

## **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, Derry on Thursday 7 July 2016.**

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**Present: - Councillor R McHugh (Chairperson) Alderman Hussey, Thompson and Warke; Councillors Campbell, Carlin, Cusack, Gardiner, Hastings, Jackson, McCallion, McGinley and Reilly.**

**Non-Members of Committee: - Councillors Gallagher, P Kelly, Donnelly, Robinson and O'Reilly**

**In Attendance:- Director of Health and Community (Mrs K McFarland), Head of Health and Community Wellbeing (Mr S Donaghy), Lead Legal Services Officer (Mr P Kingston) PA to Health and Community Director (Mrs L Shields) Strategy Manager (ILEX) (Mr M Gallagher) and Administrative Assistant (Mrs M Doherty).**

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### **HC168/16 Notice and Summons for Meeting**

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

### **HC169/16 Attendance**

The Director of Health and Community recorded the attendance.

### **HC170/16 Apologies**

Apologies for absence were received from Alderman Hamilton.

### **HC171/16 Declarations of Members' Interests**

Alderman Thompson and Councillor Jackson declared an interest in the agenda item 4 Deputation.

Alderman Hussey declared an interest in relation to agenda item - 12 Industrial Facilities: Draft Health Impact Study.

All Members present, declared an interest in relation to agenda item 30 – Good Relations Grant Aid Reviews.

### **HC172/16 Suspension of Standing Orders - Community Planning Events**

Councillor McGinley proposed, seconded by Councillor Jackson a suspension of standing orders. A vote was taken and the vote was as follows:

For: 9, Against: 0 and Abstentions: 2. The suspension of Standing Orders was granted.

A Member of the Sinn Fein grouping referred to the recent Community Planning events that had taken place and he wished to address incidents that he alleged had taken place. He expressed his party's concern over the behaviour of some Independent Councillors at these events.

He referred in particular to the Foyleside meeting held in the Rosemount area, where he alleged that an Independent Member of Council made comments that were of particular insult to Council Officers and members of the public present. He maintained that such comments implied that the correct protocols were not being applied.

He stated that the Community Planning meetings were open to everybody regardless of political opinion. He added that allegations from Independent Members of Council with regard to intimidation and division were untrue. In his opinion the only display of unacceptable behaviour was directed at an elderly lady by an Independent Member of Council. He concluded by asking that the Independent Member of Council reflect on his actions and comments and establish if in any way such represented responsible political leadership.

A non-committee Independent Member of Council advised that he was not at the event in question and advised that the event for the Sperrin area which he attended was very successful with great work being undertaken by all involved.

A Member of the SDLP grouping stated that he had been aware of what had taken place at the Rosemount event and stressed the importance of the Community Planning process and the significant part it plays in engaging with the communities and that this event should not overshadow the hard work that has been undertaken.

A non-committee Independent Member of Council in referring to the allegations made, stated that the allegations of Independent Members being called liars were unfounded. He stated that the alleged intimidation of an elderly women had been exaggerated.

A Sinn Fein Member in response advised that she in fact had been in contact with the elderly lady and confirmed that the lady was very upset by what had taken place. She stated that there was no justification for what had taken place and that all elected Members should condemn this sort of behaviour.

A non-committee Independent Member of Council in concurring with remarks made by the previous Independent Member of Council stated that allegations of Independent Members of Council being liars had been made in the Chamber and the only purpose of such allegations was to deflect from that failure to apply correct procedures. Such allegations have now questioned the credibility of the process used.

A heated discussion ensued and some Members in the Chamber referred to a Meeting that had taken place earlier in the day in relation to Out of Hours GP service provision in the Western Trust area. Members raised their concerns at the conduct of Members towards representatives of WHSCT and Western Urgent Care.

A Member of the Sinn Fein grouping reiterated her dissatisfaction with the lack of provision of out of hours coverage in the Strabane area.

A Member of the Sinn Fein grouping referred to the Community Planning process that has taken place over the past 17 months, she stressed the importance of this work and was very passionate about this work. She stated that this is a once in a life time opportunity, stressing that Members needed to work together and the process should not be hindered by negativity.

The Chairperson intervened at this stage and called the meeting to order and brought the discussion to a close.

A Member of the Sinn Fein grouping requested that agenda item 31 - Business Case for Crisis Intervention Service be brought into open business, She stated that the business case would contain sensitive information but the report did not and therefore could be discussed in open business. All Members agreed.

**HC173/16 Deputation – Compassionate Communities An Introduction to Public Health and Approaches to End of Life Care.**

The Chairperson welcomed Ms Linda Morris, Project Facilitator; Compassionate Communities to the meeting. He invited her to make her presentation to the Committee.

Ms Morris proceeded to deliver the presentation (a copy of which had been previously distributed to Members), highlighting the following:

- The public health approach to end of life/palliative care.
- The need for Compassionate Communities.
- What Compassionate Communities in action means.
- The pilot project currently operating in the Waterside.
- Reach Out – a Compassionate Neighbours Scheme.
- The Life Cycle of Compassionate Communities.
- The role of a compassionate neighbour.
- The overlooked palliative care facts that make this approach important.
- The key challenges that the project faces.
- The role for Derry City and Strabane District Council in becoming a Compassionate City and Region.

A Member of the Sinn Fein grouping welcomed Ms Morris to the meeting and thanked her for the presentation. He stated that he was aware of the pilot project as it was based in an area that he represents. He welcomed the extension of the pilot project. He advised of the positive feedback that he has received about the project from the users, their families and the volunteers that provide the support. He looked forward to working with the project in the future.

A Member of the SDLP grouping also thanked Ms Morris for the presentation. She stated that this was a worthwhile project that offered support to those who may live in isolation and need assistance at a difficult period in their life.

In response to queries raised by a Member of the SDLP grouping, Ms Morris advised that referrals can be made by a family member, a carer, a GP or social worker at any time. She further clarified that volunteers are recruited by public advertisements, Council initiatives, radio, parish bulletins, the Volunteer North West Service and public information events. She outlined the training and support that is provided to the volunteers which has received positive feedback.

A Member of the UUP grouping applauded the work undertaken in the Waterside area with the Pilot project. He stated that this was a very worthwhile project and one that he would like to see established in the rural areas of our community.

A Member of the DUP grouping also thanked Ms Morris for the presentation and he too stated that he had received positive feedback from constituents about the pilot project currently running in the Waterside area. He advised that the volunteers are very well supported by the project and this enables them to do the job well. He offered his party's full support for the project going forward.

A non-committee Independent Member of Council took the opportunity to raise concerns that he had been made aware of in relation to the treatment of Mr Tony Taylor in Maghaberry Prison. He advised that Mr Taylor was suffering from ill health and had been denied access to medicine that he required, he also had recently sustained injuries as a result of a fall. The same Member requested that Council write to the prison authorities requesting that Mr Taylor is given access to the necessary medication. In concurring with the remarks of the Independent Member, Members of the Sinn Fein grouping proposed and seconded the action as outlined, however they reiterated that the corporate will of this Council was for immediate release of Mr Taylor from prison.

A non-committee Independent Member of Council also called for the immediate release of Mr Taylor and supported the call for a letter to be sent to the Prison service addressing the concerns of this committee.

The proposal was then put to a vote as follows: For: 10, Against:3 and Abstentions: 0. The proposal was carried.

A Member of the Sinn Fein grouping referred to her dismay that anyone in the Chamber would not support a call for a basic human right of receiving medication during illness.

In response to a comment from a non-committee Independent Member of Council, the Director of Health and Community advised that it has been agreed to receive a deputation from WAVE Trust – Pioneering Communities and this was currently being scheduled.

The Chairperson thanked Ms Morris for her presentation and wished her every success for this worthwhile project going forward.

Ms Morris left the meeting at this point.

**HC174/16 Chairperson's Business**

There was no Chairperson's Business.

**HC175/16 Confirmation of the Open Minutes of the Health and Community Committee held on Thursday 16 June 2016**

The open Minutes of the Meeting held on 16 June 2016 (HC140/16 – HC167/16) were confirmed and signed by the Chairperson as correct.

**HC176/16 Matters Arising**

**HC157/16 Policing and Community Safety Partnership Funding Awards**

A non-committee Independent Member of Council raised his concerns at the lack of funding being awarded to the Strabane District area and referred to the need for more Community Safety Wardens. In response a Member of the UUP grouping advised Members that this issue had already been raised and that action was being taken to address this.

**HC152/16 Social Investment Fund: Community Premises Support Programme Partnership Agreement**

In response to a Member of the UUP grouping, the Director of Health and Community advised that Officers are currently working on the criteria and when it is available Members will be informed. She further advised that any updates will be sent to Members over the recess period.

**HC177/16 Athlete Support Programme & elite Athlete Bursary Scheme Updates**

The Director of Health and Community presented the above report, a copy of which had been previously circulated to Members. The report updated members on the ongoing delivery of the Athlete Support Programme and the Elite Athlete Bursary Scheme.

A Member of the Sinn Fein grouping thanked officers for the report and welcomed the delivery of the proposed programmes. He stated

that this programme will support athletes in the City and District and will exemplify the North West Region.

In response to a Member of the UUP grouping, the Director of Health and Community advised that the programme is available to amateur sporting athletes.

The Committee

**Recommended that Council notes the current position regarding the Athlete Support Programme and the Elite Athlete Bursary Scheme and endorses its ongoing delivery as part of the Sports Development Programme.**

#### **HC178/16 Brandywell Sports Centre User Groups Relocation Costs**

The Director of Health and Community presented the above report, a copy of which had been previously circulated to Members. The report sought Members approval for additional expenditure requirements associated with the relocation of user groups from the Brandywell Sports Centre.

A Member of the Sinn Fein grouping welcomed the report and asked that Officers have further consultation with the Over the Hill Snooker Club as he was aware that there was discontentment with the proposed relocation.

A Member of the UUP grouping raised his concerns at the additional expenditure being approved as the measures being undertaken were only temporary.

A non-committee Independent Member of Council also called for further consultation with the Over the Hill Club. He stated that he had met with the group that consisted of elderly Members of the community. He highlighted that this club is the means of social engagement for members and Council has a duty to ensure that their health and safety is of paramount importance.

A Member of the SLDP grouping in supporting the additional expenditure stated that Council provide the best alternative

arrangements for the groups to the satisfaction of all. He also stressed the importance of the health and safety of the users.

In response to a non-committee Independent Member of Council, the Director of Health and Community advised that assurances had been provided to groups that alternative arrangements would be put in place when the Brandywell Sports Centre was closed for the redevelopment work. She further added that there was potential for the items being sought to be reused where possible and that Officers would liaise with the maintenance teams with regard to this.

A Member of the Sinn Fein grouping in proposing the expenditure asked that Officers reengage with the Over the Hill club in relation to their concerns on the size of the unit at the proposed relocation site. She added that Council had already agreed to relocation arrangements for user groups and such would be honoured.

The Committee

**Recommended that Council re-engages with the Over the Hill Club and approves the additional spend in relocating the two main users groups, up to a maximum of £50,000.**

#### **HC179/16 Future Management of Slipway Access**

The Director of Health and Community presented the above report, which had been previously circulated to Members. The report sought Members approval for a new system of managing slipway access by the public at Derry City and Strabane District Council sites.

A Member of the SDLP grouping welcomed the report. She stated that health and safety of users of slipways was very important and she referred to the recent tragedy which highlighted that these measures are necessary. She queried how the pass for the slipway will be distributed to users and queried charges for existing users.

The Director of Health and Community advised that it has been agreed that an annual charge will be applied but further consideration is to be given to any historic agreements that are in place with existing users. She further added that the detail of the new control arrangements will be forwarded out to Members to ensure all queries are addressed.



A Member of the Sinn Fein grouping stated that the Foyle is a great asset of this City and District and the new processes are not about restricting access; they are about stopping unauthorised access and making it a safe place.

A Member of the UUP grouping concurred with the remarks of the previous speaker in offering his support for the recommendations.

The Committee

- Recommended**      **that Council**
- (i) Approves the cost of installing a new gate system at a cost of circa £2,000 at the Prehen slipway.**
  - (ii) Approves the new processes of managing Prehen Slipway.**

#### **HC180/16 Compassionate Communities Pilot and Charter**

The Head of Health and Community Wellbeing presented the above report, which had been previously circulated to Members. The report informed Members of the first Compassionate Communities pilot project in Northern Ireland and provided information about the Compassionate City Charter.

A Member of the UUP grouping, sought clarity that the project would be for the City and Region and asked to have this included in the title. This was agreed.

The Committee

- Recommended**      **that Council notes the Compassionate Communities Pilot and agree to take the steps necessary to become a Compassionate City and Region and develops an action plant to implement the Compassionate City and Region Charter.**

#### **HC181/16 Industrial Facilities: Draft Health Impact Study**

Alderman Hussey having declared an interest in this item, left the meeting at this point.

The Head of Health and Community Wellbeing presented the above report, which had been previously circulated to Members. The report provided Members with details of the draft Health Impact Study undertaken by Ben Cave Associations Limited. The report also sought Members approval for a stakeholder group made up of statutory agencies, business, community groups and local residents to be established to consider the draft recommendations/findings detailed in the draft Health Impact Study, assess their implications and provide a mechanism to progress matters.

A Member of the SDLP grouping in offering his support for the establishment of a steering group, raised his concerns at the amount of information contained within the report, which he maintained the local person would find difficulty in understanding. He stated that the information in the report needed to be explained to local people and the steering group was the best way to facilitate this.

In response to a query from a Member of the Sinn Fein grouping the Lead Legal Services Officer advised that the Londonderry Port and Harbour Commissioners (LPHC) have issued correspondence to Members in relation to the Health Impact Assessment stating that they fully support the need for a Health Impact Assessment but have concerns regarding the draft recommendations in the current report. He clarified that the LPHC have no issue with the establishment of the steering group that is being proposed and therefore there would be no legal implications if this was agreed. He further advised that the steering group can be a continuation of the existing group, with the addition of new members who wish to be involved in the process.

The same Sinn Fein Member, bearing in mind the information provided by the Lead Legal Services Officer stated her party's support for the establishment of the steering group. She too concurred with the remarks of the SLDP speaker in terms of ensuring that this information is disseminated widely in the public domain and the importance of the public understanding the information contained in the report.

The Committee

**Recommended that Council**  
**(i) Considers/notes the draft Health Impact Study undertaken by Ben Cave Associations Limited and its**

- draft recommendations/findings;  
and**
- (ii) A Stakeholder group made up of statutory agencies, business, community groups and local residents be established to consider the recommendations detailed in the draft Health Impact Study to assess their implications and provide a mechanism for considering which can and should be implemented.**

Alderman Hussey re-joined the meeting at this point

### **HC182/16 Sunday Trading Legislation**

The Head of Health and Community Wellbeing presented the above report, which had been previously circulated to Members. The report sought Members consideration on whether Council should designate the entire Derry City and Strabane District Council area or specific part(s) of the Council area, as a holiday resort under the provisions of Article 6 of the Shops (Sunday Trading &c) (Northern Ireland) Order 1997. This legislation allows for additional permitted Sunday opening hours for large shops in holiday resorts on up to 18 Sundays (excluding Easter Sunday) between 1 March and 30 September.

A Member of the Sinn Fein grouping thanked Officers for the report. He welcomed the opportunity of additional opening hours for business in and around the City and District and stated that such provision would be beneficial to tourists. He sought clarity if this legislation would be applied to smaller retail units in the area.

The Lead Legal Services Officer advised that this legislation is only applicable to retail units of a certain size and therefore if the small retail units were below this size the legislation is not applicable.

A Member of the SDLP grouping suggested that Officers investigate further if this legislation could be applied to smaller retail units. He stated that if anything can be done for the whole of the new Council area it should be acted upon.

The Committee

**Recommended that Council consults on designating the entire area of Derry City and Strabane District Council or Specific part(s) of the area as a holiday resort under Article 6 of the shops (Sunday Trading & c) (Northern Ireland) Order 1997**

Councillor O'Reilly joined the meeting at this point

### **HC183/16 Affordable Warmth Service Level Agreement**

The Head of Health and Community Wellbeing presented the above report, which had been previously circulated to Members. The report sought Members approval to sign the 2016-17 Service Level Agreement in relation to the Affordable Warmth Scheme administered by Council on behalf of the Department for Communities.

A Member of the Sinn Fein grouping thanked Officers for the report. He stated that he had previously expressed his concerns regarding a cut to funding levels. He stated that this was a vital service that has social and economic benefits to the area. He added that there is a clear need for this programme and sought clarity around what measures will be put in place for this type of work should the programme conclude. He asked that Officers write to the Minister to provide clarity on same and for the Department to make a presentation to Council on the matter of the Affordable Warmth Scheme.

A Member of the SDLP grouping thanked Officers for the report and stated she also was appalled at the cuts being proposed to this vital service. She sought clarification about the number of homes that currently sit on the back-log list and what this meant for any new referrals. She further proposed that Council write to the Minister to have the figure being offered, reviewed.

The Head of Health Community and Wellbeing advised that the back-log of homes is in the region of 500 and that there was some scope for urgent referrals to be dealt with. He advised Members that the initial cost per household had exceeded what was forecasted and as a result this has had an impact on the funding being provided. Any new non urgent referrals will be put on a waiting list.

A discussion ensued and it was agreed that to ensure protection of the Service Level Agreement that contact be made with the Department to seek an increase to funding and report back to Council.

A further request was made asking Officers to provide Members with details of the target post code areas for the programme.

The Committee

- Recommended that Council**
- (i) Contact the Department requesting a review of the level of funding being offered and invite the Department to make representation to Council;**
  - (ii) The signing of the Service Level Agreement is deferred to the Council meeting on 21 July;**
  - (iii) Members be provided with the target area post codes for the programme.**

#### **HC184/16 Business Case for Pilot Crisis Intervention Service**

The Strategy Manager (ILEX) presented the above report, a copy of which had been previously circulated to Members. The report updated Members on the business case for the provision of a pilot non-clinical Crisis Intervention Service (CIS) within Derry City and Strabane District Council area. The report also sought Members approval for Officers to engage with key stakeholders on how the pilot CIS might be funded, its procurement and governance.

A Member of the Sinn Fein grouping thanked Officers for the report and the work that had been undertaken to get to this stage. She stated that this was a much needed service for the area and a service that the people of the City and District want. This service she added will save lives, it will create a safe space for those who are vulnerable in our society. There has been a clear identified gap for this very complex service and she is delighted that this Council has taken steps to bridge that gap. In offering her party's support for the report, she proposed that Council goes further and puts the service out to tender and that Council acts as lead agent for the project in conjunction with working alongside the various stakeholders to identify funding for the project.

She stated that she was not recommending that Council pays for the project in its entirety but Council gets the project up and running with funding to be sourced in due course.

A non-committee Independent Member of Council concurred with the remarks of the previous speaker. He stated that he had been part of a delegation that visited the Nightingale Project in Belfast and he had witnessed the sterling work that this project provides to that area.

In seconding the proposal made by the Sinn Fein Member, a Member of the SDLP grouping offered his party's support for the project and the steps outlined to move the project forward. He stated that the need for this project has been clearly identified and Council need to address it. He thanked Officers for all the work that they had undertaken in bringing the report to committee.

A non-committee Independent Member of Council concurred with the all the previous speakers and fully supported that Council takes the lead in the project. He stated that this project will save lives and is a very worthy cause and a justified project for Council spend.

Another non-committee Independent Member of Council also stated his support for the project and concurred with the previous remarks.

A Member of the UUP grouping raised his concern that by Council taking the Lead and progressing the project that other Departments would abdicate their responsibility to provide this service. He fully supported the concept of the project but felt that all stakeholders need to be engaged and provide full support for this project as it is ultimately their responsibility and not the responsibility of Council.

A Member of the Sinn Fein grouping in referring to the comments made by the previous speaker noted his concerns but stressed the importance that this project is moved forward, as otherwise it will be passed about with no progression. She stated that through the Community Planning process the need for this type of service has been clearly identified and all stakeholders such as the Public Health Agency and the Western Trust are all part of this process. She concluded in stating that Council taking the lead in this project and going out to tender is the only way that this project will move forward.

The Director of Health and Community advised Members that following the committee recommendations, governance and procurement

arrangements would need to be addressed and a further report will be brought to a future meeting.

The Committee

- Recommended that Council**
- (i) proceeds to tender for a non-clinical crisis Intervention centre pilot scheme**
  - (ii) acts as Lead agent, and**
  - (iii) actively seeks funding for the pilot service.**

### Open for Information

The Chairperson agreed that the following reports which had been previously circulated to Members for information would be noted:

#### **HC185/16 Sports Facilities Strategy Consultation Update**

#### **HC186/16 Beacon Scheme to Mark the Queen's 90<sup>th</sup> Birthday Update**

A non-committee Independent Member of Council in referring to the above item raised his concerns at the contradictory information provided in the report. He felt that Council should have removed the Beacon when they became aware that a bonfire was taking place at the location. He stated that this was an act of triumphalism over the people of Strabane and that the articles in the local press with the Deputy Mayor pictured in front of the bonfire were unhelpful. He further stated that Members who supported this event owed the people of Strabane an apology.

A Member of the Sinn Fein grouping in response to the above comments, advised that she supported the call for a beacon and at no time had she supported anything more than that. She stated that it was inevitable that after the comments made by some Members in linking the beacon to a bonfire, that issues had arisen. She stated that the comments made did not help and in fact stirred up tension and created discontentment. She further added that there were lessons to be learned for future event organisation that has Council support.

Another non-committee Independent Member of Council stated that it is absurd to blame the bonfire on comments made by Independent

Members of Council, adding that he did not support the beacon as he knew that this would happen.

In response to a Member of the UUP grouping, the Director of Health and Community advised that the beacons are Council property and should another event require use of them, an arrangement can be set up to facilitate this.

#### **HC187/16 Melvin Sports Complex – Sunday Opening Update**

A non-committee Independent Member of Council in referring to the above item welcomed the report and deemed the opening of Melvin Sports Complex on a Sunday a success. He stated that the user numbers will increase over the summer months and it is great to be able to provide this facility to rate payers.

A Member of the Sinn Fein grouping thanked Officers for the report and she also expressed her delight at the Sunday opening at the Melvin Sports Complex. She stated that it was important that all necessary steps had been taken in terms of good governance measures to ensure a satisfactory outcome for all involved. She added that she had recently attended an event in Melvin and she witnessed the sense of pride that the staff have in the new facility. She said that in time the user numbers will increase and the facility will more than pay for itself.

In response to a non-committee Independent Member of Council, the Director of Health and Community advised that there was ongoing promotional objectives to highlight the Sunday opening and to increase usage.

#### **HC188/16 Raising Awareness of Dangers of Blinds Cords/Chains**

#### **HC189/16 Pollution Prevention & Control Subsistence Charging Scheme**

#### **HC190/16 Private Water Supplies**

#### **HC191/16 Applications for Renewal of Approved Place Status for the Registration of Civil Marriages or Civil Partnership**

#### **HC192/16 Amusement Permit Renewal Applications**

#### **HC193/16 Cinema Licence Application**



**HC194/16 Entertainment Licence Applications**

**HC195/16 Street Trading Licence Applications**

**HC196/16 Correspondence – Strabane Pedestrian & Cycle Bridge Structural Steel Awards**

The Director of Health and Community in referring to the above item sought nominations in relation to the Structural Steel Awards to be held on the 5 October in London. Members agreed that both the Mayor and Chairman of the Health and Community Committee to be given the opportunity to attend.

A Member of the Sinn Fein grouping proposed that the Director of Health and Community should also attend as she had been involved in the project from the very beginning. Members agreed.

**HC197/16 Any other Business – Suspension of Standing Orders**

An Independent Member of Council who was not present at the beginning of the meeting thanked the Chairperson for affording him the opportunity to reply to allegations made against him that had been made previously in the meeting.

A Member of the Sinn Fein grouping reiterated comments made earlier in relation to alleged intimidation and allegations of improper processes being used at the community planning events.

The same Independent Member proposed that a meeting be held with the Chief Executive, Council Officers and himself to deal with the accusations that have been made against him. He was reminded that as a non-committee Member he cannot make such requests and was advised to make the request at the Council meeting on 21 July.

The Meeting then went into Confidential Business.

The Meeting terminated at 6.30pm

**Chairperson:** \_\_\_\_\_

**Date:** \_\_\_\_\_