

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 18 January 2018 at 4.00pm.

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

Non-Members of Committee; Alderman Hussey, Councillors Donnelly 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 Services Assistant (Mrs T Johnstone).

HC01/18 Notice and Summons for Meeting

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

HC02/18 Members Attendance and Apologies

The Director of Health and Community recorded Members attendance. There were no apologies.

HC03/18 Declarations of Members' Interests

Alderman R Hamilton declared an interest in the following agenda item:

- Agenda item 19 – Licensing Activity from 1 October 2017 – 31 December 2017.

Councillor Carlin declared an interest in the following agenda item:

- Agenda item 8 – Gating Order for John Wesley Street/Castle Street Strabane.

Open for Decision

HC04/18 Chairperson's Business

There was no Chairperson's Business

HC05/18 Confirmation of the Open Minutes of the Health and Community Committee held on Thursday 7 December 2017

The open Minutes of the Meeting held on 7 December 2017 (HC250/17 –HC263/17) were confirmed and signed by the Chairperson as correct.

Matters Arising

There were no matters arising.

HC06/18 Six Monthly Progress Report – Health and Community Directorate Delivery Plan

The Director of Health and Community presented Members with the above report, a copy of which had been previously circulated. The purpose of the report was to advise and seek Members' comment in relation to progress against the Health and Community Directorate Delivery Plan for 2017/18.

Councillor Hastings stated that while he welcomed the progress made with regard to the Community Centres Investment Programme, there were other communities of a similar nature to those contained within the Service Plan which should be considered for inclusion within the next delivery plan.

The Head of Community Development and Leisure stated that this matter had been alluded to at the community centre review meeting and will be included in the Community Planning process for each of the DEA's and also next years' Service Plan.

The Committee

Recommended that Members note the contents of the six monthly progress report.

HC07/18 Gating Order for John Wesley Street – Castle Street Strabane

The Head of Community Development and Leisure presented the above report, which had been previously circulated to Members. The purpose

of the report was to seek Members' approval for a Gating Order for John Wesley Street/Castle Street, Strabane.

Councillor Carlin stated that she endorsed the recommendation for the installation of the gates and the area had been troubled by anti-social behaviour and vandalism of business premises. She added that the gates would hopefully remedy the ongoing problem in Strabane Town.

Councillor Cusack stated that it was unfortunate that gates were installed in certain areas within the City and District. She reported that in areas where gates had been installed, there had been a lack of knowledge of who was responsible for the opening and closing of the gates and issues such as clearing of rubbish around gated areas. She emphasised that residents and business owners need to be made aware of their responsibility during the installation process and suggested that a programme be implemented to provide the relevant information.

Councillor Gallagher stated that the area at Castle Street and John Wesley Street was used as a through passage and that the public should be informed of the opening and closing times of the gates. He further stated that the young people involved in anti-social behaviour in that area may move to another part of the town and suggested the implementation of a programme of engagement to prevent further incidents of anti-social behaviour.

Councillor P Kelly welcomed the recommendation and stated that businesses in the area would be quite happy to take responsibility for the opening and closing of the gates.

The Committee

Recommended that (i) Members approve the Gating Order to enable gates to be installed at Castle Street and John Wesley Street, Strabane and (ii) Information be made available to business owners and residents highlighting responsibility and opening times of the gates.

HC08/18 Allergen Compliance Initiative

The Head of Health and Community Wellbeing presented the above report, previously circulated to Members. The purpose of the report

was to inform Members about the Allergen Compliance Initiative being carried out by Environmental Health Officers (EHO's) in Northern Ireland.

Councillor Duffy welcomed the implementation of the initiative and stated that anyone involved in working with food allergens were aware of the dire consequences that could happen as a result of an allergic reaction.

Councillor Hastings stated that the SDLP fully supported the initiative. He referred to Council's Food Hygiene Rating and enquired if there was assistance available for business owners who had received a Level 3 rating but wished to raise the standard. He further enquired if a business with a Level 3 rating was compliant with the standards set out by the Food Standards Agency.

In response, the Head of Health and Community Wellbeing stated that Level 5 was the best rating that could be achieved within the scheme and that Level 3 was a relatively good standard. He further stated that after an inspection had been carried out, a schedule of works clearly outlines the steps required for a business to improve their standards and that support from Council was provided. He added that Level 3 was a satisfactory standard but if a business wished to improve, Council would be happy to advise them.

The Chair stated that there were a number of reasons why a business may receive a low rating such as incomplete paperwork. He added that once a business had received a report on their rating they should contact the Officer responsible for carrying out the inspection to receive more detailed information.

In response to Alderman R Hamilton's query, the Head of Health and Community Wellbeing stated that kitchens within schools and colleges were also included in the initiative.

The Committee

Recommended that Members note and support the work of the Food Control Service in the introduction and implementation of the Allergen Compliance Initiative.

Councillor R McHugh entered the Chamber at this point in the meeting.

HC09/18 Calorie Wise Award Scheme

The Head of Health and Community Wellbeing presented the above report, which had been previously circulated to Members. The purpose of the report was to inform Members on the launch of the Calorie Wise Award Scheme in Northern Ireland.

Councillor Duffy welcomed the report and stated that Sinn Fein supported anything that raised awareness on calorie intake.

Councillor Gallagher stated that the scheme should be extended to Members in order to help them make more informed choices.

The Committee

Recommended that Members note and support the work of the Food Control Service in the introduction and implementation of the Calorie Wise Award Scheme.

HC10/18 Appointment of an Additional Public Analyst to the Previously Approved List of Public Analysts

The Head of Health and Community Wellbeing presented the above report, which had been previously circulated to Members. The report was to update Members on the appointment of an additional Public Analyst to the list of Public Analysts previously approved by Council in June 2016 and to seek Council approval for the newly appointed person.

The Committee

Recommended that Council recommends that those listed in the report are appointed as Public Analysts to the Council under Article 27 (1) of the Food Safety (NI) Order 1991.

HC11/18 The Roads Miscellaneous Provisions Act (NI) 2010 – Prohibition or Restriction of Use of Public Roads for Special Events

The Head of Health and Community Wellbeing presented the above report, which had been previously circulated to Members. The purpose of the report was to seek Members' approval in relation to fees, delegated powers and administration process for the restriction or closing of roads.

Councillor Gardiner entered the Chamber at this point in the meeting.

Alderman McClintock referred to the fees element of the report, particularly the cost of advertising in local newspapers. She enquired if this cost could be avoided as there was a decline in the number of people who bought newspapers. She further enquired if the Act extended to Council run events.

In response, the Head of Health and Community Wellbeing stated that there was a requirement to publish a notification in the local press and that the Act did extend to Council run events.

Councillor McGinley thanked Officers for the report. He referred to the recommendation regarding costs and alluded to the comments made by Alderman McClintock. He proposed that in relation to the imposition of advertising, administration and street cleansing costs on community, voluntary and non-profit groups that these fees should be waived.

Councillor Tierney stated that he supported the principle of the proposal. However, he expressed his concern at the practicalities and how it would be implemented. He enquired how events between community groups and larger organisations would be differentiated and who would police the legislation.

Alderman McClintock suggested that a report be brought to a future committee meeting outlining the details of how this could be implemented.

Councillor McGinley agreed that a report to clarify the process would be useful. However, Elected Representatives were aware of events taking place in their localities and should encourage groups to submit an 11/1 application through the Parades Commission as this would make them exempt from the Roads Miscellaneous Provisions Act and any associated costs.

In response to a query by Councillor R McHugh, the Head of Community Health and Wellbeing reported that the legislation did not apply to car parks, only public roads. He stated that in terms of the Parades Commission, the majority of events would have previously submitted an 11/1 application. He added that a for information update report on processes would be provided for clarification.

Councillor Gallagher suggested that the legislation should be waived for the community sector, however Council should not engage in the policing of the regulations.

Councillor McGinley stated that Council had delegated powers to administer the legislation particularly if officers were concerned about a particular application for an event which would come to Council for examination.

In response, the Head of Health and Community Wellbeing stated that if officers had objections to an application, it would be dealt with in accordance with the hearing procedure within Council.

Councillor McGinley Proposed, Seconded by Alderman McClintock

That The fee associated with the advertising and administration costs imposed by Council on Voluntary, Community and non-profit groups be waived.

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

The Director of Health and Community stated that officers would liaise with event organisers to clarify the points raised and a report would be brought to a future committee meeting.

In response to a query by Alderman Hussey regarding the 11/1 application process, the Head of Health and Wellbeing confirmed that any application submitted to the Parades Commission negated the necessity of applying through Council.

The Committee

Recommended that (i) Members note the commencement date of 4 September 2017 relating to the Special Events on

Roads requirements introduced by the Roads (Miscellaneous Provisions) Act (NI) 2010 (ii) advertising and administration costs be waived for voluntary, community and non-profit groups and (iii) a for information update report on processes to be provided for clarification.

HC12/18 Draft Interagency Protocols in Supporting the Search Process for a Missing Person in the River Foyle

The Head of Health and Community Wellbeing presented the above report, which had been previously circulated to Members. The purpose of the report was to update Members on the draft Interagency Protocols in supporting the search process for missing persons in the River Foyle and seek Members' approval for Council to sign up to the Interagency Protocols.

Alderman McClintock welcomed the draft protocols. However, she stated that it was unfortunate that the Derry City Council area had experience in this field. She stated that it was essential that roles and responsibilities were clearly defined to ensure the safety of all involved in a search and recovery operation. She welcomed that Council was aware of the misuse of social media when a recovery operation was in progress and that it was important that the protocols were adhered to.

Councillor Jackson echoed the comments made by Alderman McClintock and stated that it was tragic whenever there was a recovery operation in place in the river. He stated that Sinn Fein wished to pay tribute to everyone who played a role in the recovery process. He added that every crisis situation was unique and it was important that these protocols were in place to ensure that the process was co-ordinated, efficient but most importantly, safe. He referred to the list of key partners contained within the report and stated that Garda Síochána and the Health Service Executive (HSE) had been omitted from the contract of commitment, although they had been actively mentioned throughout the report. He asked that both organisations be included in the contract of commitment.

In response, the Head of Health and Community Wellbeing stated that the protocol was a draft document and he would pass on any suggested amendments to the working group.

Councillor Tierney welcomed the draft protocols for supporting the search process for missing persons in the River Foyle. He stated that he was aware of how daunting it was to be involved in any recovery search and that the implementation of these protocols meant that there were much wider issues involved. He then enquired who the key agencies were as contained within the report.

In response the Head of Health and Community Wellbeing stated that in relation to the rescue operations the lead agencies would be the PSNI and NIFRS and that they would be assisted by voluntary sector organisations such as Foyle Search and Rescue.

Councillor Carlin referred to the protocols being activated within a thirty mile radius in Derry City and asked that consideration be given to extend this to the Mourne and Derg River as they were all linked to the Foyle Basin. She added that the CCI and FSR were city centric, however there were similar organisations in the Strabane area. She then referred to previous search operations where there had been a lack of co-ordination and organisation between the agencies involved.

Councillor Carlin informed Members that there were currently searches ongoing for a person who had recently entered the water and extended her support to all who were involved in the search.

The Head of Health and Community Wellbeing stated that he would pass the recommendations on to the working group for consideration. He added that the protocols were introduced following discussions with those agencies involved in a community response following a number of incidents in the City centre.

Alderman Hussey agreed with the comments made by Councillor Carlin and suggested that the protocol included the Foyle River system and the Strabane area.

The Chair explained that the protocol had been drafted in response to incidents that had occurred where there had been a lack of co-ordination and organisations in search operations.

The Committee

Recommended that (i) that Garda Síochána and HSE are included in the Contract of

Commitment and (ii) Rivers Mourn and Derg which link into the Foyle Basin to be included in the protocols.

HC13/18 Strategic Leisure Stakeholder and Community Engagement

The Director of Health and Community presented the above report, which had been previously circulated to Members. The purpose of the report was to inform Members and seek Members' comments on the proposed stakeholder and community consultation/engagement process and marketing plan.

Councillor R McHugh endorsed the recommendation. He referred to the consultation process where engagement with stakeholders and residents would be an ongoing process and asked if there were specific details available and also dates for the consultation meetings.

In response, the Director of Health and Community stated that there were a range of consultation events and activities scheduled to take place for stakeholders and residents. A collated information timeline would then be updated through the design development process.

Councillor R McHugh stated that he wished to discuss a matter regarding Mitchell Park in Castlederg. He stated that funding had been made available for the pitches at Mitchell Park to address ongoing issues. However, there has been very little progress made and asked for an update on the matter.

The Head of Community Development and Leisure stated that work at Mitchell Park had been transferred to the Environment and Regeneration Directorate. He stated that he would provide an update on progress and timescales on completion of works at Mitchell Park.

Councillor Gardiner referred to opening hours at Riversdale Leisure Centre in Strabane. She enquired if the opening times would be matched to those at Foyle Arena.

In response, the Head of Community Development and Leisure reported that it was dependent on the forthcoming rates estimates process. He stated that a proposal was contained within the estimates for the opening hours at Riversdale Leisure Centre and if it was successful the Policy and Pricing Working Group would begin

implementation of the revised opening hours. He stated that he would provide an update on the timescales involved and that the engagements with staff and trade unions.

The Committee

Recommended **that (i) a report is provided outlining details of the consultation events (ii) officers to liaise with the Environment and Regeneration Directorate regarding work on the pitches at Mitchell Park (iii) a report is provided outlining the implementation of extended opening hours at Riversdale Leisure Centre.**

HC14/18 Motion on Recent Increase in Shootings in Derry

The Director of Health and Community presented the above report, which had been previously circulated to Members. The purpose of the report was to seek Members' approval for the establishment of and nominations to a dedicated cross party elected member working group to take forward the implementation of the motion.

Councillor Jackson was nominated by Councillor Campbell.
Alderman Thompson was nominated by Alderman McClintock.
Councillor Tierney was nominated by Councillor Hastings.
Alderman M Hamilton was nominated by Alderman R Hamilton.

The Committee

Recommended **that Councillors Jackson and Tierney and Aldermen Thompson and M Hamilton be nominated onto the cross party working group.**

Open for Information

HC15/18 Good Relations Audit and Strategy 2018-21

The Head of Community Development and Leisure presented the above report for information, previously circulated to Members. The purpose of the report was to inform Members of the current process to develop a new Good Relations Audit and Strategy 2018-21.

The Committee

Recommended that Members note the contents of the report.

HC16/18 PEACE IV One Community Programme Update

The Head of Community Development and Leisure presented the above report for information, previously circulated to Members. The purpose of the report was to update Members on the PEACE IV One Community Programme and that the aim of the Programme is to embed Good Relations within the eight Local Community Growth Plans.

The Committee

Recommended that Members note the contents of the report.

HC17/18 Consultation on the Draft Jam and Similar Products Regulations (NI) 2018

The Head of Health and Community Wellbeing presented the above report for information, previously circulated to Members. The purpose of the report was to inform Members about the Consultation on the Draft Jam and Similar Products Regulations (NI) 2018.

The Committee

Recommended that Members note the contents of the report.

HC18/18 Licensing Activity from 1 October 2017 – 31 December 2017

The Head of Health and Community Wellbeing presented the above report for information, previously circulated to Members. The purpose of the report was to inform Members of Licence Applications recently granted under delegated authority for the period 1 October 2017 – 31 December 2017.

The Committee

Recommended that Members note the contents of the report.

HC19/18 Safety Advisory Group Activity from 1 October 2017 – 31 December 2017

The Head of Health and Community Wellbeing presented the above report for information, previously circulated to Members. The purpose of the report was to inform Members of Safety Advisory Group Activity for the period 1 October 2017 – 31 December 2017.

The Committee

Recommended that Members note the contents of the report.

HC20/18 Correspondence

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

The Committee

Recommended that Members note the contents of the report.

HC21/18 Consultation List

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

The Committee

Recommended that Members note the contents of the report.

At this point in the meeting, Councillor Carlin Declared an Interest in Agenda Item 19 – Licensing Activity from 1 October 2017 – 31 December 2017.

The Meeting then went into Confidential Business.

The Meeting terminated at 5.05pm

Chairperson: _____

Date: _____