

Derry City and Strabane District Council

**Minutes of Meeting of the Environment and Regeneration Committee (Open)
held in the Guildhall, Derry on Wednesday 12 June 2019 at 4.00 pm**

Present:- Councillor Tierney (in the Chair), Aldermen Devenney, Hussey and McCready, Councillors Burke, Dobbins, Duffy, Ferguson, Jackson, McCann and McHugh.

In Attendance:- Director of Environment and Regeneration (Mrs K Phillips), Head of Environment (Mr C Canning), Regeneration Manager (Mr T Monaghan) and Committee Services Assistant (Ms N Meehan).

ER92/19 Notice and Summons of Meeting

The Director of Environment and Regeneration read the Notice and Summons for the Meeting.

ER93/19 Members Attendance and Apologies

The Director of Environment and Regeneration completed the roll call. Apologies were recorded from Alderman Ramsey, Councillors Hunter and McLaughlin.

ER94/19 Declarations of Members' Interests

Councillor Tierney declared an interest in item 12 – Building Control Applications.

Councillor Burke declared an interest in item 30 – UV Abercorn Road Revitalisation Scheme.

CHAIRPERSON'S BUSINESS

The Chairperson welcomed Members to the first Meeting of the Environment and Regeneration Committee since the newly elected Council.

The Chairperson advised Members that an invitation had been received for a Member of Committee to attend a "Tackling Plastic NI" event to be held at Parliament Buildings, Stormont from 10 am – 2 pm on

Tuesday, 18 June, 2019.

Alderman Hussey Moved, Councillor Duffy Seconded and the Committee

Recommended that the Chairperson or Deputy Chairperson be nominated to attend the "Tackling Plastic NI" event to be held at Parliament Buildings, Stormont on Tuesday, 18 June 2019.

With the permission of the Chairperson Councillor Dobbins Moved, Councillor Tierney Seconded and the Committee

Recommended that Councillor Durkan replace Councillor McLaughlin on the Environment and Regeneration Committee.

ER95/19 Confirmation of Open Minutes of the Environment and Regeneration Committee held on Wednesday 13 March 2019

The Open Minutes of the Environment and Regeneration Committee held on 13 March 2019 (ER60/19-ER85/19) were confirmed and signed by the Chairperson as correct.

Matters Arising

ER96/19 Transfer of Lands - Churchtown Play Area, Allotments and Adjoining Green Space (Ref ER64/19)

In response to Members' queries, the Director of Environment and Regeneration advised that she did not have any further update in regards to the above item. However, she undertook to prepare a report thereon for submission to a future Meeting and, if possible, advise Members of the position ahead of the next Meeting.

ER97/19 Cleaning of Mews Lands within the Council District (Ref ER68/19)

In response to a query from Alderman Hussey, the Head of Environment advised that a detailed report on the above matter would be presented to the July Meeting of Committee.

ER98/19 Derg Riverside Walkway (Ref ER73/19)

In response to a query from Alderman Hussey, the Head of Environment confirmed that a report updating Members on the above matter would be presented to the July Meeting of the Committee.

ER99/19 Deputation - To Receive Mr J Wright (Head of Regulations) and Mr K Wells (Team Manager), North West Regulations Team NIEA to give a Presentation on Anaerobic Digesters (Ref ER63/19)

Councillor McCann expressed concern at some of the responses provided by the representatives from NIEA at the March Meeting of Committee, many of which he suggested were devoid of meaning.

The Director of Environment and Regeneration referred to NIEA's attendance at the March Meeting of Committee to make a presentation on Anaerobic Digesters and respond to Members' questions. She pointed out that Officers had not received any further update in this regard. However, if Members' requested, Officers could write to NIEA seeking an update or clarification on issues discussed at the March Meeting.

Councillor McCann undertook to prepare a list of queries to be forwarded to NIEA on the issue of Anaerobic Digesters. He suggested that if the responses received proved unsatisfactory, that NIEA be invited to address a further Meeting of Committee.

Councillor McCann Proposed, Councillor Jackson Seconded and the Committee

- Recommended**
- (a) that following receipt of a list of questions from Councillor McCann, the Director of Environment and Regeneration write to NIEA expressing concern at the responses provided at the March Meeting of Committee and seeking clarification on a number of issues raised by Members; and**
 - (b) if the responses received were unsatisfactory, NIEA be invited to attend a future Meeting of Committee.**

ER100/19 Application for Renewal of a Bus Permit from Airporter (Ref ER65/19)

In response to a query from Councillor Dobbins, the Director of Environment and Regeneration advised that she had not received any concerns from Members regarding the above matter. She therefore assumed that the matter had progressed according to DfI process.

Arising out of discussion on the above, Councillor McCann raised concerns that Airporter had withdrawn its reduced rate service and its facility to passengers with Travel Cards.

The Director of Environment and Regeneration advised that the matter discussed at Committee had related solely to correspondence received from DfI relating to the renewal of an application from Airporter to move its facility to Foyle Street, in respect of which a response was sought by Monday 18 March. She pointed out that as no concerns had been raised by Members Council had not made representation to DfI and they would therefore have processed the application in accordance with Departmental procedures. She continued that no further information had been received from DfI on the matter.

Councillor McCann suggested that Council write to Airporter expressing Council's dismay at their decision to withdraw its free travel and reduced rate and request that this service be reinstated.

The Chairperson pointed out that the point being made by the said Member did not relate to the reason why this issue had been placed on the Agenda for consideration by the Committee at its March Meeting.

Councillor Dobbins concurred with the Chairperson's comments. She referred to the fact that Airporter were a private company over which Council did not have any remit. She said she understood that Airporter had withdrawn this service because they were not receiving payment from Stormont for subsidising travel costs. She therefore did not support the proposal put forward by Councillor McCann.

Alderman McCready agreed with the comments made by Councillor Dobbins.

Councillor Duffy advised that when this had arose initially, Sinn Fein had met with representatives from Airporter. She said she understood that the free/reduced service had been withdrawn because of technological problems which were being experienced and not because the Company had not received payment from the Assembly. She agreed, however, that they were a private company and were entitled

to withdraw the facility, if they chose, for whatever reason. She understood that by offering this service Airporter were losing money and whilst regretting the withdrawal of the service acknowledged the hardships facing the company as a result of offering this service.

ER101/19 Street Naming and Property Numbering - Requests for Installation of Bilingual Signage

Alderman Hussey queried the current threshold in regards to the number of household replies received in regards to the decision to erect bilingual signage.

Councillor McHugh pointed out that all households were contacted through the plebiscite and it was a matter for individual residents if they chose to respond. If they did not partake in the consultation process they could not impact on the overall decision.

The Director of Environment and Regeneration advised that the policy adhered to in regards to Street Naming and Property Numbering had been formally adopted by Council. She stated that the plebiscite was circulated to all householders and this was in accordance with the policy agreed by Council. She stated that any change in policy was a matter for Members to decide.

The Committee

Recommended that given the outcome of the four plebiscites, approval be granted to the erection of bi-lingual signage at Ballycolman Estate and Church View, Strabane and Ballymagowan Park, Derry.

ER102/19 Live Here Love Here Project Funding

The Head of Environment presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to seek Members' approval to provide funding in the sum of £22,000.00 per annum over the next 3 years from 2019/20 to 2021/22 to LIVE HERE LOVE HERE project managed by Keep Northern Ireland Beautiful (KNIB).

Various Members welcomed the fact that additional funding of £22,000 had been made available in respect of this project and acknowledged its positive impact on local communities both in terms of creating a feel

good factor and instilling a sense of pride. It also targeted many issues which were of significance to local communities.

Alderman Hussey referred to the qualitative work carried out through this project which was beyond the capacity of many of the groups involved. He enquired if it would be possible to produce a quantitative report on the number of groups partaking in the scheme. This would allow Council to encourage participation in those areas currently not involved.

The Head of Environment undertook to prepare a report on the number of communities participating in the campaign in the past number of years.

Subsequently, the Committee

Recommended that Council continue to participate in the Live Here Love Here project in partnership with KNIB, other statutory agencies, local authorities, and the business and community sector to continue to deliver positive community environmental projects at a cost per annum of £22,000.00.

ER103/19 Fuel Oil Stamp Saving Scheme

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She advised that the purpose of the report was to seek Members' approval to continue to engage Strabane Community Projects to manage and deliver a Fuel Oil Stamp saving scheme throughout the Council area.

Councillor Dobbins welcomed this scheme which provided comparable value for money. She queried if there was any possibility of having this rolled out in the Derry area.

The Director of Environment and Regeneration explained that the scheme was available throughout the entire District Council area, however, was operated by the Strabane Community Group. She referred to 2.2 of the report and pointed out that Dove House Community Centre also partook in the scheme and was one of the additional outlets for the sale of stamps. She undertook to request those Officers involved to provide Members with details of all the

groups participating in the scheme in order to encourage greater participation.

In response to a request from Alderman McCready, the Director of Environment and Regeneration undertook to have the information provided on a map basis.

Various Members welcomed the scheme and the ongoing need for its continuance.

In response to a request from Alderman Hussey, the Director of Environment and Regeneration undertook to invite representatives from Strabane Community Projects to present to a future Meeting of Committee on the work undertaken by them. However she pointed out that given the schedule of deputations presenting to the Committee in the coming months it may not be possible to receive this group until November or December.

Councillor Dobbins expressed concern that given the nature of the group's work November/December may prove too late to receive this presentation. She advised that ahead of this it would be useful to receive information from Officers on the scheme.

Subsequently, the Committee

Recommended (a) that approval is granted to continue to engage Strabane Community Projects to manage and deliver a Fuel Oil Stamp saving scheme; and

(b) that representatives from Strabane Community Projects be invited to present to a future Meeting of Committee on the work carried out by them.

ER104/19 Heritage Trust Network Conference 18th-19th November 2019, Guildhall, Derry

The Regeneration Manager presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to inform Members about the annual UK Heritage Trust Network (HTN) Conference to be held in the Guildhall, Derry/Londonderry on 18th-19th November, 2019 and to seek approval for financial support from Council towards the overall costs.

Alderman Hussey welcomed this tremendous opportunity.

In response to a query from Alderman Hussey, the Regeneration Manager confirmed that there would be cross border participation in the Conference. He stated that Council worked closely with Donegal County Council's Heritage Development Officer in regards to the restoration and regeneration of the historic environment. He pointed out that heritage carried seamlessly across borders. He said Officers would work to ensure the greatest attendance at the conference and the shared benefits thereof.

The Committee

- Recommended**
- (a) that Derry City and Strabane District Council continues to work with ICT, HED and HTN to organise and deliver the HTN Conference in November 2019 as outlined;**
 - (b) that Members approve the proposed Council contribution to the cost of the HTN Conference to a maximum value of £7,000.00; and**
 - (c) that a further report be brought back to Committee to update Members when the Conference programme has been agreed and how plans for the Conference are progressing.**

ER105/19 Building Control Fees and Service Efficiency Initiatives

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She advised that the purpose of the report was to update Members on recent correspondence between SOLACE and the Department of Finance on the current fee levels Council can charge for provision of their Building Control services. She pointed out that the report also detailed some forthcoming proposals for improving service delivery and efficiency of building control operations. She concluded that Members' approval was being sought for a change in the format of the monthly Building Control Committee item so that it better complied with the General Data Protection Regulation introduced the previous year.

Councillor Jackson agreed with the proposed increase given that the current fees were introduced in 1997 and the fact that building costs had risen significantly since that time. He said it was somewhat alarming that the cost of works greatly exceeded the fees and the likelihood that Council could be working at a loss. In regards to the calculation of fees he enquired if there was any opportunity for Council to adopt a similar approach to that used in England, Scotland and Wales.

The Director of Environment and Regeneration explained that this was how planning fees were currently calculated however, these were set by DfI in Northern Ireland. She continued that Building Control did engage with the Department regarding the setting of fees and these suggestions could be put forward at that forum.

Subsequently the Committee

- Recommended**
- (a) that Members note the ongoing communication between SOLACE and the Department for Finance regarding the outstanding implementation of the 20% uplift in Building Control fee levels;**
 - (b) that Members note that proposals for further improvements in the service deliver and efficiency of building control operations will be brought for Members' consideration and approval in the coming months; and**
 - (c) that approval is granted that going forward the appendix to the standard monthly Building Control Committee item containing names and addresses of new applicants registered within the preceding month will be omitted, as it is deemed contrary to best practice under the General Data Protection Regulation to publicise such information in open business.**

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She pointed out that the purpose of the report was to advise Members of applications processed under Building Regulations (NI) between 1 February and 30 April 2019.

Alderman Hussey referred to 3.1 and to the apparent 32 Notice applications which had been approved for the Affordable Warmth Scheme. He enquired as to the current status in regards to funding available to applicants and what post codes were currently under consideration for the scheme.

The Director of Environment and Regeneration explained that the budget in respect of the Affordable Warmth Scheme was the responsibility of the Health and Community Directorate. She stated that the scheme was administered through Environmental Health. She undertook to request the Head of Environmental Health to update Alderman Hussey in this regard and present a report thereon to a future Meeting of the Health and Community Committee.

ER107/19 Clooney Terrace Environmental Improvement Works - Appointment of Urban Designer

The Regeneration Manager presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to appraise Members of proposals in relation to preparing a design concept for an environmental improvement scheme at Clooney Terrace and to advise of anticipated next steps.

Alderman Devenney welcomed the proposals to work with a design team in regards to the preparation of initial design concepts in respect of this small parcel of land between Clooney Terrace and Melrose Terrace. He acknowledged the poor condition of the site including one of the City canons. These works would further enhance the road widening scheme carried out in 2015/16.

Councillor Jackson echoed the previous speaker's comments and commended those Officers involved in promoting and progressing this project. He said he felt this project was timely given the ongoing works at the Ebrington site. It would not impact or conflict on plans going forward with the local community in regards to the regeneration of the area.

ER108/19 Correspondence from DfE on Mineral Prospecting Licensing Application Consultation Response

Councillor Duffy expressed her Party's disappointment at the Department's decision to grant a Mineral Prospecting Licence to Dalradian Gold. She continued that given its relativity to this Council area it was disappointing that Council's view were not taken into consideration.

Councillor Dobbins agreed with the views expressed by the previous speaker and on behalf of the SDLP expressed her disgust at the Department's decision to grant the Licence.

Councillor McCann concurred with the above comments. He stated that this was emblematic of the treatment of land in Northern Ireland and one should not be alarmed given that when the Stormont Assembly was last in operation approval had been granted for such Licences. He pointed out that no less than 35% of land in Northern Ireland had been approved for mining and whilst some of these might not be progressed this approval was in place. He continued that although some of the Licence holders may not have any intention of developing the land for mining, if faced with opposition they had a right to prosecute.

Alderman Hussey reminded Members that the Director of Environment and Regeneration had written to the Department reflecting the views expressed by Members.

The Director of Environment and Regeneration advised that Council had written to the Department in November 2018 when it had originally received the correspondence from them advising that they were intending to consider the application for the Licence. She stated that the Department had subsequently issued the Licence in May and to her knowledge, to date no planning application had been received in respect thereof.

Councillor Ferguson supported Members' comments.

ER109/19 Proposed Provision and Revocation of Disabled Parking Bays Across the District

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She pointed out that the purpose of the report was to advise Members of

correspondence received February, March and April 2019 from DfI Network Development Section regarding proposed and revocation of disabled parking bays across the district.

Councillor Jackson welcomed that this was being progressed throughout the Council district. He referred to a Disabled Parking Bay approved at Mimosa Court. He stated that this had been assessed by DfI Roads who had acknowledged that due to a lack of parking provision, the applicant did not have the opportunity to park near his home. He then questioned the advice given by the Department to a Meeting of Planning Committee the previous week regarding an application to develop twenty-seven new apartments in the same location when they had assured that there was capacity within the area to provide sufficient parking spaces.

The Chairperson agreed with the previous speaker's comments and expressed concern regarding the Disabled Parking Bay process.

Alderman Devenney acknowledged that Disabled Parking Bays were an issue.

ER110/19 DfI No Waiting Restriction

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She pointed out that the purpose of the report was to advise Members of DfI's correspondence regarding proposals to introduce a no waiting, loading and unloading permitted on Melvin Road, Strabane and to introduce an additional stretch of limited waiting on Horace Street, Derry.

Members noted the content of the report.

ER111/19 DfI Proposed Speed Limit

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She pointed out that the purpose of the report was to advise Members of DfI's proposed speed limit on Maydown Road.

Members noted the content of the report.

ER112/19 Former Faughan Valley Secondary School Regeneration Masterplan

The Regeneration Manager presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to appraise Members of the current progress of proposals to develop a masterplan for the former Faughan Valley School Site in Drumahoe and to advise on next steps.

Alderman McCready welcomed the above scheme and its progression for the people of the surrounding area.

ER113/19 Historic City Conservation Area Targeted Decorative Enhancement Scheme

The Regeneration Manager presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to update Members on proposals to deliver a targeted decorative enhancement scheme to the facades of identified heritage properties within the Historic City Conservation Area of Derry.

Alderman Hussey referred to an overgrowth which was evident on the City Walls when viewed from the Guildhall and enquired if this was enabling or thwarting the regeneration of the Scheme.

The Regeneration Manager referred to an Inter-Agency City Walls Management Group which had been established in 2007 for those who had a statutory or stakeholder interest in the City Walls. He stated that given the archaeological issues regarding the monument the position by archaeological experts was that to remove this overgrowth would undermine or damage the integrity of the Walls and it was therefore necessary to have a managed approach. It was therefore agreed that this remain until the matter had been given further consideration.

ER114/19 SMARCTIC European Project

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She advised that the purpose of the report was to update Members on the successful award of funding for the SMARCTIC (Smart Energy Management in Remote Northern, Peripheral and Arctic Regions) project under the Northern Periphery and Arctic (NPA) Programme, Priority Axis 3 – Energy Efficiency and Renewable Energy.

Members noted the content of the report.