

## **Derry City and Strabane District Council**

**Minutes of Meeting of the Derry City and Strabane District Council held Remotely on Thursday 24 September 2020 at 4.00 pm**

---

**Present:- Councillor Tierney (Mayor)(In the Chair); Aldermen Bresland, Devenney, Guy, Kerrigan, McClintock, McCready, McKane, Ramsey and Warke; Councillors J Barr, R Barr, J Boyle, M Boyle, Burke, Carr, Cooper, Cusack, Dobbins, Donnelly, Duffy, Durkan, Edwards, Farrell, Ferguson, Fleming, Gallagher, Harkin, Jackson, Kelly, Logue, McCann, McCloskey, McHugh, McKeever, McKinney, Mellon, Mooney and Reilly.**

**In Attendance:- Chief Executive (Mr J Kelpie), Director of Business and Culture (Mr S Gillespie), Director of Health and Community (Mrs K McFarland), Director of Environment and Regeneration (Mrs K Phillips), Lead Legal Services Officer (Mr P Kingston), Lead Democratic Services and Improvement Officer (Ms E Cavanagh), Democratic Services Officer (Mrs S Maxwell) and Committee Services Assistant (Mrs T Johnstone).**

**C260/20      Notice and Summons of Meeting**

The Mayor read the Notice and Summons for the Meeting.

**C261/20      Member Attendance and Apologies**

The Mayor completed the roll call and recorded apologies from Councillor McGuire.

**C262/20      Statement for Remote Meetings**

The Mayor read the statement for remote meetings.

**C263/20      Declarations of Members' Interests**

Alderman Ramsey declared a non-pecuniary interest in Agenda Item 9 Call-In of Council Item C237/20 (AAR25/20)

Councillors Cooper and McCann declared a non-pecuniary interest in Agenda Item 8e Monthly Business and Culture Committee held on Tuesday 8 September 2020.

Councillor Mc Closkey and Alderman Mc Kane declared an interest in notice of motion – Pay Increase for Health Care Workers, due to their employment within the Health sector.

### **Chairperson's Business**

#### **C264/20 Notices of Motion - Request to Defer**

The Mayor advised that Councillors Duffy and McKinney did not wish to proceed with their notices of motion at this time and that Councillor McKinney would present his at a future meeting of the Environment and Regeneration Committee

#### **C265/20 Recent Passing of Mr John Hume**

The Mayor noted with sadness that the 3 August 2020, was an extremely sorrowful day, not only for the City but the entire island at the passing of Mr John Hume. He stated that he had very fond memories of Mr Hume and wished to take the opportunity to acknowledge the tremendous contribution that he had made to the lives of the people of the City and beyond. He stated that the island of Ireland was in a better place because of Mr John Hume. He stated that he wished on behalf of Members, to extend Council's collective condolences to the wider Hume family.

Alderman McClintock also extended sympathy on behalf of the DUP to the family of Mr John Hume on their recent bereavement.

#### **C266/20 Re-development of Templemore Sports Complex and Riversdale Leisure Centre**

Councillor Mellon thanked the Mayor for permitting her to raise an issue regarding a motion that she had presented at Council in May 2020 regarding Riversdale Leisure Centre and Templemore Sports Complex. She advised that it had been agreed at that time that a report on the matter would be presented at a future meeting of the Governance and Strategic Planning Committee and requested an update on the matter.

In response, the Chief Executive advised that in relation to those particular strategic projects, they were presented at a recent meeting of the Capital Working Group. He further advised that a further meeting regarding rates estimates with individual parties was scheduled to take place in regard to financing of the projects. Adding that a subsequent report would be presented at the earliest appropriate meeting of the Governance and Strategic Planning Committee.

## **C267/20 Notices of Motion and Finishing Times of Council Meetings**

Alderman McClintock thanked the Mayor for allowing her to raise an issue regarding the amount of notices of motion tabled on the agenda for the meeting. She stated that in the midst of a pandemic, Council could spend up to 7 or 8 hours dealing with these motions when the majority of them could be dealt with at the relevant Committees. She noted that other councils conducted business much more efficiently, adding that this was not a reflection on the tremendous job undertaken by the Mayor as Chair of Council meetings. However, she felt that long, drawn out meetings were bad public policy as well as posing a difficulty for everyone to maintain focus and attention.

Continuing, she expressed concern that it was not a good use of Council resources nor did the practice impact positively on the health and wellbeing for everyone involved. She stated that Council must become more efficient and the bulk of the motions should be dealt with at Committee level, then subsequently be brought to full Council for ratification. She stated that whilst she appreciated that this was a very diverse Council and not all parties were represented on committees, however this was democracy at work with those having the largest mandates being represented on every committee. She requested that the Mayor use his powers under Standing Order 16.1 (6);

'If the subject matter of any motion of which notice has been properly given comes within the remit of any committee it may, upon being moved and seconded, stand referred without discussion to that committee, or to such other committee as the Council may determine, for consideration and report'.

Continuing, she suggested that Council consider a cut off time for Council meetings similarly implemented by the Planning Committee with 8.00pm as a suitable time for finishing. She proposed that as a matter of urgency, a paper be brought to the October meeting of the Governance and Strategic Planning Committee, to consider issues

regarding notices of motion. She felt that Council were writing letters on issues which it had no authority solely because it was not prevented from doing so and the responses received were testament to that.

The Mayor stated that he and other Members shared Alderman McClintock's concerns on the matter.

The Lead Legal Services Officers thanked Alderman McClintock for her comments. He advised that in order to maximise the usefulness of any report on the matter, it may be helpful to hold a workshop; perhaps with Party Leaders or a representative from each Party and an Independent Member to establish the details and extent of the proposal. He stated that if Members were content, such a meeting could be held to discuss the various options and ensure cross party support on the matter.

Councillor Donnelly expressed concern that Council could be sending out the wrong message and at a quick glance, noted that those expressing concern regarding the increase in notices of motions had submitted up to 4 motions at Council meetings with possibly 1 from 4 Independent Members. He suggested that the matter should be resolved at party level.

Councillor Harkin stated that in his opinion, the DUP were once again attempting to constrict the amount of discussion in Council whilst also being dismissive of many of the notices of motion brought forward on the basis that they were not relevant. He referred to Alderman McClintock's point regarding the Planning Committee meetings and stated that whilst that Committee may have a cut off time of 8pm, the meeting had to reconvene business on a subsequent day, sometimes three times in a month. This was therefore, was not a good comparison to make as it would be more difficult for the Council to meet 3 or 4 times a month.

The Mayor stated that whilst Members would understandably have some concerns, his view was that the approach suggested by the Lead Legal Services Officer to hold a workshop to discuss the matter was the best way forward.

Alderman McCready seconded the proposal put forward by Alderman McClintock and concurred that the workshop would enable Members to establish a way forward. Addressing the point made by Councillor Harkin, he stated that Members were not being silenced in any way and all issues would be discussed, however full Council may not be the best

arena. He stated that further discussions and papers on particular issues were best placed at Committee level, to be subsequently presented as part of Committee minutes at the meeting of Council. He felt that in his opinion, a lot of time was also being spent addressing matters outside of Council's jurisdiction.

Councillor Reilly stated that there was a lot of merit in the suggestion by the Lead Legal Services Officer in relation to moving the matter forward. He stated that workshops were a discussion point and any decisions would be ultimately made at Council.

Councillor Duffy concurred that a workshop to discuss the matter was a good idea. She stated that lengthy meetings with up to 12 motions meant that the latter motions being presented were not given the attention that they warranted. She emphasised that she was not being prescriptive on the way forward or the number of motions to be submitted, as any motion that warranted discussion should be discussed.

Councillor Donnelly stated that if the workshop had the same political representation as internal working groups, only one Independent Member would be invited to attend the workshop, which would exclude 75% of Independent Members. He expressed concern that Independent Members would have no input to any discussions within the working group. He expressed further concern that Independent Members sat on approximately two out of six committees.

The Lead Legal Services Officer advised that he was content to commence the process by way of a full Member briefing and if anyone wished to attend that session were invited to do so. He stated that it was not the intention that anyone would be excluded or not have a voice in relation to the matter. He stated that he was content to amend the suggestion and extend an invite to all Members for an initial briefing.

Alderman McClintock Proposed, Seconded by Alderman Ramsey

**That (i) an all Member briefing takes place to discuss a way forward regarding issues in relation to the length of Council meetings and notices of motion and;**

**(ii) a report to be subsequently brought to a meeting of the Governance and Strategic Planning Committee,**

**to consider these issues and any proposed amendments to Standing Orders.**

Members were then asked to vote on the Proposal, the result of which was unanimous and the Council

**Resolved That (i) an all Member briefing takes place to discuss a way forward regarding issues in relation to the length of Council meetings and notices of motion and;**

**(ii) a report to be subsequently brought to a meeting of the Governance and Strategic Planning Committee, to consider these issues and any proposed amendments to Standing Orders.**

**C268/20 Confirmation of the Open Minutes of the Meeting of the Derry City and Strabane District Council held on Thursday 23 July 2020**

The Minutes of the Meeting of Derry City and Strabane District Council held on 23 July 2020 (C206/20-C253/20) were submitted.

Alderman Devenney Moved, Alderman Guy Seconded and the Council.

**Resolved that the above Minutes be adopted, as a true record of the Meeting**

**Matters Arising**

**C269/20 Deputation - to receive Ms Deirdre Mahon, Director of Women and Children's Services and Mr Kevin Duffy, Assistant Director of Community and Public Health, WHSCT, to present on Children's Mental Health and Emotional Wellbeing (C233/20)**

Councillor Gallagher referred to the recent increase in positive cases of Covid-19 in the Strabane area and to the fact that people had been unable to be tested as they would have to travel long distances to access a test centre. He proposed that Council write to the Minister for Health and the Western Health and Social Care Trust to request a Covid-19 testing facility in the Strabane area.

The Chief Executive advised Councillor Gallagher that Council were currently in discussion with the Department of Health in regard to a mobile testing unit at Melvin Sports Complex in Strabane.

In addition, the Director of Health and Community stated that detailed discussions had recently taken place with the Public Health Agency (PHA) on the matter and she awaited confirmation of the start date for the introduction of Covid-19 testing in Strabane. She advised that once confirmation was received, Members would be forwarded details of the opening times and testing arrangements.

Councillor Gallagher thanked the Chief Executive and the Director of Health and Community for their information and asked that a letter still be sent to Department of Health to reinforce the matter.

Councillor M Boyle and Councillor Edwards welcomed the news and advised that the respective Party MLAs had also written to the PHA and the Department of Health requesting the same.

**C270/20 Derry Trade Unions Council**

Councillor Harkin referred to the recent protest at Eason's flagship store in Dublin, which was attended by members from Derry Trade Unions Council (DTUC) and UNITE regarding the closure of Eason's stores throughout the country. He noted that the Mayor had agreed to write to the management of Eason's to express Council's concern regarding the closure of the store at Foyleside Shopping Centre in Derry and requested an update on the matter.

In response, the Mayor stated that unfortunately he was able to attend the protest in Dublin. However, he had met with the Derry Trade Union Council and other union representatives on the matter. He advised that a response had been received from the management of Eason's, which was forwarded to the DTUC and he would furnish Members with a copy.

**C271/20 Monthly Business and Culture Committee held on Tuesday 9 June 2020 (C222/20)**

Councillor Harkin referred to the proposal to send out an Ezine and use Council's social media platform to circulate correspondence to all business throughout the Council area. He enquired if the letter had been circulated and how many employers had responded.

In response, the Director of Business and Culture advised that shortly after the Council meeting on 23 July, the letter was circulated directly to several hundred employers and also online via Ezine and social media. He stated that a report regarding the number of responses received would be provided at the October meeting of the Business and Culture Committee. He further stated that the correspondence had been widely shared and extensive work had been undertaken to exclude several thousands of small, micro businesses that the letter would not have applied to. He assured Members that all best endeavours had been made to ensure that the proposal was acted upon.

Councillor Harkin stated that he had expressed concern regarding the focus put on the Ezine at the previous Council meeting and stated that he had not seen the subsequent Ezine. He noted that the Law Centre at Ulster University reported that many workers had contacted them in relation to unfair treatment during the coronavirus pandemic, therefore it was important to address the matter. He expressed concern that there was no information available on the number of responses received. He felt that if employers had not responded, the authority of Council could be questioned and could have profound implications.

The Mayor advised that the Ezine was only one form of communication used to distribute the correspondence and as advised by the Director for Business and Culture, a report for information would be presented at the October Committee meeting.

## **C272/20 Responses to Motions (C250/20)**

Councillor Farrell referred to the notice of motion passed at the February meeting of Council regarding the expansion of Magee Campus on the back of the New Decade, New Approach commitments. He noted the Minister's response on the matter and expressed disappointment as it was not the required response. He asked if correspondence had also been sent to the Executive as requested and if any response had been received.

In response, the Chief Executive noted that quite a few items of correspondence had been forwarded from Council in regard to the university and asked Councillor Farrell to clarify which item of correspondence he referred to.

Councillor Farrell referred to the motion passed in at the Council meeting on 23 February 2020 regarding the Graduate Entry Medical

School at Magee Campus. He stated that it has been agreed to forward correspondence to the Executive and the Minister for the Economy.

The Chief Executive advised that he would forward Councillor Farrell the necessary information as requested.

**C273/20 Special Planning Committee held on Wednesday 29 July 2020**

The Minutes of the Special Meeting of the Planning Committee held on 29 July 2020 (SP11/20-SP17/20) were submitted.

Alderman Bresland Moved, Alderman McClintock Seconded and the Council.

**Resolved that the above Minutes be adopted, as a true record of the Meeting**

**C274/20 Monthly Governance and Strategic Planning Committee held on Tuesday 1 September 2020**

The Minutes of the Governance and Strategic Planning Committee held on 1 September 2020 (GSP108/20-GSP129/20) were submitted.

Councillor J Boyle Moved, Councillor M Boyle Seconded and the Council

**Resolved that the above minutes, be adopted as a true record of the meeting.**

**Matters Arising from the Minutes**

**C275/20 United Nations - 75th Anniversary (GSP115/20)**

Councillor Donnelly referred to the discussion that had taken place at the meeting. He stated that within that discussion Council's corporate decision to support Mr Tony Taylor and the treatment of Mr Liam Campbell had been highlighted. He advised Members of an ongoing critical situation in Maghaberry prison and indeed a number of other prisons including Hydebank and Portlaoise. He stated that 43 prisoners, some from this City had been refusing food over the past week.

Councillor Donnelly Proposed, Seconded by Councillor Gallagher

**That Council notes with concern the additional distress being caused to the families of prisoners currently on hunger strike in Maghaberry and Hydebank prisons because of the failure of the Northern Ireland Office and prison authorities to provide regular updates on the prisoners' ongoing welfare and conditions. Council shall write to the NIO calling on the Prison Service to release daily updates on the prisoners' status/conditions.**

**Council has concerns that the facility (Foyle House) and procedures currently being used at Maghaberry Prison, to house prisoners who are being isolated while being quarantined as a Covid precaution, is not fit for purpose and poses a risk to the physical and mental health and welfare of prisoners.**

**That a cross party and independent delegation meet with the prisoners' families and their representatives to listen to their concerns in a bid to resolve these critical issues and bring about an end to the current Hunger Strike.**

He stated that the hunger strike was a result of the treatment of Dr Bassalat, who is of Palestinian origin had been required to self-isolate for 14 days in Foyle House where conditions were not fit for purpose. He expressed concern that Dr Bassalat, who had been diagnosed with a number of underlying medical conditions and still suffered from the effects of a heart attack in 2017, would be made to self-isolate after each hospital visit. He stated that Dr Bassalat was permitted either a shower or a phone call per day, with no change of clothing available. He stated that it was not the case of republican or political prisoners looking for privileges, but a humanitarian concern.

Councillor Jackson expressed his Party's support to Councillor Donnelly's proposal. He stated that any protest carried out by the prisoners would have a major impact on their families. He stated that his Party had contacted Maghaberry Prison in relation to the treatment of Dr Bassalat and that a senior delegation from Sinn Féin have arranged to meet with representatives of the prisoners to directly discuss the concerns.

Councillor Reilly stated that his Party supported the proposal. He stated that Covid-19 did not respect boundaries, borders or walls,

therefore it was important to ensure that everyone in the prison was treated in a safe and fair manner.

Councillor R Barr expressed his support to the proposal and stated that this humanitarian issue must be immediately addressed.

Councillor Harkin stated that People Before Profit would be fully supporting the proposal, adding that Council should act as soon as possible to attempt to bring a resolution to the matter.

Alderman Devenney indicated that the DUP would not support the proposal.

Councillor Gallagher explained that the proposal was a humanitarian issue with an attempt to resolve the issue that 43 prisoners were currently on hunger strike throughout Ireland. He stated that history had shown how such a situation could escalate and called on everyone to support the proposal.

After voting on the proposal the result was as follows:

For:- 30; Against:- 9; Abstentions:-0.

The proposal was therefore carried and the Council

**Resolved That Council notes with concern the additional distress being caused to the families of prisoners currently on hunger strike in Maghaberry and Hydebank prisons because of the failure of the Northern Ireland Office and prison authorities to provide regular updates on the prisoners' ongoing welfare and conditions. Council shall write to the NIO calling on the Prison Service to release daily updates on the prisoners' status/conditions.**

**Council has concerns that the facility (Foyle House) and procedures currently being used at Maghaberry Prison, to house prisoners who are being isolated while being quarantined as a Covid precaution, is not fit for purpose and poses a risk to the physical and mental health and welfare of prisoners.**

**That a cross party and independent delegation meet with the prisoners' families and their representatives to listen to their concerns in a bid to resolve these critical issues and bring about an end to the current Hunger Strike.**

**C276/20 Unity of Purpose (GSP127/20)**

Councillor Harkin referred to the recommendation made at the meeting of the Governance and Strategic Planning Committee and expressed alarm at the recommendation to request that a representative from all Parties on Council, including a representative from the Independent Members to be included in the Unity of Purpose group.

He described how the discussions on the Unity of Purpose group originated after they had issued a statement in advance of the Black Lives Matter Protests. He stated that subsequently those protests were criminalised and believed it to be an example of institutional racism. He noted that 57 fines were issued to those who took part in the Derry demonstration, adding that people of colour who had organised the protest had been threatened with prosecution. He stated that he and Councillor McCann had called for the Unity of Purpose Group to disband. He stated that nobody from the group had taken responsibility or had issued any statements on the matter. He noted that Council were tasked to report on the relationship between Council and the group and he felt that there was more information to be found on internet search engines than in the report produced by officers.

Continuing, he stressed that he would not be interested in joining Unity of Purpose as the group did not have a mission statement or mandate and that Elected Members should not have to seek permission to join such an organisation. He proposed that Council rejects the recommendation within the report. He felt that the group considered themselves to be 'grandees' of the city who felt that they had a right to speak on all matters of concern. He asked why trade unions or community organisations had not been invited to join such a group.

Councillor Harkin Proposed, Seconded by Councillor McCann

**That Council reject the Committee recommendation that (i) that Council write to the Unity of Purpose group and request that a representative from all of the Parties on Council including a representative from**

**the Independent Members be included in the group in order to provide an opportunity for the voices of all throughout the City and District to be heard; and (ii) that in going forward meetings of the group are formally structured and minutes taken of the proceedings.**

Councillor McCann expressed disappointment that nobody had explained why the PSNI had disrupted the Black Lives Matter demonstration in Derry on 6 June 2020. He outlined the timeline of events leading up to the demonstration and expressed concern that fines had not been issued to those who took part in gatherings such as GAA pitch invasions, the recent funeral of Mr Bobby Storey and the recent breach of Covid-19 regulations by Glentoran supporters. He noted that it was only in relation to the Black Lives Matter protests that fines and threats of prosecution were issued. He stated that in the absence of any alternative explanation to those events, he considered the possibility that racism was involved.

Councillor Donnelly stated that Unity of Purpose was a group that was not representative of the people of the City. He expressed concern that the group commented on selective matters and has never spoken out against children being beaten by state forces, house raids and now the previous item discussed by Members regarding prisoners, three of which from the City were currently on hunger strike.

Alderman Devenney stated that the DUP would not be supporting the proposal and noted the good work carried out by the Unity of Purpose group. He stated that the Black Lives Matter protest was an issue that should be dealt with by the police. Councillor Harkin Proposed, Seconded by Councillor McCann

**That Council reject the Committee recommendation that (i) that Council write to the Unity of Purpose group and request that a representative from all of the Parties on Council including a representative from the Independent Members be included in the group in order to provide an opportunity for the voices of all throughout the City and District to be heard; and (ii) that in going forward meetings of the group are formally structured and minutes taken of the proceedings.**

Members were asked to vote on the proposal, the result of which was as follows:

For:- 6; Against:-32; Abstentions:- 1.

The proposal therefore fell.

**C277/20 Flash Flooding - Ballycolman Estate (GSP116/20)**

Councillor M Boyle extended her thanks to the Mayor for his time spent with residents of the Ballycolman area and the meeting that he had arranged to assist those affected by the recent flooding. She also extended her thanks to the team within the Environment and Regeneration Directorate for the work undertaken to ensure that a review was carried out regarding the financial assistance scheme. She stated that some claimants had been informed that they were not eligible to avail of the scheme, however a number of them had now received payment due to the work of officers. She also commended the work of Council and a number of Elected Representatives on the work undertaken in this regard and having the matter resolved.

Councillor Gallagher also thanked the Mayor, the Chief Executive and officers on their intervention to resolve issues due to the flooding at Ballycolman Estate. He stated that a few minor issues remained but it was hoped they would be resolved in due course. He stated that the meeting initiated by the Mayor was a very positive one in the sense that NI Water had acknowledged some liability and had visited the area affected.

The Mayor stated that he wished to take the opportunity to thank Councillors from the area on assisting him with his attempts to help those residents who had been affected by flooding issues over the past number of years.

**C278/20 Monthly Planning Committee held on Wednesday 2 September 2020**

The Minutes of the Planning Committee held on 2 September 2020 (P90/20-P98/20) were submitted.

Alderman Bresland Moved, Seconded by Councillor J Boyle and the Council

**Resolved that the above minutes be adopted as a true record of the Meeting**

**C279/20 Monthly Planning Committee (Reconvened) held on Thursday 3 September 2020**

The Minutes of the Planning Committee (Reconvened) held on 3 September 2020 (P100/20-P108/20) were submitted.

Councillor J Boyle Moved, Seconded by Councillor McKinney and the Council

**Resolved that the above minutes be adopted as a true record of the Meeting**

**C280/20 Monthly Business and Culture Committee held on Tuesday 8 September 2020**

The Minutes of the Business and Culture Committee held on Tuesday 8 September 2020 (BC105/20 – BC125/20) were submitted.

On a matter of accuracy Councillor Cooper referred to BC120/20 and Stated that his proposal regarding the request to consider the creation of a Job Creation and Skills Unit within Council had not been included in the recommendation.

On a further matter of accuracy, Councillor Durkan referred to BC120/20 and stated that she wished to replace furlough with the self – employment income support scheme and job retention scheme and to also reflect this in the recommendation.

On a further matter of accuracy, Councillor Mellon referred to BC119/20 and stated that within the committee it had been agreed for Council officers to seek extra funding, particularly in terms of Christmas community events which was not included within the recommendation.

The Director of Business and Culture stated that the minutes would be revised to reflect Members' comments.

It was agreed that the minutes would be amended accordingly.

Alderman Warke Moved, Seconded by Councillor Cusack and the Council

**Resolved that the above minutes, be adopted as a true record of the Meeting.**

### **Matters Arising from the Minutes**

**C281/20 Deputation: Strabane History Society Proposal to transform Milltown House/Lodge and Site into a Heritage/Visitors Centre (BC109/20)**

Councillor M Boyle stated that Mr Pat McGuigan from the Strabane Historical Society had contacted her to express his thanks to Council for their time and giving him the opportunity to present to Members and that the Head of Culture has now been in contact with him to arrange a meeting to further the project.

Councillor J Barr stated that following that meeting he wished to take the opportunity to thank the Minister for Education for his statement regarding Milltown House. He welcomed that after extensive lobbying by himself and Daniel McCrossan MLA the Gate House and former home of Cecil Frances Alexander would not be demolished. He also extended thanks to Council officers who have arranged to meet with the representatives of Strabane Historical Society to take the matter forward.

**C282/20 Matters Arising from the Open Minutes of the Business and Culture Committee meeting held on Tuesday 7 July 2020 (BC117/20)**

Councillor Harkin referred to the £33m received by Stormont from the British Government for distribution to the arts and cultural sector across Northern Ireland. He noted that the funding was received in July 2020 with a commitment given that it would be immediately released to arts organisations and cultural groups across the North who were very much in need of financial assistance. He expressed concern regarding the lack of movement regarding the funds and noted that only £4m of that funding would be released. He proposed that Council write to the Minister of Finance calling on the release of the entire £33m as soon as possible.

Councillor Reilly seconded the proposal brought forward by Councillor Harkin. He said that it was a concern for all those in the arts sector across Northern Ireland, not just in this region. He stressed that it was important to ensure that the money that was publicised to help the arts sector is made available as soon as possible.

Councillor Farrell referred to Councillor Harkin's proposal and advised that the SDLP had already made a proposal to write to the Finance Minister at a previous meeting of the Business and Culture Committee. He noted that the UK's arts, culture and heritage industries will receive a £1.57 billion rescue package to help with the economic impact of coronavirus; and Northern Ireland would be allocated £33m from the support package towards arts venues. He stated that it was the decision of the Executive to decide if that £33m would be allocated to the arts and culture sectors. He explained that this issue had been identified in July and a letter was sent to the Minister for Finance on the matter. He advised that a response had been received from the Minister where he explained he awaited a funding bid from the Minister for Communities. He stated that whilst he agreed with Councillor Harkin's proposal, the request has already been sent. However, he supported sending a further letter.

Councillor Cooper stated that the Minister for Finance had recently presented a report on funding allocation to the Executive for discussion. He noted that included in that funding allocation paper was the £33m as it had not moved forward to enable the Minister for Communities to make a formal bid. He stated that Martina Anderson MLA was also currently meeting with the CEO of Void Gallery on the matter. He stressed the importance of the matter being presented to the Executive immediately to allow the money to be bid for and allocated to those groups within the arts and culture sector who badly needed financial assistance.

Councillor McCann stated that the arts sector was marginalised with an insufficient focus put on their need. He stated that there would be no difficulty in finding numerous local arts organisations with compelling plans which were part of the cultural infrastructure of the City. He stressed the urgency of the matter as the arts sector was in significant difficulty. He stated that if venues were lost they will be lost for a long time to come. He urged Council to do whatever it could to help the cultural heritage of the City.

Alderman Devenney stated that his Party once again, supported the call to assist the arts and culture sector and commended Councillor Farrell for taking the lead on the matter. He concurred with Councillor McCann that the sector was part of the social infrastructure and that groups and artists were currently suffering, therefore money should be made available as soon as possible.

Councillor Cooper stated as a point of clarification that the funding was not ring-fenced, therefore the Department for Communities (DfC) were required to go through the process of making a bid for the money. Therefore, it was of the utmost importance to get the paper to the Executive as soon as possible to allow DfC to submit a bid. He stated that the Minister for Culture, Arts and Leisure, Carál Ní Chuilín had put a lot of commitment into the Arts from 2013 and had lobbied the DfC Minister on the importance of protecting the arts sector.

Councillor Harkin Proposed, Seconded by Councillor Harkin

**That Council writes to the Minister of Finance calling on the entire £33m to be released to arts organisations and cultural groups across the North as soon as possible.**

Members were asked the vote on the proposal, the result of which was unanimous and the Council

**Resolved That Council writes to the Minister of Finance calling on the entire £33m to be released to arts organisations and cultural groups across the North as soon as possible.**

**C283/20 Monthly Environment and Regeneration Committee held on Wednesday 9 September 2020**

The Minutes of the Environment and Regeneration Committee held on 9 September 2020 (ER138/20 – ER151/20) were submitted.

Alderman Devenney Moved, Seconded by Alderman McKane and the Council

**Resolved that the above minutes be adopted, as a true record of the Meeting.**

**Matters Arising from the Minutes**

**C284/20 Covid-19 Recovery Revitalisation Programme (ER150/20)**

Councillor Jackson stated that he had been made aware that members from the Committee for Infrastructure had agreed to visit Derry City in respect of a number of specific issues regarding the infrastructure of the North West. He proposed that Council invite the Chairperson and

Members of the Committee to the City. He further suggested that they could be offered the use of the Guildhall during that time.

Councillor Jackson Proposed, Seconded by Alderman Devenney.

**That Council invite the Chairperson and Members of the Infrastructure Committee to the City to discuss proposed developments for the area.**

Members were then asked to vote on the proposal, the result of which was unanimous and the Council

**Resolved That Council invite the Chairperson and Members of the Infrastructure Committee to the City to discuss proposed developments for the area.**

#### **C285/20      Condemnation (ER142/20)**

Councillor Donnelly stated that he had been contacted by constituents who had received correspondence from Council asking them to remove items placed on the graves of their loved ones at the City Cemetery. He stated that whilst he understood there may be issues involved with those responsible for the maintenance of the graves, there seemed to be inconsistency as not everyone had received letters on the matter. He stated that those who received letters were worried that the items on the graves would be removed by Council. He proposed and a report be presented on the matter, outlining the issues involved and requested a guarantee that none of the items would be removed from graves in the City Cemetery until Members had been given the opportunity to discuss the report.

Councillor Donnelly Proposed, Seconded by Councillor J Boyle

**That Council present a report outlining the issues involved with a guarantee that no items would be removed from graves in the City Cemetery until Members had been given the opportunity to discuss the report.**

In response, the Director of Environment and Regeneration advised that a report would be presented at the October Committee Meeting. She stated that officers would be happy to engage with Members or families that they have been in contact with.

Councillor Jackson advised that he had also been contacted by families on the matter. He extended his thanks to officers from the Environment and Regeneration Directorate for recently meeting with him and bereaved families at the City Cemetery to explain the rationale behind the letters.

The Mayor stated that he had recently spent a day at the City Cemetery as part of his 'Day in the Life' series. He explained that this enabled him to understand the arguments and issues on both sides and stressed that it was an extremely delicate and sensitive issue.

Councillor Logue stated that she had also been contacted by distressed families on the matter.

Councillor Donnelly Proposed, Seconded by Councillor J Boyle

**That Council present a report outlining the issues involved with a guarantee that no items would be removed from graves in the City Cemetery until Members had been given the opportunity to discuss the report.**

Members were asked to vote on the proposal, the result of which was unanimous and the Council

**Resolved That Council present a report outlining the issues involved with a guarantee that no items would be removed from graves in the City Cemetery until Members had been given the opportunity to discuss the report.**

## **C286/20 Killen Recycling Centre (ER143/20)**

Alderman Kerrigan expressed his thanks to officer's consideration in respect of requests for the re-opening of Killen Recycling Centre, however stated that it was unfortunate that the facility remained closed. He noted that it was requested at the recent site meeting that a list of all obstacles to re-opening in place be made because there were numerous issues arising that hindered any plans to re-open the recycling centre. He stated that he still wished the list to be compiled as a way to attempt to address those issues and see a way forward for re-opening the facility. He stated that there were major issues regarding fly-tipping in the area and expressed concern that this suggestion had been disregarded due to the fact that there was an

alternative site at Spamount. He stated that Council should publicise the temporary site located at Spamount for 2 days a week and suggested it be increased to 3 days and also the bulky waste collection service. He stressed the importance of redoubling efforts to have Killen recycling centre re-opened.

Alderman Warke then requested an update on the recycling centres at Glendermott Road and Eglinton.

In response, the Director of Environment and Regeneration advised Alderman Kerrigan that a report on Killen Recycling Centre would be brought to the October Committee meeting. She stated that information would continue to be issued in respect of the bulky waste collection service, as there was not a fantastic uptake in that particular area. She stated that officers were as eager as Members to have Killen and other sites re-opened as soon as possible.

Responding to Alderman Warke's request, she advised that in terms of Glendermott and Eglinton, work was currently progressing. In respect to the Glendermott Road site, the necessary information has been sent to the Health and Safety Executive and arrangements are in place for re-opening, once a response has been received. In terms of Eglinton, officers continued to work with the owners of the wider site in terms of the health and safety risk management arrangements required at that site. She stated that Members would be updated accordingly on any progress on the matter.

Councillor Reilly requested an update in relation to the roll out of the final phase of the brown bins as he felt this could take away the need for some people to visit the recycling facilities.

Alderman McKane noted that a meeting of the recycling working group had recently taken place and stated that such matters should be raised at those meetings which were held on a fortnightly basis.

In response, the Director of Environment and Regeneration stated that a significant public advertising campaign had taken place in respect of the roll out of the brown bins. She advised that the process was well underway with contractors delivering them on a daily basis. She further advised that an email update would be provided to Members on the current position.

The Minutes of the Health and Community Committee held on Thursday 10 September 2020 (HC133/20-HC161/20) were submitted.

On a matter of accuracy, Councillor Donnelly referred to HC149/20 and advised that the dogs were not destroyed but given away.

It was agreed that the minutes would be amended accordingly.

Alderman Devenney Moved, Seconded by Alderman McKane and the Council

**Resolved that the above minutes be adopted, as amended, as a true record of the Meeting.**

### **Matters Arising from the Minutes**

#### **C288/20 Playing Facilities for Youth Teams in the Strabane Area (HC138/20)**

Councillor Duffy stated that Members had recently been dealing with numerous issues regarding football pitches and asked if there was a deficit of football pitches throughout the City and District. She requested a report to be brought with an update on the pitches strategy, the current condition of Council football pitches and what level of football was played on those pitches.

Alderman Ramsey expressed his thanks to officers who had been able to resolve issues regarding the pitches in the Waterside area of the City.

Councillor R Barr referred to the redevelopment of Melvin Sports Arena and the provision of the new spectator stand. He proposed that the new stand be named after Mr Danny Rouse who played for Derry City, Sligo Rovers and was manager of Omagh Town when they were part of the Irish League. He stated that naming the stand after Danny would be a fitting tribute as he was a popular figure in the Strabane area.

The Mayor stated that notwithstanding the comments made in relation to the matter, he advised that there was a Council policy regarding the naming of assets and asked that Councillor R Barr follow the procedure within that policy. He stated that the Lead Legal Services Officer would forward a copy of the policy to him.

#### **C289/20 4G Masts in the Glengalliagh Road Area (HC140/20)**

Councillor Duffy stated that subsequent to discussion on the matter at the Committee meeting on 10 September, a video had circulated on social media which caused her great concern as a Councillor of the Ballyarnett DEA and as a parent of a child who attended St Brigid's College. She stated that St Cecilia's College and St John's Primary School were also filmed on the video. She proposed that Council write to the 3 schools affected to show support. She stated that the video was shocking and commended the professionalism of staff who were filmed in the face of intimidation.

Councillor Duffy Proposed, Seconded by Councillor Logue

**That Council write to St Brigid's College, St Cecilia's College and St John's Primary School to show support to the staff and commend them on their professionalism shown in the face of intimidation.**

The Mayor concurred with the sentiments expressed by Councillor Duffy and advised that he recently visited St Brigid's College and had a lengthy conversation with the Principal to ensure him of his personal support on the matter.

Councillor Farrell stated that he wholeheartedly concurred with Councillor Duffy. He stated that it had been agreed at the meeting for Council to undertake to broadcast on social media the research documenting the safety of 4G and to undertake testing of 4G masts in the Glengalliagh Road area to allay the fears of local residents. He advised that feedback from officers had suggested that testing could not be carried out. He asked if there was anything else that could be done to reassure the people living in the area that those masts do not present any harm to people living in the vicinity.

The Mayor stated everyone had a responsibility to share the corporate messages on social media and encouraged Members to continue circulating same.

Councillor Harkin expressed his support to the proposal and stated that he had spoken at the Committee regarding to a series of 'Covidscam' rallies and the dangers that they posed. He felt that because governments had been shambolic in response to the pandemic, some were looking for alternative explanations. He stated that organisers of those rallies were determining essential workers as 'agents of the state' for adhering to health guidelines.

He felt that the far-right were attempting to use the covidscam rallies to spread hatred and opposition towards migrants, people of colour and the LGBTQ community.

He further stated that rally speakers had described people who wore masks as slaves and blamed an organisation known as the Illuminati, one of the most anti-Jewish conspiracy theory groups. He stressed that Councillors should be united in distancing itself from such an organisation.

Councillor Ferguson also added her condemnation on the matter. She stated that whilst people had different views regarding the safety of 5G, no child should have their day interrupted or be fearful in their own school and no staff should be intimidated. She asked if Council could possibly advise the schools on how the videos could be removed as there were unauthorised footage of pupils in the background.

Councillor Donnelly stated that he shared the concerns of Councillor Harkin regarding the recent rallies that have taken place, as it gave those responsible the opportunity to prey on people's fears and confusion. He referred to the incident at St Brigid's College and stated that he has entrusted that school with his child's secondary education. He commended the school on their professionalism and wished to pay tribute to all the staff on the work carried out under difficult circumstances. He stated that parents which he had spoken to were extremely angry at the content of the video that had been shared on social media.

Councillor Reilly concurred with the comments made by the previous speakers on the matter. He stated that it was important to get facts out there to combat the fiction that was being circulated on social media. He referred to the huge spike of Covid-19 cases in the Derry, Strabane area and neighbours in Donegal and asked that the Mayor and Council continue to relay the messages regarding safe social distancing, washing hands and wearing a face mask to combat the spread of the virus.

Councillor McCloskey stated that she had spoken at that particular rally at Guildhall Square and objected to Councillor Harkin's comments on the matter. She stated that she attended the rally as a working professional and a doctor who has worked throughout the crisis. She was aware of the science which had demonstrated that from early May 2020, the number of deaths caused by the lockdown had doubled the amount caused by coronavirus. She stated that there was a

government policy on lockdown that was damaging to the health, social, physical, educational and economic of our people and pushing them into misery for a disease which has a global mortality rate of 0.01% with an average age of death at 84. She stated that whilst it was overwhelmingly the elderly who contracted the virus, it was the young people who were being asked to carry the brunt of the anti-scientific treatment and recommendations propagated by government. Referring to the Covid-19 testing being carried out, she felt that young people testing positive was a good thing, as it developed community immunity and that people testing positive but who were not sick did not pose a risk to anyone. She described the scenario as hysteria and she reserved her right to speak on the matter as she had spent the last six months reading the scientific data and her comments can be validated and verified. She stated that she would send Members the information that stated that lockdown across the world had been singularly ineffective and all this did was push people into isolation and mental health problems.

Councillor Duffy Proposed, Seconded by Councillor Logue

**That Council write to St Brigid's College, St Cecilia's College and St John's Primary School to show support to the staff and commend them on their professionalism shown in the face of intimidation.**

Members were then asked to vote on the proposal, the result of which was unanimous and the Council

**Resolved That Council write to St Brigid's College, St Cecilia's College and St John's Primary School to show support to the staff and commend them on their professionalism shown in the face of intimidation.**

**C290/20 Brandywell Greyhound Track (HC149/20)**

Councillor Duffy noted that a significant amount of Council staff were on furlough with a number of Council services and facilities were still closed to the public. She requested that the Chief Executive present a report to the October meeting of the Governance and Strategic Planning Committee outlining what Council services and facilities remained closed and what plans were in place regarding those staff still on furlough.

The Chief Executive stated the he was happy to provide a report on the matter.

**C291/20 Correspondence - Royal Mail Services in Castleberg (HC161/20)**

Councillor M Boyle stated that it had come to her attention that there were quite a number of delays in the postal service in the Strabane area. She stated that local postal workers had highlighted the pressures faced by them in delivering mail, owing to staff shortages due to covid related absences. She expressed concern that this resulted in a 'knock-on' effect across the board as those waiting on urgent items of mail such as medical appointments, cheques, or legal documents and using next day delivery service were experiencing delays. However, packaged deliveries were being prioritised which was a concern as Royal Mail were not only neglecting the normal postal services but were putting its' workforce under unbearable pressure by failing to properly resource the service. She proposed that Council write to Royal Mail asking them to place the service above profit and to properly resource the sorting offices. She stated that this was a major issue that could escalate, particularly in the Strabane area.

Councillor M Boyle Proposed, Seconded by Councillor J Barr

**That Council write to Royal Mail asking them to place the service above profit and to properly resource the sorting offices.**

Members were then asked to vote on the proposal, the result of which was unanimous and the Council

**Resolved That Council write to Royal Mail asking them to place the service above profit and to properly resource the sorting offices.**

**C292/20 Affordable Warmth Scheme**

Councillor Logue noted that the Affordable Warmth working group recently met on 15 September, where it was agreed that a letter be sent to the Department for Communities (DfC) Minister regarding the consultation on the Affordable Warmth Scheme. She stated that it had also been agreed to bring the proposal to Council to ensure that the letter was on the Minister's desk during the consultation and asked for Council agreement that it is sent immediately.

Councillor Farrell stated that there seemed to be confusion regarding the consultation. He explained that the consultation was not active and was carried out three years ago. He noted that the consultation on Affordable Warmth had suggested that allowances such as PIP, Attendance Allowance, or DLA income is not included during the means testing process. However, this has been sitting on the Minister's desk for three years. He stated that he had repeatedly queried at Health and Community Committee meetings when the recommendations within the consultation would be implemented. He stated that with every day that passed, more people throughout the City and District did not qualify for the scheme.

Councillor Logue stated that Councillor Farrell had also attended the meeting of the working group where his comments had been discussed however her issue was in relation to the consultation being carried out in all eleven councils and how many people have access to the Affordable Warmth Scheme. She outlined that an equal amount of funding towards the scheme was allocated to each Council and the point the group wished to make was that given the issues surrounding the deprivation levels in the City and District, this Council area has a high number of people wishing to avail of the scheme. She advised that the letter to the Minister for Communities would state that allocation of funding should be given in respect of need rather than an equal amount being divided among the 11 councils.

The Mayor suggested that the matter be dealt with at the next meeting of the Health and Community Committee.

Councillor Gallagher stated that the issue had been previously raised and that Members of the working group had met with representatives from the Department for Communities and the Northern Ireland Housing Executive on a number of occasions and they were well aware of the issue. He stated that Members have been attempting to increase the number of allocations to the scheme and were continually pushing that barrier but DfC are well aware of the concerns. He noted that other Councils allocated numbers were not fulfilled therefore the funding was not being used. He stated that such funding would be welcome in Derry and Strabane. He noted it was agreed at the previous meeting of the working group to gather evidence on multiple deprivation to accompany the information on numbers, therefore it was important to give officers time to compile the evidence before making a submission to DfC.

Alderman Bresland stated that as a member of the Northern Ireland Housing Executive, it was not the organisations fault and concurred with the sentiments expressed by Councillor Farrell that it was important to change the mindset of the officials in DfC.

Councillor Logue stated that although it had been agreed that the letter be sent she was happy for it to be discussed at the next meeting of the Health and Community Committee. However, she asked that any further decisions made at the Affordable Warmth working group would be recorded in writing by the lead officer.

**C293/20      3G Maintenance Spraying (HC146/20)**

Alderman Ramsey stated that there was a major issue throughout the City and District due to the decision taken by Council regarding the use of weed killer. He advised that he had forwarded information to officers regarding an alternative method which was environmentally friendly and asked if it had been tested.

The Mayor advised that he would ask the Head of Environment to bring a report to the October meeting of the Environment and Regeneration Committee and thanked him for his efforts on the matter.

The Mayor then requested a short recess.

**C294/20      Update on Arts Funding**

After the recess the Mayor invited Councillor Cooper to provide an update on an item discussed earlier in the meeting.

Councillor Cooper welcomed an announcement made by the Finance Minister, Conor Murphy within the last hour, confirming that the allocation of £29m to the Department for Communities for the Arts sector recovery had now been confirmed, meaning the Minister for Communities now had the resources to make allocations to artists and arts, culture and heritage organisations. He stated that it was key that the funding now got to the organisations and practitioners who needed it.

Councillor Farrell welcomed the news by the Minister of Finance and that it would be welcomed by the entire Arts and Culture sector across Northern Ireland. He hoped that Derry and Strabane receive a fair share of the funding.

Councillor Harkin welcomed the news that funding would be released to arts and culture organisations. He felt that all those who spoke out and lobbied on the matter should be commended for their efforts. He stated that it was important to focus on ensuring that the money is equally distributed throughout Northern Ireland.

Councillor Duffy also welcomed the announced by the Minister for Finance. She stated that she had discussions with the Minister for the Arts who expressed frustration regarding the funding not being released and she had been lobbying to ensure that the paper was presented to the Executive to release the funding. She expressed her delight for everyone who worked locally in the arts industry and in regard to the allocation to this city and district. She stated that over the emergency period Council had received that which had been requested by the Executive in terms of the fairness of the money allocations for covid recovery.

Councillor Farrell stated that he had initially raised this matter at the June Council meeting. He stressed that Council now needed to make the argument that organisations and individuals across Derry and Strabane get a fair share of that funding. He stated that he had also made a proposal at the June meeting of the Business and Culture Committee that Council maintain a leadership role on behalf of all the cultural organisations and individuals throughout the City and District. He further stated that it was important Council should lead from the front on the matter by spearheading bids to the Arts Council and be involved in that process. He noted that Council has already indicated to the Minister for Communities that it wishes to be involved in the allocation process.

## **C295/20 Older People's Housing Strategy Consultation**

The Director of Health and Community advised Members that approval was required for the detailed response from Councillor Logue on behalf of Sinn Féin for inclusion to the Older People's Housing Strategy Consultation.

Alderman Devenney Proposed, Seconded by Councillor Logue

**That Council approve the detailed response from Councillor Logue on behalf of Sinn Féin for inclusion to the Older People's Housing Strategy Consultation.**

Members were then asked to vote on the proposal, the result of which was unanimous and the Council

**Resolved That Council approve the detailed response from Councillor Logue on behalf of Sinn Féin for inclusion to the Older People's Housing Strategy Consultation.**

**C296/20 Call-In of Council Item C237/20 (AAR25/20)**

The Lead Legal Services Officer presented the report, previously circulated to Members. He outlined that the purpose of the report was to advise Members of a Call-In of Council Item C237/20 (AAR25/20).

Councillor Donnelly referred to previous discussions on the matter at the Committee meeting of Assurance, Audit and Risk and at Council on 23 July 2020. He stated that he was still of the opinion that an external forensic audit was needed.

Councillor Donnelly Proposed, Seconded by Councillor Carr

**That Council overturn the decision made at the meeting of Council held on 23 July 2020 not to proceed with an external, independent, forensic audit being carried out on the Policing and Community Safety Partnership.**

Councillor McCann extended his support to Councillor Donnelly's proposal. He stated that it was sometimes difficult to criticise police and organisations as it may seem anti-peace or anti-agreement. He stated that the matter of defunding the police in the USA which is currently a vibrant issue, should be discussed and matters concerning the police here should also be discussed. He felt that Council should proceed with the external audit without the perception of being disloyal or disruptive, as the funding of policing should be discussed.

Alderman Ramsey commended the audit team for carrying out such a thorough audit. He stated that he had every confidence in the audit team and hoped that the majority of Members also held that confidence. He felt that the audit had been carried out properly and thoroughly, with all issues highlighted and recommendations made. He stated that Council were in the midst of a second surge of the coronavirus pandemic and cannot be throwing money away. He stressed the importance for Members to support the audit team and if

an external forensic audit takes place, the same recommendations would be listed.

Councillor Logue stated that the proposal for an external audit was not the purpose of the Call-In and advised Members that the question to be answered was whether the Members of the PCSP had the right to cast their vote on this matter or was it a conflict of interest, barring them from doing so. She stated that after further study on the matter regarding conflicts of interest and the code of conduct, her party's position is that there was no conflict of interest. She explained that a conflict of interest is when a person is advised not to vote if they were in a position to derive personal benefit from actions or decisions made from their official capacity. She stated that no such benefit to PCSP members, financial or otherwise, had influenced Member's voting in this decision. She advised that if Members accepted the reasons given by the proposers of the call-in, this means that as Elected Members and decision makers in this Council, Members should not be voting on any matters if they receive a monthly allowance. Sinn Féin proposed that there were no grounds for the call-in and asked the Lead Legal Services Officer to clarify the wording of the call-in and what Members were being asked to decide upon.

Councillor Reilly also asked if the Lead Legal Services Officer could clarify if Members who were not at the AAR meeting but were in attendance this evening could now vote on the matter. On the wider topic, he stated that the SDLP voted previously on the matter and that the call-in indicated that those on PCSP should not have voted on that particular matter. He asked if PCSP Members could vote in respect of the call-in.

Alderman Devenney explained that the Lead Legal Services Officer had outlined such matters at a recent session on conflict of interests. He asked him to reiterate the position to Members. He stated that if wished he would declare an interest as a Member of the PCSP. He also advised that his party had met with the PCSP to discuss the matter. He stated that he had in the past been on audit committees both inside and outside of Council and that each time an audit had taken place, recommendations always came forward. He stated that it was important to consider those recommendations and give due consideration to support the audit and illustrate confidence within the PCSP as the majority of issues highlighted within the audit would be addressed. He advised that the DUP would not supporting the proposal for Councillor Donnelly's call-in.

Councillor Gallagher referred to Councillor Logue's comments and stated that it must be taken into consideration that the PCSP was an external body and made direct payments to Elected Members, hence the conflict of interest. In regards to comments by Alderman Ramsey, he stated that the matter had nothing to do with the confidence of the staff within the Assurance, Audit and Risk section. He outlined that the report had identified numerous failings by the AAR team who had a role and responsibility to carry out procedures and it was very important that Council protected its reputation and when it does identify numerous failings, that it puts its house in order. The best way to do that was to carry out an external forensic audit to prevent Council from being dragged into a quagmire.

Councillor Ferguson stated that more clarity was needed before a decision could be taken and obviously if it was a question of conflict of interest, Members had recently completed a session on conflict of interest training. She noted the 44 recommendations and reported that all were minor. She stated that her Party had full confidence in the audit team. She advised that the Audit Manager and his team had given assurances that those 44 recommendations were reported to the PCSP and their funding body and 43 of those recommendations have been rectified. She advised that if there was a request to vote again on the matter, her party would be abstaining as a number of questions had not been answered such as the cost effectiveness of carrying out such an audit.

Councillor Harkin stated that the reasons given during the summer for the audit was because of the work of the audit team that had to be considered and that only a small percentage of the funding had been audited and if an external audit was carried out there may be more issues and that was worrying. He stated that people were concerned over issues such as RHI, and were currently struggling financially. Therefore, it was important that there is confidence that public money was being spent properly and as Councillor McCann had alluded to, the police may be involved, therefore Council have to be held to an even higher standard. He expressed his support to the proposal and encouraged Members to support it.

Alderman McClintock concurred with the comments made by Councillor Logue and requested that the Lead Legal Services Officer clarify the matter. She stated that Members should be aware that a very intense audit was carried out with almost a 70 page document. She believed that PCSP audits in other councils contained only a few pages of content and that the Northern Ireland Audit representative

and the Independent Adviser were satisfied with the process. She stated that it was her understanding that this was the first time that a grant making body within Council has been audited and the recommendations within that audit were minor in nature and that other departments within Council could actually benefit from the audit. She stated that the matter was nothing to be concerned about and that her Party not be supporting the proposal.

Alderman Kerrigan reiterated the points made by Alderman McClintock and stated that in his opinion, an external forensic audit was not required. He stated that the audit carried out by AAR was carried out correctly and an external audit would have the exact same result but at a higher financial cost to Council. He noted that the vast majority of recommendations made at the audit had been implemented by the PCSP.

In response to Members' queries, the Lead Legal Services Officer advised that in relation to Councillor Reilly's query on whether or not Members who were not present on previous occasions could vote in relation to this matter, he confirmed that they could as all Members have access to all of the papers that were relevant to the matter. He then referred to the question on what Members were being asked to decide upon and indicated that the legislation for the grounds of a call-in Section 41(1)(a) of the Local Government Act (NI) 2014 states that where there is a legitimate call-in then the Council was obliged to reconsidered the matter. Having done so, the options available to Members contained within the report are:

- (i) Refer the decision for further consideration by a Committee;
- (ii) Support the decision made by Council; or
- (iii) Overturn the decision.

He then referred to queries regarding conflict of interest and advised that the call-in referred to whether Members had a direct conflict of interest by being a Member of PCSP and therefore should not have engaged in the process. He advised that Members of the PCSP would have an interest and they should declare this interest in this matter. On the question of whether those Members who declared an interest would be entitled to vote, he advised that Members would recall that this question was asked of the Chief Executive at the previous meeting

and he provided the information that they could vote. He stated that this was on the basis of paragraph 6.9 of the Code of Conduct for Councillors which states, 'where you have been appointed by your Council as a representative on an organisation, that you may vote and you may speak in relation to that particular matter'. In summary, he advised that Members of the PCSP, in the absence of any other direct pecuniary interest, would be entitled to participate in the matter, would be allowed to speak on the matter and would be entitled to vote under the terms of the code of conduct.

Councillor Donnelly Proposed, Seconded by Councillor Carr

**That Council overturn the decision made at the meeting of Council held on 23 July 2020 not to proceed with an external, independent, forensic audit being carried out on the Policing and Community Safety Partnership.**

Members were asked to vote on the proposal, the result of which was as follows;

For:- 14; Against :- 19; Abstentions:- 6.

The proposal therefore fell.

The Mayor advised that Councillor Logue and Councillor Duffy had proposed and seconded to revert to the original decision and assumed that everyone would be voting on the matter in the reverse.

In response to a query by Councillor Donnelly on the need to vote on the original proposal, the Lead Legal Services Officer confirmed that a vote had to be taken on the matter.

Councillor Logue Proposed, Seconded by Councillor Duffy

**That Council does not proceed with an external, independent, forensic audit being carried out on the Policing and Community Safety Partnership.**

For:- 19; Against:- 14; Abstentions:- 6.

The proposal was carried and the Council

**Resolved** That Council does not proceed with an external, independent, forensic audit being carried out on the Policing and Community Safety Partnership.

### Notices of Motion

#### **C297/20 Development of Digital Hubs**

Councillor McHugh Moved, Seconded by Councillor M Boyle

**That** As part of its economic recovery plan, that this Council asks the Assembly Executive to prioritise the development of 'Digital Hubs' located in main urban and rural population centres to enable public and private sector workers, where appropriate, the ability work remotely and closer to home.

Members were then asked to take a vote on the Motion with the result of which was unanimous and the Council

**Resolved** That as part of its economic recovery plan, that this Council asks the Assembly Executive to prioritise the development of 'Digital Hubs' located in main urban and rural population centres to enable public and private sector workers, where appropriate, the ability work remotely and closer to home.

#### **C298/20 Request to the Police Ombudsman**

Councillor R Barr Moved, Seconded by Councillor J Barr

**That** this Council requests that the Police Ombudsman for Northern Ireland investigates the PSNI handling of the Noah Donohoe case.

Members were then asked to take a vote on the Motion with the result of which was unanimous and the Council

**Resolved** That this Council requests that the Police Ombudsman for Northern Ireland investigates the PSNI handling of the Noah Donohoe case.

**C299/20 Social Value Policy Framework**

Councillor Cooper Moved, Seconded by Councillor Duffy

**That this Council agrees to:**

**Develop a Social Value Policy Framework to inform all relevant aspects of council policy;**

- **Develop a social value strategy to promote and further the social, environmental and economic goals of Derry and Strabane District Council and;**
- **Formally incorporate social impact clauses into the pre-procurement stage of all council contracts and to include them within the award criteria for council contracts;**
- **The development of this Policy Framework and increased use of Social Clauses should initially be informed by a social needs assessment which will focus on poverty related issues particularly within areas of multiple deprivation**

**Officials will bring back a report, within two months to council on the above to ensure maximum social and economic impact for the citizens of this Council area.**

Members were asked to vote on the Motion, the result of which was unanimous and the Council

**Resolved That this Council agrees to:  
Develop a Social Value Policy Framework to inform all relevant aspects of council policy;**

- **Develop a social value strategy to promote and further the social, environmental and economic goals of Derry and Strabane District Council and;**
- **Formally incorporate social impact clauses into the pre-procurement**

stage of all council contracts and to include them within the award criteria for council contracts;

- The development of this Policy Framework and increased use of Social Clauses should initially be informed by a social needs assessment which will focus on poverty related issues particularly within areas of multiple deprivation

Officials will bring back a report, within two months to council on the above to ensure maximum social and economic impact for the citizens of this Council area.

### **C300/20 Mandatory Wearing of Face Masks**

Councillor Dobbins Moved, Seconded by Councillor Farrell

**That this Council notes the increase in cases of Covid-19 across the district and the immense efforts taken by our frontline healthcare workers to support those who receive a positive diagnosis;**

**further notes the positive action taken by the Minister for Infrastructure and the Minister of Health to make face coverings mandatory in a range of enclosed spaces where the risk of transmission may be increased;**

**thanks the people of Derry and Strabane for their efforts to comply with the new rules and keep people safe;**

**expresses its profound disappointment that some have not yet grasped the seriousness of this pandemic and continue to act in a way which places others at risk;**

**resolves to write to the Minister of Health to seeking guidance on the current enforcement mechanisms for the Covid regulations and the introduction of a**

**medical exemption card for those unable to wear face coverings as a result of an underlying condition.**

Councillor Logue Proposed an Amendment, Seconded by Councillor Mellon

**That this Council notes the increase in cases of Covid-19 across the district and the immense efforts taken by our frontline healthcare workers to support those who receive a positive diagnosis;**

**further notes the positive action taken by the Minister for Infrastructure and the Minister of Health to make face coverings mandatory in a range of enclosed spaces where the risk of transmission may be increased;**

**thanks the people of Derry and Strabane for their efforts to comply with the new rules and keep people safe;**

**urges the Department of Health/Council area to immediately develop a communication strategy on the effectiveness of face - coverings in the prevention of COVID- 19 transmission; encourages all citizens of the area to adhere to restrictive measures and to act in ways that do not put others at risk.**

Members were asked to vote on the Amendment, the result of which was as follows;

For:- 12; Against:- 23; Abstentions:- 1.

The Amendment therefore fell.

Members were asked to vote on the original Motion, the result of which was as follows:

For:- 23; Against:- 2; Abstentions:- 13.

The Motion was therefore carried and the Council

**Resolved That this Council notes the increase in cases of Covid-19 across the district and the immense efforts taken by our frontline healthcare**

**workers to support those who receive a positive diagnosis;**

**further notes the positive action taken by the Minister for Infrastructure and the Minister of Health to make face coverings mandatory in a range of enclosed spaces where the risk of transmission may be increased;**

**thanks the people of Derry and Strabane for their efforts to comply with the new rules and keep people safe;**

**expresses its profound disappointment that some have not yet grasped the seriousness of this pandemic and continue to act in a way which places others at risk;**

**resolves to write to the Minister of Health to seeking guidance on the current enforcement mechanisms for the Covid regulations and the introduction of a medical exemption card for those unable to wear face coverings as a result of an underlying condition.**

**C301/20      Broadband Provision in Rural Areas**

Councillor Edwards Moved, Seconded by Alderman McKane

**That This Council recognises the extreme disadvantage rural areas face in terms of broadband provision;**

**further recognises the added difficulties facing rural communities during the Covid 19 pandemic, especially for businesses, for constituents working from home and for children's online classes;**

**notes the urgent need for better provision of broadband rural areas across this Council area;**

**agrees to identify current broadband deficits in rural communities across the district;**

**and calls on the Minister for the Economy and the Northern Ireland Executive to ensure these areas are covered by current and future broadband improvement schemes.**

Councillor Kelly Proposed an Amendment, Seconded by Councillor Duffy

**That This Council recognises the extreme disadvantage rural areas face in terms of broadband provision;**

**further recognises the added difficulties facing rural communities during the Covid 19 pandemic, especially for businesses, for constituents working from home and for children's online classes;**

**notes the urgent need for better provision of broadband rural areas across this Council area;**

**and calls on the Minister for the Economy and the Northern Ireland Executive to ensure these areas are covered by current and future broadband improvement schemes.**

Members were asked to vote on the Amendment, the result of which was unanimous and became the Substantive Motion.

Members were then asked to vote on the Substantive Motion, the result of which was unanimous and the Council

**Resolved That this Council recognises the extreme disadvantage rural areas face in terms of broadband provision;**

**further recognises the added difficulties facing rural communities during the Covid 19 pandemic, especially for businesses, for constituents working from home and for children's online classes;**

**notes the urgent need for better provision of broadband rural areas across this Council area;**

**and calls on the Minister for the Economy and the Northern Ireland Executive to ensure these areas are covered by current and future broadband improvement schemes.**

**C302/20 National Union of Journalists News Recovery Plan**

Councillor McCann Moved, Seconded by Councillor Harkin

**That Council welcomes the News Recovery Plan for Northern Ireland published by the National Union of Journalists.**

**Council believes that the media remain an important bulwark of democracy. At local authority level, it is important that local news organisations continue to report on the decisions which impact upon the education, health, welfare and wellbeing of citizens. The Covid 19 pandemic has shown how vital it is to have news media providing the accurate, trustworthy, information which people want and need and which is vital for holding government and other authorities to account.**

**The pandemic has also exposed the fragile state of news media in Northern Ireland as a result of underinvestment in editorial resources and lack of action by successive UK governments to protect public interest journalism.**

**Council believes that local journalism, including public service broadcasting, is a public good that deserves to be protected. This requires commitments from the UK government, from the Northern Ireland Executive and from all stakeholders in the media industry.**

**We support the proposal of the NUJ and other that the UK Government implement a six percent windfall tax on the tech giants towards funding a News Recovery Plan. We believe that our local media are too important to our community to allow them to fail.**

Members were asked to vote on the Motion, the result of which was as follows:

For:- 27; Against:-8; Abstentions:- 0.

The Motion was therefore carried and the Council

**Resolved Council welcomes the News Recovery Plan for Northern Ireland published by the National Union of Journalists.**

**Council believes that the media remain an important bulwark of democracy. At local authority level, it is important that local news organisations continue to report on the decisions which impact upon the education, health, welfare and wellbeing of citizens. The Covid 19 pandemic has shown how vital it is to have news media providing the accurate, trustworthy, information which people want and need and which is vital for holding government and other authorities to account.**

**The pandemic has also exposed the fragile state of news media in Northern Ireland as a result of underinvestment in editorial resources and lack of action by successive UK governments to protect public interest journalism.**

**Council believes that local journalism, including public service broadcasting, is a public good that deserves to be protected. This requires commitments from the UK government, from the Northern Ireland Executive and from all stakeholders in the media industry.**

**We support the proposal of the NUJ and other that the UK Government implement a six percent windfall tax on the tech giants towards funding a News Recovery Plan. We believe that our local media are too important to our community to allow them to fail.**

**C303/20 Raise Your Voice Project**

Councillor Durkan Moved, Seconded by Councillor Cusack

**That this Council recognises the impact of misogyny on those affected by it and in particular its impact on career choices and personal lives of women, girls and non-binary people.**

**This Council recognises crimes targeted at women (including trans-women) as hate crimes based on misogyny. This Council supports the inclusion of misogyny as a category of hate crime. That this Council undertakes to make representations to Judge Desmond Marrinan’s ongoing review of hate crime legislation accordingly.**

**That this Council supports the “Raise your Voice Project” and recognises the value of the work by this campaign and relevant partner organisations in raising awareness, tackling sexual harassment and sexual violence across the North.**

Members were asked to vote on the Motion, the result of which was as follows:

For:- 36; Against:-1; Abstentions:- 0.

The Motion was therefore carried and the Council

**Resolved That this Council recognises the impact of misogyny on those affected by it and in particular its impact on career choices and personal lives of women, girls and non-binary people.**

**This Council recognises crimes targeted at women (including trans-women) as hate crimes based on misogyny. This Council supports the inclusion of misogyny as a category of hate crime. That this Council undertakes to make representations to Judge Desmond Marrinan’s ongoing review of hate crime legislation accordingly.**

**That this Council supports the “Raise your Voice Project” and recognises the value of the work**

**by this campaign and relevant partner organisations in raising awareness, tackling sexual harassment and sexual violence across the North.**

**C304/20 Implementation of the Brexit Protocol in Ireland**

Councillor Fleming Moved, Seconded by Councillor Cooper

**That this Council notes the potential catastrophic economic implications of a 'no deal' on the Brexit negotiations on the Future Relationship;**

**recognises that while the Protocol on Ireland is imperfect, it guarantees that there will be no hard border on the island of Ireland, will protect the Good Friday Agreement in all its dimensions, North-South cooperation and the all-island economy;**

**that this Council writes to the British government and Executive Departments acknowledging the potential negative impacts on people, communities and business in the council area;**

**noting the deep and profound fears outlined by the Derry Chamber of Commerce that local businesses feel insecure, unprepared and uninformed about any Brexit scenario come 31 December 2020;**

**further noting that these fears have been compounded by recent confirmation that the British Government intend to break international law and the terms of the Protocol on Ireland;**

**calling on the British Government to ensure the full and faithful implementation of the Brexit protocol on Ireland;**

**calling on the Ministers for the Economy and Agriculture, Environment and Rural Affairs to put in place mechanisms to mitigate any increased financial or bureaucratic pressures on local businesses, and outline plans to ensure that local businesses are**

**confident and secure in the environment they are operating in.**

Members were asked to vote on the Motion and the result was as follows:

For:- 28; Against:-9; Abstentions:- 0.

The Motion was therefore carried and the Council

**Resolved That this Council notes the potential catastrophic economic implications of a 'no deal' on the Brexit negotiations on the Future Relationship;**

**recognises that while the Protocol on Ireland is imperfect, it guarantees that there will be no hard border on the island of Ireland, will protect the Good Friday Agreement in all its dimensions, North-South cooperation and the all-island economy;**

**that this Council writes to the British government and Executive Departments acknowledging the potential negative impacts on people, communities and business in the council area;**

**noting the deep and profound fears outlined by the Derry Chamber of Commerce that local businesses feel insecure, unprepared and uninformed about any Brexit scenario come 31 December 2020;**

**further noting that these fears have been compounded by recent confirmation that the British Government intend to break international law and the terms of the Protocol on Ireland;**

**calling on the British Government to ensure the full and faithful implementation of the Brexit protocol on Ireland;**

**calling on the Ministers for the Economy and Agriculture, Environment and Rural Affairs to put in place mechanisms to mitigate any increased financial or bureaucratic pressures on local businesses, and outline plans to ensure that local businesses are confident and secure in the environment they are operating in.**

**C305/20 Pay Increase for Health Care Workers**

Councillor Harkin Moved, Seconded by Councillor McCann

**That Council gives it full support to the demand of health care workers and their trade unions for an immediate pay increase of between £2,000 and 15%. Council supports a significant pay increase for all frontline and essential workers.**

**Council will invite local representatives of health and social care trade unions to speak about their pay, staffing demands and the challenges they face working in the health service.**

Councillor Jackson Proposed an Amendment, Seconded by Councillor Duffy

**That Council gives it full support to the health and social care workers and their trade unions in calling on the British Government to engage with Trade Unions and agree a new pay deal for NHS workers. Council supports a significant pay increase for all frontline and essential workers.**

**Council will invite local representatives of health and social care trade unions to speak about their pay, staffing demands and challenges they face working in the health service.**

Members were asked to vote on the Amendment, the result of which was as follows;

For:- 18; Against:- 19; Abstentions:- 1.

The Amendment therefore fell.

Members were asked to vote on the original Motion, the result of which was unanimous and the Council

**Resolved That Council gives it full support to the demand of health care workers and their trade unions for an immediate pay increase of between £2,000 and 15%. Council supports a significant pay increase for all frontline and essential workers.**

**Council will invite local representatives of health and social care trade unions to speak about their pay, staffing demands and the challenges they face working in the health service.**

**C306/20 Relocation of Undergraduate Courses to UU Magee**

Councillor Farrell Moved, Seconded by Councillor Mooney

**That Council welcomes announcement that Ulster University has reopened consultation on Health Sciences relocation;**

**will submit response supporting preferred option of undergraduates to Magee and postgraduates to Belfast;**

**and will write to all Executive Parties requesting that they respond to consultation supporting relocation of undergraduate courses to Magee.**

Councillor Cooper Proposed an Amendment, Seconded by Councillor Jackson

**That Council welcomes announcement that Ulster University has reopened consultation on Health Sciences relocation;**

**will submit a response to the consultation supporting the moving of both undergraduate and postgraduate courses to the Magee campus**

**and will write to all Executive Parties requesting that they respond to the consultation supporting relocation of both undergraduate and postgraduate courses to Magee.**

Members were asked to vote on the Amendment, the result of which was unanimous.

The Amendment was therefore carried and became the Substantive Motion.

Councillor McCloskey Proposed a further Amendment, Seconded by Councillor Carr

**That Council welcomes the announcement that Ulster University has reopened consultation on Health Sciences relocation;**

**will submit a response to the consultation supporting the moving of both undergraduate and postgraduate courses to the Magee campus**

**and will write to all Executive Parties requesting that they respond to the consultation supporting relocation of both undergraduate and postgraduate courses to Magee.**

**Council notes with concern**

- The 126m loan granted to UU Belfast, and the lack of Executive transparency around this.**
- The raising of the MASN cap this month, to allow expansion of the medical school in Belfast, without a business case being prepared and approved for this, despite a commitment in the Programme for Government to expansion of Magee.**

**Council will refer this matter for further discussion to the Governance and Strategic Planning committee for consideration of a judicial review to challenge the failure to advance the expansion of Magee, as mandated in the Programme for Government.**

Councillor Farrell requested with the consent of Councillor McCloskey that 'Programme for Government' be replaced by New Decade, New Approach'.

Councillor McCloskey agreed that the wording in the Amendment be changed as requested.

Members were then asked to vote on the Amendment, the result of which was as follows:

For:- 26; Against:- 10; Abstentions:- 0.

The Amendment was therefore carried and became the Substantive Motion

**That Council welcomes the announcement that Ulster University has reopened consultation on Health Sciences relocation;**

**Will submit a response to the consultation supporting the moving of both undergraduate and postgraduate courses to the Magee campus**

**and will write to all Executive Parties requesting that they respond to the consultation supporting relocation of both undergraduate and postgraduate courses to Magee.**

**Council notes with concern**

- The 126m loan granted to UU Belfast, and the lack of Executive transparency around this.**
- The raising of the MASN cap this month, to allow expansion of the medical school in Belfast, without a business case being prepared and approved for this, despite a commitment in the New Decade New Approach to expansion of Magee.**

**Council will refer this matter for further discussion to the Governance and Strategic Planning committee for consideration of a judicial review to challenge failure to advance the expansion of Magee, as mandated in the New Decade New Approach.**

Members were then asked to vote on the Substantive Motion, the result of which was unanimous and the Council

**Resolved That Council welcomes the announcement that Ulster University has reopened consultation on Health Sciences relocation;**

**Will submit a response to the consultation supporting the moving of both undergraduate and postgraduate courses to the Magee campus**

**and will write to all Executive Parties requesting that they respond to the consultation supporting relocation of both undergraduate and postgraduate courses to Magee.**

**Council notes with concern**

**-The 126m loan granted to UU Belfast, and the lack of Executive transparency around this.**

**-The raising of the MASN cap this month, to allow expansion of the medical school in Belfast, without a business case being prepared and approved for this, despite a commitment in the New Decade New Approach to expansion of Magee.**

**Council will refer this matter for further discussion to the Governance and Strategic Planning committee for consideration of a judicial review to challenge failure to advance the expansion of Magee, as mandated in the New Decade New Approach.**

## **C307/20 Responses to Motions**

The Chief Executive presented the above report, a copy of which had been previously circulated to Members. The purpose of the report was to advise Members of correspondence received in relation to Motions passed by Council.

Councillor Reilly stated that it was important to note the response in relation to visitation rights in care homes. He advised that the Minister for Health recently issued new guidance to care homes, which allowed care homes to designate care partners which he welcomed as it would allow family members to provide a difference to the wellbeing of their

loved one and other residents. He stated that the guidance needed clarification as it stated that care homes would designate care partners but more detail was needed.

He proposed that Council write to the Department of Health for clarity on the number of occasions that a care partner would be permitted into the care home within the guidance.

He advised that recently a care home in the Council area was investigated by RQIA as issues had been discovered. He stated that the owners had a number of other premises throughout the City and there was scope for Council to ensure that the other homes under the same management are up to standard. Presence of legionella in the care home was a very serious thing, therefore Council had a duty to ensure that similar care homes run by the same operator were not in the same position.

He proposed that Council write to the owner of the care home seeking assurances that other homes under their management are up to standard.

Councillor Reilly Proposed, Seconded by Councillor Farrell

**That Council (i) write to the Department of Health for clarity on the number of occasions that a care partner would be permitted into the care home within the guidance and (ii) write to the owner of the care home seeking assurances that other homes under their management are up to standard.**

Members were asked to vote on the proposal, the result of which was unanimous and the Council

**Resolved That Council (i) write to the Department of Health for clarity on the number of occasions that a care partner would be permitted into the care home within the guidance and (ii) write to the owner of the care home seeking assurances that other homes under their management are up to standard.**

Councillor Farrell referred to the response from the Department for Communities regarding the anti-poverty strategy. He expressed disappointment that the anti-poverty strategy, agreed at Stormont to

be completed by March 2020 would not be available until the end of 2021 which he described as unacceptable. He stated that Council's anti-poverty working group should challenge those timescales for the anti-poverty strategy as outlined by DfC.

Councillor Ferguson referred to the response from DfI regarding Strathfoyle Greenway and welcomed the funding. She asked if there had been a response from DAERA or DfC who had also been contacted on the matter.

Councillor Ferguson also referred to the response from Department of Justice and wished it noted that comments suggesting that the Minister for Justice decided to place interventions on a whim before the Black Lives Matter protests was inaccurate. She noted that the correspondence had explained that those regulations were recommended by the Department for Health and welcomed the reply and hoped it covered any issues by Councillor McCann.

Councillor McCann referred to correspondence regarding the Derry/Coleraine Rail Upgrade. He stated that eight days ago the Department revealed a number of new schemes for park and ride for people seeking to use the train service. He noted that five new park and rides were to be opened in Newtownards, Comber, East Belfast, Downpatrick and Trooperslane, Carrickfergus. He stated that it was quite striking that they were all within 30 miles of Belfast with none in the vicinity of Derry.

Alderman Warke asked if a meeting could take place with Members and the Chief Executive to give a clear understanding regarding Council's reaction to the rise in positive covid-19 cases over the past 7 days. He expressed concern that an amusement park had opened in the City when Halloween and Christmas celebration events have been cancelled. He asked how the licence was approved for the amusement park as it should have been considered at committee.

Councillor Reilly concurred with the comments by Alderman Warke regarding the need for clarity as there has been reports of a significant spike in the number of cases of coronavirus throughout the Council area. He stated that the Irish Government had implemented new measures for those living in County Donegal and asked what actions will be taken by Council in relation to services, facilities and staff to ensure their safety and the safety of the public. He queried that given the decisions taken by the Irish Government, how would these affect

Council staff and services as so many of Council's workforce resided in Donegal.

In response, the Chief Executive stated that in relation to the number of positive cases of Covid-19, there has been a very significant increase over the last few days. The key figure that government was currently using in Northern Ireland and other areas across Ireland was the number of positive cases per 100,000 over a 7-day average. He noted that the figures for Derry City and Strabane District Council had been below 20 cases per 100,000 for quite some time and indeed until last week they were 12 per 100,000 which then rapidly rose last weekend to approximately 80 cases and Tuesday's data reported them at 144 per 100,000. Therefore, in relation to that data and in comparison with other council areas, Derry City and Strabane District Council had moved into the highest level of all of the Northern Ireland Councils and considerably higher than the other councils.

Continuing, he advised that the Irish Government have moved restrictions in Donegal to level 3 and he has been in contact with officials from the Irish Government and with colleagues in Donegal County Council and a meeting has been arranged to take place tomorrow morning. He stated that it was also hoped to issue joint statements in relation to messaging people throughout the wider north west and a joint statement has been prepared to be issued on behalf of both Mayors with regard to the situation.

He advised that with regard to Council services, all services and facilities currently operating, did so in strict accordance of government guidance in relation to social distancing with hand sanitising measures in place. He advised that as of this moment in time, there were no more further restrictions planned to Council services. However, the situation will be fluid over the coming days and should the situation change, he would refer to Members as quickly as possible.

### **C308/20 Resolutions from Other Councils**

The Chief Executive presented the above report, a copy of which had been previously circulated to Members. The purpose of the report was to advise Members of correspondence received in relation to resolutions passed by other Councils.

### **C309/20 Sealing List - September 2020**

Document Sealed 21 July 2020

Form of Deed:- Derry City and Strabane District Council ~and~ Active Maintenance Solutions Limited (AMS Ltd) relating to Castleberg Village Renewal Scheme – Access Improvements – Project No: T EN19-120

Documents Sealed 5 August 2020

Lease in duplicate:- Gerard Collins and Derry City and Strabane District Council relating to Land at Clady Football Pitch, Urney Road, Strabane.

Documents Sealed 7 August 2020

Form of Deed:- Derry City and Strabane District Council and CivCo Ltd relating to Remedial works to Inland Retaining Structures at Riverview Play Park, Fountain Hill, Derry City, Drumnaspar Picnic Area, Plumbridge, Douglas Bridge Play Park and Crilly Park Play Park, Killeter.

Form of Deed:- Derry City and Strabane District Council and Milligan Bros Ltd relating to Remedial Works to Flood Damages Designated River Banks at Claudy Country Park, Co Derry and Riverside Walkway, Sion Mills.

Form of Deed:- Derry City and Strabane District Council and RJ McKelvey Ltd relating to Melvin Arena Stadium Upgrade.

Document Sealed 12 August 2020

Form of Deed:- Derry City and Strabane District Council and Haffey Sports Grounds Ltd relating to Small Village Renewals Projects – Construction of four community improvement projects.

Documents Sealed 12 August 2020

Development Agreement and Licence for Works in duplicate:- Derry City and Strabane District Council ~and~ Killeter & District Development Agreement relating to Rural Village Renewal Project.

Licence Agreement for Access and Works in duplicate:- William Hamilton and Derry City and Strabane District Council relating to Gribben Quay Development Agreement.

Licence Agreement for Access and Works in duplicate:- Victor Love and Derry City and Strabane District Council relating to Gribben Quay Development Agreement.

Documents Sealed 1 September 2020

Development Agreement and Licence for Works in duplicate:- Derry City and Strabane District Council ~and~ The Loughs Agency relating to Lands at Gribben Road.

Documents Sealed 8 September 2020

Development Agreement and Licence for Works in quadruplet:- Derry City and Strabane District Council ~and~ Drummond Centre Project Ltd ~and~ Donemana Cultural Association Limited ~and~ Trustees of Donemana Loyal Orange Lodge relating to Village Renewal Project.

Documents Sealed 24 September 2020Grant of Right of Burial in Ballyoan Cemetery

Mrs Daisy Kane, 18 Lapwing Way, L'derry, BT47 6LH.  
 Mr Peter Ross, 42 Ivy Mead, L'derry, BT47 3WW.  
 Ms Jane Cooke, 112 Gortin Meadows, L'derry, BT47 2TY.  
 Ms Edith Donnell, 52 Church Brae, Altnagelvin, BT47 3QG.  
 Mr Brendan Strawbridge, 2 Beechwood Park, Derry, BT47 6XD.  
 Mr John Kelly, 4 Adelaide Avenue, Kilfennan, BT47 5PD.  
 Mrs Siobhan McMenamin, 2 Kimberley Hill, L'derry, BT47 5QL.

Grant of Right Burial in City Cemetery

Mr Patrick Nelis, 59 Glen Road, Derry, BT48 0LR.  
 Ms Shauna McClelland, 59 Lislane Drive, Derry, BT48 9TT.  
 Mr Louis McKinney, 99 Springvale Park, Derry, BT48 0NZ.  
 Mr Noel Bell, 126 Carnhill, Derry, BT48 8BQ.  
 Mr Neil Lynch, 28 Rathlin Gardens, Derry, BT48 9UE.  
 Mr Martin McCallion, 4 Simpson's Brae, Waterside, Derry, BT47 6DL.  
 Mrs Eileen Gibbons, 52 Farmhill, Foiled Springs, Derry, BT48 0HY.  
 Mr Gerard Campbell, 71 Elaghmore Park, Galliagh, Derry, BT48 8DK.  
 Mr Dermot Boyle, 47 Elmgrove, Derry, BT48 8QE.  
 Mr Daniel McLaughlin, 64 Circular Road, Derry, BT48 9QZ.  
 Kelly Lynch, 73 Lettershendoney, Derry, BT47 3HZ.  
 Mr John Doherty, 6A Columbcille Court, Derry, BT48 9DW.  
 Mr William McCallion, 24 Sandbank Park, Derry, BT48 8FB.  
 Mr Harry Nelis, 11 Shantallow Avenue, Derry, BT48 7UB.  
 Mrs Beth Clarke, 10 Mount Pleasant, Derry, BT48 8NW.  
 Mrs Teresa McLaughlin, 49A Drumleck Drive, Derry, BT48 8EL.

Mr Willie Carlin, 25 Lindenwood Park, Derry, BT48 0NX.  
Mrs Bronagh Burke, 163 Barleyfields, Derry, BT48 8TQ.  
Mr Peter O'Hagan, 10 Eglinton Terrace, Derry, BT48 9DZ.  
Mr Frankie Fox, 124 Fergleen Park, Derry, BT48 8LF.

Grant of Right of Burial in Claudy Cemetery

Mr Thomas Irwin, 55B Glenshane Road, L'derry, BT47 3SF.

**Grants of Right of Burial in Castledearg Burial Ground**

Toni McCafferty, 19 Elmwood Green, Castledearg, Co Tyrone, BT81 7GY  
Hilda Kerrigan, 18 Kilcroagh Road, Castledearg, Co Tyrone, BT81 7EG

**Grants of Right of Burial in Mountcastle Burial Ground**

George Sayers, 37 Dunnyboe Road, Donemana, Strabane, Co Tyrone,  
BT82 0RB  
Stephen Dunn, 52 Lisnarragh Road, Donemana, Strabane, Co Tyrone,  
BT82 0QL  
Frances Austin, 15 Bluebell Avenue, Cullion, Londonderry, BT47 2SH  
Barbara Smith, Ballylennon, St Johnston, Co Donegal, F93 AT18

**Grants of Right of Burial in Strabane Burial Ground**

Frances McElhinney, 23 Eden Terrace, Strabane, Co Tyrone, BT82 8EN  
PJ Melaugh, 16 O'Nolan Park, Strabane, Co Tyrone, BT82 9EW  
Philomena Gallagher, 26 Fountain Street, Strabane, Co Tyrone, BT82 8JF  
Kohlin McGranaghan, 7 Turnberry Manor, Strabane, Co Tyrone, BT82  
9TB

**Grants of Right of Burial in Urney Burial Ground**

Irene Wilson, 9 Dublin Road, Strabane, Co Tyrone, BT82 9EA

**Local Government Act (Northern Ireland) 2014 – Confidential  
Business**

Alderman Devenney Moved, Councillor Reilly Seconded and the  
Council

**Resolved** that in accordance with Section 42, Sub  
Sections (2) or (4) of the Local Government Act  
(Northern Ireland) 2014, the press and  
members of the public be asked to withdraw  
whilst the Council discuss the following  
matters:

**(a) Adoption of the Confidential Minutes of the Meeting of Derry City and Strabane District Council held on 23 July 2020;**

**(b) Adoption of the Confidential Minutes of the following Committees**

- (i) Special Planning Committee held on 29 July 2020**
- (ii) Monthly Governance and Strategic Planning Committee held on 1 September 2020**
- (iii) Monthly Planning Committee held on 2 September 2020**
- (iv) Monthly Planning Committee (Reconvened) held on 3 September 2020**
- (v) Monthly Business and Culture Committee held on Tuesday 8 September 2020**
- (vi) Monthly Environment and Regeneration Committee held on Wednesday 9 September 2020.**
- (vii) Monthly Health and community Committee held on Thursday 10 September 2020.**

**The Meeting then went into Confidential Business.**