

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

**Open Minutes of the Environment and Regeneration Committee held in the Council Chamber, Guildhall on Wednesday 14 October 2020 at 4.00 pm**

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**Present:- Alderman Devenney (in the Chair), Aldermen McCready, McKane and Ramsey; Councillors Boyle, Burke, Carr, Dobbins, Durkan, Edwards, Fleming, Jackson, McCann and McHugh.**

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

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### **ER164/20 Notice and Summons of Meeting**

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

### **ER165/20 Member Attendance and Apologies**

The Director of Environment and Regeneration took the roll call and no apologies were recorded.

### **ER166/20 Statement of Remote Meeting**

The Chairperson read the Statement for a Remote Meeting.

### **ER167/20 Declaration of Members' Interests**

A Declaration of Interest was declared by:

Councillor Stephens – Item 31 – Strabane North Greenways Lands – Mr Fahy.

### **Open For Decision**

**ER168/20 To receive Mr Jim Sammon, Chairperson, Ms Pauline Ross and Mr Bart O'Donnell (Trustees) from The Boomhall Trust to deliver a presentation on The Restoration of Boomhall**

The Committee received Mr Jim Sammon, Chairperson, Ms Pauline Ross and Mr Bart O'Donnell, Trustees of The Boomhall Trust who delivered a pre-recorded presentation on the Restoration of Boomhall (copy previously circulated).

The representatives thanked Members for granting the opportunity to address the Committee.

Members from all Parties welcomed the presentation and the opportunity to view this prior to the Meeting.

Councillor Jackson said unfortunately he had not had an opportunity to view the presentation prior to the Meeting. He acknowledged the impressive wealth of expertise and knowledge held by the Members of the Trust and the significance of the Boomhall Site and its strategic importance for this Council area. He said it had proved very useful to hear the Trust's vision and proposals in respect of the restoration of the site. He referred, however, to the Partner(s) Selection Process being carried by Council to identify a partner(s) in regards to restoration of the site.

Councillor Carr said it was encouraging to learn that the building and the site could be restored to their former glory given its historic significance to this Council area.

Councillor Dobbins expressed her sentiments in regard to the Boomhall site and acknowledged its future potential. She referred to the suggested partnership within the presentation and given the interest in this site enquired if the Trust would be interested in a partnership approach to restore and develop this site to its full potential for the benefit of the City.

Councillor Boyle referred to the obvious significance of the Boomhall site to this Council area and in history in general. He enquired as to the estimated costs involved in the restoration works. He also referred to the Partner(s) Selection Process endorsed by Council in respect of identifying potential development partner(s) in bringing forward deliverable regeneration proposals for the site. He did feel that a partnership approach would work best in regards to the restoration of

the site and regardless of the final outcome anticipated that the estate would remain in public ownership. He referred to the many employment opportunities which would arise in regards to the restoration of the site. He also acknowledged the educational opportunities as outlined by the representatives.

Councillor McKane also acknowledged the expertise and knowledge which existed within the Trust. He concurred with the previous speaker's comments in regards to the significance of the costs involved in restoring the site. He referred to the importance of history and acknowledged the rich history which existed within this Council area.

Alderman Ramsey welcomed the various proposals being put forward in respect of the Boomhall site and its significance in historical terms. He said his Party would welcome a partnership approach in going forward with a vision that would reflect the site's historical significance as well as reflecting the present. He acknowledged the historical knowledge and expertise which existed among the Trustees and looked forward to future progress.

Councillor McCann referred to the perspective presented by Boomhall in regards to current life patterns here and the problems which existed. This historical event led to the introduction of a Bill of Rights and Boomhall symbolised this. He said the Boomhall site reflected the complexities surrounding history. He anticipated that the agreed restoration of the Boomhall site would reassert the fruits and the complications of history.

In regards to the estimated costs involved in the restoration works Mr Sammon reiterated as indicated in the presentation that Council would not be exposed to unnecessary risk or debt. In regards to the capital cost associated with the restoration he pointed out that the Trust would be in a position to apply for grants not available to Council and Council could access monies which would not be accessible to the Trust. He said the Trust had considerable experience with regards to making such applications. He stated that the costs involved would be in single and not multiple £Ms. He advised that the Trust had appointed "Venture International" to prepare a business plan and they were currently working through the various options. He stated, however, that most importantly they were consulting with the community in Northern Ireland and further afield in order to obtain as much information and opinion as possible to include in the project. This would address the fundamental issues referred to in Council's

Community Plan. He stated that the Trust would work with those whose opinions were most relevant and necessary to the restoration of the site for example young people and people with mental health problems. He continued that it was this aspect to which the Trust referred in regards to partnership working. He referred to the beauty of Boomhall and the range of potential uses which it presented.

Mr Sammon said the Trust was satisfied that the capital funding could be resourced albeit in this post-Covid world where the whole funding system had changed. He pointed out that it had, however, changed to address community need. He said the proposal was to address social, economic and community requirements and together these aspects would enable access to alternative funding sources. He referred to a further potential problem for Council in regards to the operation of the Boomhall site in terms of maintenance costs. He said the Trust would work through its business case, carrying out rigorous testing of the various options to ensure that they were sufficiently robust and would monitor operations as they progress. He pointed out that whilst the Trust was conservative in nature it was also ambitious. In respect of the business case he assured that this would be considered using all of the expertise at hand and in working with Council to benefit from their knowledge and experience.

Mr Sammon advised that the Trust had worked with another potential partner group but had decided to progress their proposals individually given the disparities which existed in the objectives and perspectives of the two groups. He stated that the Trust's objectives were routed firmly on the Boomhall site and the value of the site to the local community. He referred to the uniqueness, the special qualities and authenticity of the Boomhall site in terms of how it represented history. It was a lesson which everyone could learn from and help propel us into the future together and with a different understanding of where we have come from. He assured that the Trust would be willing to work with community groups and with Council and endeavour to restore the site for the benefit of the City and its citizens.

Ms Ross stated that during the past thirty years, originally as Council's Arts Education Officer, she had been involved in building up many partnerships and collaborations with statutory bodies and community organisations and groups. She referred to the potential of the Boomhall site for everyone including people with mental health issues, special needs and other adversities and in assisting the Arts and Peace Building Programme in addressing issues around conflict resolution.

Mr Sammon referred to Boomhall's associations with America and Europe pointing out that the first American Counsel had lived in Boomhall. He also referred to the mercantile history in that the owners of Boomhall were shipowners transporting goods and people to Europe, the Caribbean and all over. He referred to the many connections in regards to the history of Boomhall which could be used to lever support for the project.

Councillor Boyle acknowledged the knowledge and expertise which existed within the Trust and their ability to carry out the restoration works to the site. He anticipated that whatever was delivered on the Boomhall site would be in the best interests of the City and District. He enquired if the Trust thought it would be possible to successfully bring together and develop two visions for the site.

Mr Sammon advised that the Trust had explored the possibility of a joint approach but due to fundamental differences in their vision for the site this was not considered possible. The Trust was a non-profit making organisation and was conscious of all of the statutory regulations surrounding this site involving planning permission and the various measures to protect the unique nature of the site. He said the Trust's proposal would work within that framework. He said the Trust's vision for the site was deeply rooted in the people and the history of the site. It was not proposed that it would be a major visitor attraction to the City with all of the risks which that would involve not only in terms of access onto the site. He said the Trust were putting forward what was regarded as a gentle solution which would sit well with the surrounding area and in particular the Foyle Hospice. The Trust felt this site required a special approach.

Mr O'Donnell said the Trust considered this to be a consultation process involving discussion with a number of groups. He said the best outcome for Boomhall would be that it was useful to the people of the City and it was a matter for Council to decide the best way forward. He stated that the Trust would engage in discussions with all interested groups and was not pre-determining anything but was trying to bring a well formed and supported proposal to the people of the City through Council and hoped that this would be understood and accepted. He referred to the other proposals being put forward in respect of the site which could be well accommodated on other sites. He concluded that it was a matter for the people of the City to decide how it wished the Boomhall site to be restored and developed.

Councillor Dobbins stated that the interests of the City and District was in the hearts of all elected representatives referring specifically to the Boomhall site. She referred to the fact that the site adjoined the River Foyle which was not being utilised to its fullest potential. She referred to the fact that there were a number of other groups interested in the restoration of the site. She acknowledged the passion of the Trust for the Boomhall and expressed disappointment at their apparent reluctance to undertake a partnership approach with any of the other interested groups in regards to the restoration of the site. She said she would prefer to have a mixture of approaches for the development of the site referring to the potential scope and ideas which this would allow for.

Alderman Ramsey felt it was important that Council made known its wishes for the Boomhall site. He referred to protections put in place by Council regarding the future development of the site in terms of reflecting and protecting the history of the site. He acknowledged the passion of the Trust and their wealth of knowledge and experience.

The Director of Environment and Regeneration pointed out that at its September Meeting the Committee had adopted the Conservation Management Plan in regards to the restoration of the site. She assured members that any developments coming forward for Council consideration as part of the Partner Selection Process would be expected to adhere to the Conservation Management Plan and be eligible for planning permission and any of the other statutory consents required for the site.

The Chairperson thanked the representative of the Trust for their presentation and said no one could underestimate the passion and the skills base within the Trust. He agreed that the architectural and historical value of the site was of vital importance to the people living within this Council area.

The representatives of the Trust left the Meeting.

## **Chairperson's Business**

### **ER169/20    Congratulations**

The Chairperson commended and congratulated the Mayor and his team on promoting the message of staying safe and staying within the

guidelines which was very loud and clear. He joined in promoting this message pointing out that the actions of everyone in the coming weeks would shape the future in terms of combatting the virus and a return to normality.

## **ER170/20 Recycling Centres**

Alderman Warke expressed concern at the continued closure of the Eglinton Recycling Centre and the impact on the people of the area. He referred to assurances which had been given that the Centre would reopen in the coming weeks, however, this was not sufficient for local residents who were being forced to travel to Strathfoyle in order to access a recycling facility. He said he felt the Committee should put pressure on Council Officers to have the recycling facility in Eglinton reopened as soon as possible.

Alderman Ramsey referred to the apparent lack of activity at the Glendermott Recycling Centre and expressed concern that this had not yet reopened. He also expressed concern in regards to the disappearance of the park bench at the end of Rosstown Road and sought advice on who would be responsible for its replacement.

Alderman Devenney referred to protests which had taken place at the Eglinton Recycling Centre regarding the continued closure of the site.

The Head of Environment reminded Members that there were a number of recycling facilities which had not reopened immediately following the authorisation from DAERA to do so based on health and safety concerns. With specific regard to the Eglinton site, the Head of Environment explained that the outstanding issues were beyond the scope of the operation of the recycling centre. These were site wide and beyond Council's responsibility. He stated that the problem was in regards to the Duty Holder whose responsibility it was to have an adequate and sufficient traffic management plan put in place. This was not specifically for the recycling centre but for the entire site and was a requirement by the Health and Safety Executive. He referred to a number of meetings which had taken place with the owner of the site when Council had made known its position in regards to providing assistance. He said he understood that the owner of the site had made contact with the Traffic Management company who had now been appointed to carry out some works on the site. The owner had also undertaken to carry out a Risk Assessment in regards to the Traffic Management Plan. He advised that when this was completed it would

be referred to HSE for comment and when they were satisfied the recycling centre would reopen. He reaffirmed that this was beyond the remit of his team and was the responsibility of the Duty Holder who was the owner of the site and not Council.

The Head of Environment explained that the Glendermott site had reopened with a booking system in place from early morning until early evening. This was not being fully utilised and there were a considerable number of slots available to book. He reiterated that the site had reopened and slots were available to book through the channels provided earlier.

He referred to previous discussion which had taken place regarding who had installed the bench at Rosstown Road and whose responsibility it was. He undertook to investigate the matter and report his findings to Alderman Ramsey.

Councillor Fleming acknowledged the work carried out by the Head of Environment and the Head of Environmental Health in an effort to get all of the recycling centres reopened. Unfortunately this had not proved successful with regards to Eglinton and the people of the area were frustrated by this ongoing situation. He referred to the comments made by the Head of Environment in terms of the reopening of the site. He suggested that, if required, a proposal be presented to Committee in respect of the monies required to assist in the reopening of the centre as soon as possible.

The Head of Environment pointed out that the owner of the site had been advised that Council could provide support and assistance where possible. The issue remained in terms of having the Risk Assessment carried out together with the preparation of a Traffic Management Plan. He continued that this was a specific and specialised piece of work and the owner of the site had identified a company to carry out these works. The carrying out of these works, however, would take considerable time. He reiterated that Council had met with the owner of the site on a regular basis and he was aware of the assistance which Council could provide. He stated that Officers shared the frustrations of local residents and users of this facility and was endeavouring to have it reopened as quickly as possible.

Alderman Warke thanked the Head of Environment for his comments. He acknowledged the need for the Risk Assessment and the Traffic Management Plan. He referred to the fact that the owner of the site



had provided the site to Council for a significant period of time for use as a recycling centre at a nominal fee. He questioned if Council could consider covering the cost involved in having the Risk Assessment and Traffic Management Plan carried out in order that the site could be reopened as soon as possible. He acknowledged the work being carried out by Officers but pointed out that Members had anticipated that the site would have been reopened much earlier.

The Director of Environment and Regeneration advised that if a recommendation to this effect was put forward, Officers would be able to consider how this could be progressed obviously in consultation with Council's Finance Section and bearing in mind the current financial situation being faced by Council.

Subsequently the Committee

**Recommended that given that the cost involved is relatively small, Council Officers are mandated to undertake the cost involved in the Risk Assessment and Traffic Management Plan in respect of Eglinton Recycling Centre in order that the site can reopen as soon as possible.**

The Director of Environment and Regeneration confirmed that Officers would be happy to investigate this possibility and would do so as soon as possible. She re-emphasised, however, the need to have the Risk Assessment and Traffic Management Plan carried out together with any potential works arising therefrom in regards to the operation of the site. This would subsequently be presented to HSE for their consideration and approval which would take time and affect the date for the reopening of the site. She assured that Officers would progress the matter as quickly as possible.

## **ER171/20 Misuse of Fireworks**

Alderman Kerrigan referred to concerns expressed by a number of his constituents at the misuse of fireworks and the impact thereof on vulnerable adults and animals. He acknowledged that this had been partly mitigated against with the cancellation of the Halloween Festival due to Covid. He referred to support from the RSPCA for a Motion suggesting that all public fireworks displays within the local Council area are advertised in advance of the event thereby allowing residents

to take necessary precautions for their animals and pets and vulnerable adults. They were also suggesting that local suppliers stock quieter fireworks and that a remote public awareness campaign be activated regarding the impact of fireworks on animal welfare and vulnerable people including the precautions and mitigation risks. He enquired if this was the correct Committee through which to address this matter.

The Director of Environment and Regeneration advised that this issue should be addressed through the Health and Community Committee given that Council's Environmental Health Section had a role in regards to the licensing of fireworks in shops and had the community safety function within Council's community and leisure services Department. She undertook to advise the Director of Health and Community and the relevant Officers of this issue prior to the Meeting of that Committee scheduled for the following afternoon. She understood that considerable Officer engagement had taken place with retailers of fireworks in terms of encouraging safe use of fireworks.

The Chairperson said he had also received concerns from a number of constituents regarding this issue.

Councillor Stephens advised Members that he and Alderman McKane had met with representatives from PSNI the previous week to discuss concerns regarding the misuse of fireworks in a number of areas. They had referred to the difficulties involved in policing this problem and referred to the need for Council to do all in its power to address this growing problem.

**ER172/20 Confirmation of the Open Minutes of Meeting held on Wednesday, 9 September, 2020**

The Open Minutes of the Environment and Regeneration Committee (ER138/20-ER151/20) held on 9 September 2020 were agreed and signed by the Chairperson as correct.

Following some discussion the Committee

**Recommended that in going forward the reports submitted by Officers are taken as read unless otherwise requested by Members.**

**ER173/20 Notice of Motion**

### **Councillor McKinney to Move:**

I call on this Council to explore the recycling of used coffee pods through the TerraCycle Scheme or similar projects.

To reaffirm our commitment to climate change, Officers will explore all the new recycling projects offered by TerraCycle and bring back a report to the relevant Committee.

Councillor McKinney referred to the cost to Council of waste and the use of landfill sites. He referred to collaboration between a number of Councils in England and Scotland with outside agencies one of which was a company called TerraCycle. He pointed out that this company was recycling coffee pods together with other items to produce goods such as baby's bibs. TerraCycle had also stated on their website that income had been generated from the coffee pods which had been recycled to be used for schools and non-profit charities in the UK. This amounted to £3.8K. He asked Members to request that Officers present a report to the Committee on the feasibility of working with this or other companies which would help Council to reduce its landfill site and other costs and assist Council in achieving its green targets.

Councillor Reilly referred to a suggested amendment to the Motion which he understood from earlier discussion that Councillor McKinney was satisfied that this amendment be included. He agreed with the views put forward by Councillor McKinney in regards to the recycling of coffee pods thereby reducing space in peoples' bins. He referred to the fact that TerraCycle also offered an opportunity for recycling crisp packets and suggested that this be extended to crisp packets.

The following Amendment was Proposed by Councillor Boyle and Seconded by Councillor Durkan

**That this Council to explore the recycling of used coffee pods and crisp packets through the TerraCycle Scheme or similar projects.**

**To reaffirm its commitment to climate change, Officers will explore all the new recycling projects offered by TerraCycle and bring back a report to the relevant Committee.**

Councillor Burke welcomed the Motion and the wider issues which his would address.

The Amended Motion was carried unanimously.

The Amended Motion subsequently became the substantive Motion and the Committee unanimously

**Recommended**      **that this Council to explore the recycling of used coffee pods and crisp packets through the TerraCycle Scheme or similar projects.**

**reaffirms its commitment to climate change, Officers will explore all the new recycling projects offered by TerraCycle and bring back a report to the relevant Committee.**

**ER174/20      Action Renewables Association**

The Head of Capital Development and Building Control presented the above report a copy of which had previously been circulated. He advised that the purpose of the report was to seek approval to renew Council's membership of Action Renewables Energy Association (AREA).

In response to a query from Alderman Ramsey, the Head of Capital Development and Building Control confirmed that the Micro Regeneration Certification Scheme still managed this project.

The Committee

**Recommended**      **that approval be granted to approve the renewal of membership of the Action Renewables Energy Association (AREA) as a Partner Member for an annual fee of £1,000 excluding VAT budget allocation to be met from within existing budgets.**

**ER175/20      Bat and Bird Protocol for Council Managed Tees/Woodlands and Built Structures**

The Director of Environment and Regeneration presented the above report a copy of which had previously been circulated. She advised that the purpose of the report was to seek Council approval to adopt 'Bat and Bird Protocol for Council Managed Trees/Woodlands and Built Structures'.

Councillor McHugh welcomed the proposal and stated that any measures which protected birds and bats within the City and District should be welcomed.

Councillor Edwards enquired as to the Council's remit in regards to Pest Control and birds in residential areas.

The Director of Environment and Regeneration explained that Council would be involved in pest control on Council owned premises. In regards to residential areas she said it was sometimes possible for Council's Environmental Health Section to become involved if there was an infestation that was considered to be prejudicial to public health. She said Council's Head of Environmental Health would be willing to discuss any questions in regards to this.

Councillor Edwards welcomed this advice.

The Committee

**Recommended that Council adopt the 'Bat and Bird Protocol for Council Managed Trees/Woodlands and Built Structures' on a trial basis for 1 year initially and review thereafter.**

**ER176/20 Maintenance Issues – Shrub Bed, Lower Main Street, Castlederg**

The Head of Environment presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to seek Members' approval in relation to maintenance arrangements with regard to an area of ground at Lower Main Street, Castlederg.

In response to a query from Councillor McHugh, the Director of Environment and Regeneration highlighted the options being presented to Committee. She referred to a potential two stage process

whereby Council undertakes both options by writing to the Department initially and in considering their response agrees its action accordingly.

Councillor McHugh referred to the fact that this was a relatively small piece of land. He queried why Council should invest ratepayers money to adopt this parcel of land into Council's ownership when it had been determined that legal responsibility rested with DfI. He felt Council should advise DfI that it had carried out investigations and determined that the area of land in question was in their ownership and request that they address the maintenance issues. He therefore proposed that Option A be accepted.

Councillor Boyle concurred with the comments made by Councillor McHugh. He also agreed that Option A be accepted and reviewed if DfI were not willing to accept their responsibility for the maintenance of this piece of land.

**Recommended that Option A be accepted.**

#### **ER177/20 Fuel Oil Stamp Saving Scheme**

The Head of Capital Development and Building Control presented the above report, a copy of which Members had previously been circulated. He advised that the purpose of the report was to seek Members' approval to continue to engage Strabane Community Projects to manage and deliver a Fuel Oil Stamp Saving Scheme throughout the Council area.

Councillor Edwards referred to the excellent work carried out locally by Strabane Community Projects.

Councillor McHugh concurred with the previous speaker's comments and referred to the success of the scheme to date.

The Committee

**Recommended that approval be granted to continue to engage Strabane Community Projects to manage and deliver a Fuel Oil Stamp saving scheme.**

#### **ER178/20 SMAART Grid Ireland**

The Head of Capital Development and Building Control presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to seek approval to renew Council's membership of SMART Grid Ireland Industry Collaborative Network.

The Committee

**Recommended**      **that approval be granted to the renewal of the SMART Grid Ireland Industry Collaborative Network for a General Membership fee of £5,000 excluding VAT.**

**ER179/20      APSE Energy Membership**

The Head of Capital Development and Building Control presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to seek approval to renew membership of APSE's Energy Association.

The Committee

**Recommended**      **that approval be granted to renew membership of the APSE Energy Association at a fee of £2,000 excluding VAT. Budget allocation has been set aside from within existing budgets.**

**ER180/20      Street Naming and Property Numbering – Request for Installation of Bilingual Signage**

The Head of Capital Development and Building Control presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to inform Members of the outcome of a recent application to provide bilingual signage at Laurel Drive, Strabane.

Councillor Edwards welcomed the proposal which was supported by the majority of the residents of Laurel Drive.

The Committee

**Recommended** that given the outcome of the plebiscite, approval be given to the erection of bilingual street signage at Laurel Drive, Strabane.

**ER181/20 Street Naming and Property Numbering – Request for Development Name**

The Head of Capital Development and Building Control presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to gain Members' consent to name a new development at 43 Limavady Road, Derry.

The Committee

**Recommended** that approval be granted to the adoption of the name Edendale for the housing development at 43 Limavady Road, Derry.

**Open For Information**

**ER182/20 Update – The 18 Million Trees Campaign**

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She advised that the purpose of the report was to provide an update to Members on the 18 Million Trees Campaign and to outline how Derry City and Strabane District Council can contribute towards this target.

The Committee noted the content of the report.

**ER183/20 Memorials at City Cemetery**

The Head of Environment presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to update Members with regard to issues relating to the erection of memorials at City Cemetery.

Councillor Carr referred to the sensitivities surrounding this report. He referred to meetings which had taken place between himself and other Members and the families concerned and he understood that Officers had also met with some of the families. He stated that in regards to



this particular issue he felt Council had to admit fault. Although there may have been a policy in place this was not being adhered in the new section of the cemetery. Since the opening of the new section a number of years previously the families of the deceased had installed different types of memorials which, whilst outside Council policy, had never been challenged. He referred to letters recently sent by Council to a number of families which had caused considerable distress and anxiety to those concerned. He pointed out that the families concerned had never been advised in writing, or otherwise, that Council policy prohibited the installation of memorials on graves. He said he had been advised the previous day that it was the duty of Funeral Directors to advise relatives of the deceased that this was a lawn cemetery, which did not provide for the installation of memorials on graves, however, this had never been suggested in writing. He referred to the grief and emotions following a death which was not an appropriate time to address any such matter. He reiterated that the families had not been provided with written documentation outlining Council policy following the purchase of the grave plot. He felt it was incumbent on Council to look after these families and not to insist on the removal of any memorial installations given the unnecessary distress and anxiety that this would cause. He expressed concern that not all grave owners had received this correspondence from Council and queried if this applied only to the new section. He felt that the status quo should remain and any existing memorials on graves should not be removed. He suggested that this was a matter for consideration in the future when new sections of the cemetery were opened or indeed new cemetery provision for the City was identified.

He reaffirmed that the families concerned had never received written confirmation that this was a lawn cemetery within which the erecting of memorials on graves was prohibited.

Councillor Carr Proposed, Alderman McKane Seconded

**That Council agree an amnesty that memorials already erected on all graves in the City Cemetery should not be removed thus removing the distress and anxieties from the families concerned.**

Councillor McKane referred to an emotional conversation he had the previous day regarding this matter. He referred to the need for a common sense approach to be adopted. He felt that any item erected which did not interfere with the maintenance of the Cemetery or

surrounding graves should be allowed to remain. He did not agree with large monuments which he felt infringed on surrounding graves. He concurred with the sentiments expressed by Councillor Carr and suggested that Council consider allowing those memorials which were not interfering with the maintenance of the Cemetery or infringing on surrounding graves to remain. He acknowledged the sensitivities surrounding this issue but felt this could be resolved with a common sense approach.

Councillor Boyle suggested that Council agree on some form of amnesty for bereaved families who had placed particular items on graves in the new section of the Cemetery. He felt that there had been a communication issue and people were genuinely not aware of Council policy in regards to promoting a lawn cemetery. He urged that no more distress be caused to the families of the bereaved and reiterated that an amnesty be provided in regards to memorials already in place and in going forward consider how best to promote the concept of a lawn cemetery. He did acknowledge the safety issues relating to some of the memorials which had been erected for both staff and members of the public. He referred to the need for a common sense approach whilst respecting the sensitivities involved in order to have the matter resolved. He expressed concern at the unnecessary levels of distress this had caused to the bereaved families concerned.

Alderman McCreedy acknowledged the comments made and the sensitivities surrounding this issue. He offered reassurance to those families involved that Council would not move to have these memorials removed immediately.

Councillor Logue stated that she and some of her Party colleagues had met with the relevant Officers the previous day and agreed that this was an extremely emotive subject. She believed that in going forward Council and Funeral Directors should assume responsibility for implementing Council policy in regards to the erection of monuments and sculptures. She acknowledged that the report was presented to Committee for information and a decision was not required at this stage. The report indicated that a further paper would be presented to Committee addressing issues such as risk assessment, insurance and health and safety and she felt that it would be negligent of Members to agree a decision at this stage without having considered the additional report referred to above. She did suggest, however, that it would be most beneficial if, in the future, documentation was produced to

oversee and determine proposals in regards to the erection of monumental sculptures in the City Cemetery. She stated that from her discussions with the Officer team the previous day she understood that the suppliers of these monuments and sculptures were aware of the guidelines in regards to the erection of memorials in the City Cemetery and as such had a responsibility to advise their customers accordingly. She reiterated that a decision should not be taken prior to consideration of the additional report referred to above which would address the issues of risk assessment, insurance and health and safety.

She pointed out that the concept of a lawn cemetery referred to the entire City Cemetery and Ballyoan Cemetery. She referred to a Cemetery Working Group which had existed previously through which it had been possible to address any issues pertaining to Cemeteries. She acknowledged that there had been failing with all concerned and that it was not the appropriate time to advise bereaved families at a burial in regards to what was permitted on graves. She referred to the need for works to be carried out to address this issue.

Alderman McCready agreed with the proposal put forward in regards to a detailed report being presented to Committee. He referred to the need for the report to address the issues such as the impact on operational maintenance and details regarding health and safety and insurance. He referred to the political issues pertaining to this. He enquired why Council's policy in regards to a lawn cemetery had not been adhered to and how this could be prevented this in the future. He expressed concern at the apparent breakdown in communications alluded to by previous Members and requested that this also be addressed in the forthcoming report. He referred to the situation which had arisen as a result of Council's policy not having been enacted referring specifically to the fact that this was "Baby Loss Awareness Week" when parents would be visiting the graves of their deceased babies. He referred to the need for a policy that was representative and reflective allowing the bereaved to visit their graves and grieve in peace and tranquillity without the worry of issues regarding Council policy distracting them.

Councillor Dobbins acknowledged that this report had not been presented to Committee for decision. She said it was important that Members were aware of Council's policy with regard to the erection of monuments/sculptures on graves. She said Council had failed to some degree. Whilst agreeing with suggestions regarding an amnesty in

terms of memorials already in place she queried what the extent of this would be.

It was subsequently Proposed by Councillor Dobbins, Seconded by Councillor McCann

**That a further detailed report be presented to a future Meeting of Committee for Members' consideration.**

Councillor Logue said that whilst she acknowledged the obligation of elected representatives to their constituents, they also had a duty of care for those people who worked in the Cemetery and anything which encroached upon or prevented digging new graves must also be addressed.

In response to a query from the Chairperson, Councillor Dobbins said she did not feel any decisions should be made at this stage prior to consideration of a more detailed report on the matter addressing the major issues of concern.

Councillor Carr referred to his earlier proposal and expressed concern that the letters sent by Council appeared to have been selective and referred to the need to reassure those concerned that the memorials erected on their graves would remain intact.

Councillor Dobbins queried why only certain people had received a letter from Council and why an amnesty was only being proposed in regards to a specific section of the Cemetery.

Councillor Carr explained that letters were only sent to some of the families of the deceased in the new section of the Cemetery. None of the families of the deceased in the upper section of the Cemetery who had memorial erected received a letter from Council. He suggested that an amnesty be granted in respect of all memorial already erected in the City Cemetery.

The Head of Environment acknowledged that this was an emotive subject which must be handled delicately and sensitively. He stated that the report referred primarily to the health and safety considerations and referred to other types of installations which were not problematic. He stated that the issue arose due to the erection of bigger installations including benches and seats which presented a concern in regards to the operation of the Cemetery. He referred to

surrounds in place previously the majority of which had not presented any problem. However, the move towards larger type installations was causing concerns. He pointed out that Officers were not aware of how these installations had been installed or how they could be removed, if necessary. He stated that these were the primary concerns which had to be addressed prior to presenting a further detailed report on the matter to Committee. He continued that the main concerns were in regards to the reopening of graves, movement between graves given the size and extent of some of the installations. He said that during consultation with some of the families concerned they had undertaken to remove the installations, if and when required. However, this was not always practicable. He reiterated that these were the major issues of concern which had to be addressed.

He continued that the Cemetery had operated as a lawn cemetery. He reiterated that many of the memorials erected on graves did not present a problem, however, the trend towards bigger type installations did pose health and safety concerns not just for the operators of the Cemetery but for those who use the Cemetery. These were the risk assessments which needed to be carried out the findings of which would be presented to Members for consideration.

The Director of Environment and Regeneration advised that Officers would be satisfied that the current situation remained pending the preparation of a detailed report on the matter for presentation to a future Meeting of Committee for consideration and decision.

Councillor Dobbins suggested that an amnesty be provided in respect of all installations/memorials currently erected in the City Cemetery. The detailed report to be presented to a future Meeting of Committee addressing the major issues of concern would inform and provide direction in going forward.

Councillor Carr referred to the need to be sensitive to the families involved and as such undertook to withdraw his proposal with the assurance that all existing memorials/installations would remain intact pending the presentation of a further detailed report being presented to Committee.

Councillor Donnelly referred to uncertainties regarding what written documentation existed in regards to Council policy and what the families concerned had received from Council. He said Council was ultimately responsible for making and maintaining the rules

surrounding the erection of memorials on graves in the City Cemetery and questioned whether the fact that these had not been adhered to could be attributed to grave plot owners or suppliers. He expressed concern at the language being used in regards to amnesty and pointed out that he had originally requested that all of the memorials/installations remain intact. He felt that to suggest an amnesty was inappropriate given how this could be misconstrued. He referred to the need for a policy review to be carried out in the future.

Councillor McCann agreed with the suggestion of an amnesty but felt that the word was inappropriate given its associations with crime and a decision not to prosecute. He referred to comments made by Alderman McCready suggesting that there were political aspects to this and the obvious issues arising therefrom in regards to more elaborate structure already erected in the City Cemetery. He stated that this issue would arise in the future particularly if any family were asked by Council to remove a specific structure/installation and would result not only in distress but deep anger. He acknowledged the difficulties involved in having the matter resolved.

Councillor Durkan acknowledged the need for a further detailed report addressing the issues of concern and to learn from previous failures in terms of lack of communication. She also referred to the need to provide the grieving families involved with concrete assurances that the memorials which had been erected would not be removed and remove any unnecessary distress from these families. She agreed that a considerable amount of work was required in terms of moving forward and the need for more robust assurances to be given to families.

Councillor Jackson stated that together with Council Officers he had met with some of the bereaved families at their graves to provide them with an opportunity to express their feelings on the matter to Council Officers. He stated that given the sensitivities surrounding this issue he felt this was a more appropriate way of addressing the problem and was concerned and disappointed that it had been requested that the matter be presented to Committee for consideration. He said his Party did not believe that any of the families who had erected a memorial to their deceased loved one had done anything wrong and would not support any action taken by Council to have these removed. He agreed that a further detailed report was required in terms of going forward. He referred to the need for a formal approach to be adopted in terms of those who were profiting from burials within the City Cemetery. He referred to the need for a mechanism to be put in place but reiterated

that given the sensitivities involved he did not feel an open forum was the most appropriate manner in which to progress this. He referred to comments made by Councillor Logue regarding the benefits of the Cemeteries Working Group and said he would propose the re-establishment of this Group to address such issues in the future. He also proposed that Council adopt a formalised approach against those whose business it is to support families who are burying a loved one.

The Chairperson acknowledged the deep emotions and sensitivities surrounding this issue and referred to a possible failure on the behalf of Council in terms of its approach.

Councillor Boyle agreed with the associations of wrong doing associated with the word amnesty which he was in no way suggesting. He agreed that all of the issues raised would be better addressed through a Working Group and reiterated that all of existing memorials remain intact.

Alderman McKane said he wished the families concerned to be given reassurances that they would not be asked to remove memorials following the presentation of a further report to Committee.

The Chairperson pointed out that in going forward and with the proposed re-establishment of the Cemeteries Working Group much of the necessary discussion on the matter would take place within that format.

The Committee subsequently

- Recommended**
- (a) that a further detailed report addressing the issues raised be presented to a future Meeting of Committee for consideration and pending that report all installations already erected in the City Cemetery remain intact; and**
  - (b) the Cemeteries Working Group be re-establish to address all issues relating to cemeteries in going forward.**

**ER184/20 Use of Glyphosate on Council Grounds**

The Head of Environment presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to update members on the use of Glyphosate products to control weeds and to advise on the use of alternatives as requested at recent Meetings.

Councillor Logue referred to a report which had been presented to a Meeting of Health and Community Committee regarding spreading Glyphosate on the 3G, 4G and 5G pitches when Members had requested that a further report on the matter be presented to Committee. She assumed that this was the report requested and enquired as to why the paper had been presented for information as she felt a decision might be required. She referred to discussions which she had with the Grounds Maintenance Officer on the matter as well as interested groups including The Pink Ladies who had initially requested that she put forward a Motion calling for Council to refrain from using Glyphosate in going forward and invest in alternative solutions. She acknowledged that a number of reports had been presented on this matter. She referred to the spreadsheet providing outlining the pros and cons of using Glyphosate. She expressed concern at the cons listed in regards to the use of Glyphosate given the many known health aspects arising from its use. As such she felt the pros needed to be more robust. She understood that there would be a considerable financial impact involved in changing to an alternative solution and acknowledged the current financial crisis facing Council. However, Council had agreed to phase out the use of Glyphosate and should proceed on this basis whilst bearing in mind that this was the prescribed treatment for the artificial pitches within the Council area. She did feel there was a decision to be made in regards to the use of Glyphosate on these pitches. She suggested that in going forward further discussion take place on how Council could invest in the equipment and learn from other Councils in terms of how to deal with the issue of weeds.

The Head of Environment explained that the previous position of Council was not to use Glyphosate except where this was necessary and this was in respect of noxious weeds for example Japanese Knotweed. However, following discussions at a previous Meeting of the Health and Community Committee regarding artificial pitches and MUGAs there was a recommendation that the position be reviewed. He stated that having reviewed the matter the situation was now that a Member decision was required to endorse the use of Glyphosate for MUGAs in the interim. He stated that Officers would continue to look at phasing



out the use of pesticides in general in moving forward albeit there was a cost implication involved in so doing. He stated that, in the interim, and given the problems identified in respect of MUGAs and in regards to the Manufacturer's maintenance recommendations for the treatment of weeds, it would be necessary for Council to continue with Glyphosate whilst considering what other arrangements which could be put in place. This would include the option of having weeds manually removed and the costs associated with this. He confirmed that a decision was required by Members to endorse the continued use of Glyphosate in certain circumstances pending the identification of suitable alternatives.

The Director of Environment and Regeneration acknowledged that this matter had been considered at the September Meeting of the Health and Community Committee. However, if Members wished to endorse the proposal regarding the continued use of Glyphosate in certain circumstances this could be noted and communicated to the Health and Community Committee.

Alderman McKane acknowledged the Motion passed by Council on the phasing out of Glyphosate but referred to the need for a common sense approach bearing in mind the damage weeds could cause to artificial pitches if left untreated and the impact thereof. He enquired as to the cost involved in having weeds removed manually as opposed to using Glyphosate.

The Head of Environment explained that the figures pertaining to the costs involved had been presented in the report. He stated that in terms of which option was agreed it would cost £200,000 pa to have weeds removed manually across all pitches. He stated that the growing seasons was pretty extensive in terms of weather and would require much more work. He said there would be considerable manpower involved and whilst it was achievable it was costly. He acknowledged the various concerns in regard to the issues surrounding Glyphosate and its use and prolonged exposure to it. He confirmed that a number of alternative methods had been trialled and he had been in touch with APSE regarding the methods chosen by other Councils. He pointed out that to date a suitable alternative had not been identified, however, works would continue in this regard albeit this was a timely exercise. It was also necessary to have MUGAs which could be used and maintained in accordance with the Manufacturer's recommendations.

Councillor Durkan acknowledged the difficulties involved, however, she did feel uncomfortable retracting on what was originally agreed by Council. She sought assurances that this was an interim measure which would be kept under review with the use of Glyphosate being very specific in terms of location.

The Head of Environment assured that Council had withdrawn from using Glyphosate as extensively as it had previously. He referred to a number of initiatives which had come forward during the summer months such as "Don't Mow Let It Grow". He stated that wherever possible Glyphosate was no longer used, however, there were still a limited number of weeds which required the use of Glyphosate. He assured that Council would continue to review the situation in an effort to identify alternatives methods for the treatment/removal of weeds. He pointed out that it had been indicated in the initial report that it would take 2-3 years to totally eliminate the use of Glyphosate with the exception of noxious weeds such as Japanese Knotweed and Giant Hogweed which Officers had been directed to treat effectively and the only truly effective treatment was Glyphosate. He stated that in the original report Council had agreed to phase out the use of Glyphosate and pointed out that as technologies and treatments developed these would be implemented in going forward. He pointed out that this Council had adopted a strong stance in regard to the environment and its green credentials and would take whatever action was necessary to continue to promote this.

The Director of Environment and Regeneration said Officers would be happy to present regular reports to Committee updating Members in regards to this matter which would provide the reassurance being sought.

Councillor Durkan welcomed the assurances given and referred to the need to ensure that this was the exception and to worked towards the complete phasing out of Glyphosate in this Council area in line with Council's Climate Emergency Pledge.

Alderman McKane Proposed supporting the recommendation.

The Director of Environment and Regeneration advised that the report had originally been presented to Committee for information. Councillor Logue had referred to the need to move forward with a recommendation in regards to the future use of the product with a

view to having this eventually phased out. She advised that this could be progressed at this Meeting or at the Health and Community Committee Meeting scheduled for the following afternoon.

Following further discussion the Committee

**Recommended that the use of Glyphosate continue only when required and this is constantly reviewed to having it eventually phased out.**

**ER185/20 National Cycle Network – Sustrans**

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She advised that the purpose of the report was to update Members on planned changes to the National Cycle Network (NCN) following recent correspondence from Sustrans.

Members noted the content of the report.

**ER186/20 Draft 2019/2020 NILAS Report**

The Head of Environment presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to advise Members of the draft Reconciliation report for the Northern Ireland Landfill Allowance Scheme (NILAS) for the 2019/2020 period.

Members noted the content of the report.

**ER187/20 Consultation: Draft Gas (Internal Markets) Regulations (NI) 2020 and Associated Gas (EU Exit) Amending Regulations**

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She advised that the purpose of the report was to inform Members of a consultation paper received by Council and for Members to note the information.

Members noted the content of the report.

**ER188/20 Waste Enforcement Update**

The Head of Environment presented the above report, a copy of which had previously been circulated. He advised that the purpose of the report was to provide Members with an update on fly-tipping and wider activity of the Waste Enforcement Team since the beginning of the Covid-19 pandemic earlier this year.

Members noted the content of the report.

**ER189/20    Mobuoy Update**

The Head of Environment presented the above report, a copy of which had previously been circulated. He pointed out that the purpose of the report was to advise Members of the monthly update from DAERA on progress in relation to Mobuoy Road remediation.

Councillor McCann pointed out that what happened at Mobuoy Road was an environmental scandal which arose from the operation of big businesses for profit making purposes and had destroyed the environment. He acknowledged that this was now a matter of sub-judice but his comments were already on public record. He stated that this was a criminal activity on a major scale involving huge sums of money. He referred to the need for a forensic examination of the area to be carried out.

**ER190/20    DfI Traffic Calming Schemes/Part-Time Speed Limits Across the District**

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She pointed out that the purpose of the report was to advise Members on Department for Infrastructure's (DfI) proposed traffic calming schemes and part-time speed limits across the district.

Members noted the content of the report.

**ER191/20    Proposed Provision of Disabled Parking Bays Across the District**

The Director of Environment and Regeneration presented the above report, a copy of which had previously been circulated. She pointed out that the purpose of the report was to advise Members of correspondence received in August and September 2020 from DfI Network Development Section regarding proposed disabled parking bays across the District.

Members noted the content of the report.

**ER192/20 Building Control Applications**

The Head of Capital Development and Building Control presented the above report, a copy of which had previously been circulated. He pointed out that the purpose of the report was to advise Members of applications processed under Building Regulations (NI) between 1 August 2020 and 31 August 2020.

Member noted the content of the report.