

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

**Open Minutes of the Meeting of Derry City and Strabane District Council held remotely on Thursday 29 October 2020 at 4.00pm.**

**Present:- Councillor Tierney (Mayor)(In the Chair); Aldermen Bresland, Devenney, Guy, Kerrigan, McClintock, 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, McGuire, McHugh, McKeever, McKinney, Mellon, Mooney and Reilly.**

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

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### **C319/20 Notice and Summons of Meeting**

The Mayor read the Notice and Summons for the Meeting.

### **C320/20 Member Attendance and Apologies**

The Mayor completed the roll call and recorded apologies from Alderman McCready.

### **C321/20 Statement on Remote Meetings**

The Chief Executive read the Statement for Remote Meetings.

### **C322/20 Declaration of Members Interests**

Councillor Reilly declared an interest in agenda item 9, Notices of Motion - Call to Support the Work of the Alzheimer's Society.

Councillors Ferguson and Jackson declared an interest in agenda item 8b – Monthly Governance and Strategic Planning Committee – GSP140/20 Free Port as Members of the Londonderry Port and Harbour Commissioners.

Aldermen Devenney Guy, McClintock and Warke and Councillors Duffy, Fleming, J Barr, J Boyle, M Boyle and Reilly declared an interest in agenda item 8h, Bi-monthly meeting of the Assurance Audit and Risk Committee as Members of PCSP.

## **Open for Decision**

### **Chairperson's Business**

#### **C323/20      Condolences**

The Mayor expressed condolences to the partner and wider family of Councillor Farrell on the recent passing of her mother, Mrs Carmel Doherty.

Alderman McClintock and Councillors Edwards and Reilly also expressed their condolences to Councillor Farrell.

#### **C324/20      Congratulations**

The Mayor congratulated Alderman McCready and his wife on their recent birth and wished them well.

Alderman McClintock stated that she would relay the best wishes from the Mayor and Members to Alderman McCready.

#### **C325/20      Royal Mail**

Councillor Reilly thanked the Mayor for allowing him the opportunity to raise issues regarding the Royal Mail sorting office in the City. He stated that the SDLP fully supported the workers during this time as approximately 50 percent of staff were currently on sick leave and wished them a speedy recovery. He stressed that the management at Royal Mail must engage proactively with their workforce to find a way of delivering mail across the city and district. He advised that he had recently met with union representatives for Royal Mail employees and suggested that it would be useful if the Mayor engaged with Royal Mail to establish what their plans were in regard to the speedy resolution to the distribution of mail.

The Mayor stated that he would meet with the trade unions and the staff of Royal Mail. He stated that his engagements would be carried out online over the coming days and that he would ask the Mayor's office to begin the process. He extended his best wishes to the staff of Royal Mail currently on sick leave and wished them a speedy recovery.

Councillor Harkin wished a speedy recovery to the postal workers and stated that thoughts were with them and their families at this time. He

proposed that Council write to the local Communication Workers Union branch, to commend them on their direction to refuse to work in an unsafe work environment. He advised that as a result of this action, workers would not be penalised. However, he noted that workers throughout the city and district are unaware of their rights on the matter.

He stated that Council needed to promote the message that workers, whether union members or not, had the right not to work in an unsafe environment and would not face any penalties as a result.

Continuing, he noted that Council had not engaged with the trade unions. He proposed that Council invite representatives from the local trade unions, including the Communication Workers Union (CWU) to meet with Council officers to discuss their health and financial concerns during this time.

Councillor Harkin Proposed, Seconded by Councillor Gallagher

**That Council (i) write to the Communication Workers Union to commend the staff at Royal Mail to on their actions; (ii) Council to promote the message that any worker had the right to refuse to work in an unsafe environment and would not be penalised for taking action and (iii) Council invite representatives from the local trade unions, including the Communication Workers Union to discuss their health and financial concerns and iv) Mayor to meet with Post Office trade unions and Royal Mail staff.**

Councillor Jackson stated that on behalf of Sinn Féin, he wished to express their solidarity to the postal workers at this time. He advised that he and Martina Anderson MLA had met with some postal workers regarding the working conditions and challenges they were facing. He stressed the importance of engaging with them to ensure that the service continued, but also that workers were fully supported and their concerns are addressed. He welcomed the request for the Mayor to make representation on behalf of Members to meet with the staff of Royal Mail. He stated that his Party also supported the proposal by Councillor Harkin. However, it was important to recognise that the concerns of the postal workers were not unique, as workers across the entire Council area were concerned about their working conditions and their rights during this time and had received conflicting advice on the

matter. He also welcomed the proposal that Council meet with the trade unions to allow them the opportunity to hear the concerns and to act on their behalf. He stated that the actions taken by the postal workers demonstrated that collective action can make a difference.

Councillor Reilly thanked Councillor Harkin for raising the proposal. He referred to his comments regarding Council issuing information in relation to workers' rights at this time. He noted that the Government Furlough Scheme was due to end on 31 October 2020. Therefore, a number of people would be required to return to work after being on the scheme for a long period of time. He stated that it was important to alert and inform people of their rights and also the employers' responsibility to the workforce on Council's social media platforms.

Councillor R Barr expressed concern stated that this issue had existed in Strabane since May of this year. However, now that issues have been recognised in the City, the matter was being given attention. He stated that Covid-19 was cited as a reason for the poor quality of service when the issue was first raised in Strabane. However, there were no reported cases of coronavirus in the Strabane area at that time. He requested that any representation made to Royal Mail would also include the Strabane area.

Councillor Durkan stated that the Student's Union movement had felt their voice was not being heard. She stated that the student population included Derry students who were from Belfast and vice-versa were lacking clarity regarding weekend travel arrangements. She requested that representatives from the National Union of Students-Union of Students in Ireland (NUS USI), Ulster University and Queen's University Students Unions also be included in Councillor Harkin's proposal.

Alderman McKane stated that he fully supported Councillor Harkin's motion on the matter. He also concurred with the issues raised by Councillor R Barr and requested that the planned relocation of the sorting office in Castleberg to Strabane was also be highlighted.

Alderman McClintock stated that the DUP were fully supportive of postal workers and all others who were experiencing difficult times. She stated that the issues with the local sorting office had shown how much people depended on our postal workers.

Councillor Harkin Proposed, Seconded by Councillor Gallagher

**That Council (i) write to the Communication Workers Union to commend the staff at Royal Mail on their actions; (ii) Council to promote the message via its social media platforms that any worker had the right to refuse to work in an unsafe environment and would not be penalised for taking action and to advise workers currently on the furlough scheme of their rights when returning to work; (iii) Council invite representatives from the local trade unions, including the Communication Workers Union to discuss their health and financial concerns; (iv) representatives from the National Union of Students-Union of Students in Ireland (NUS USI), Ulster University and Queen's University Students Unions be invited to meet with Members and officers to discuss the concerns of students and (v) the Mayor to meet with trade unions and Royal Mail staff**

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

**Resolved That Council (i) write to the Communication Workers Union to commend the staff at Royal Mail on their actions; (ii) Council to promote the message via its social media platforms that any worker had the right to refuse to work in an unsafe environment and would not be penalised for taking action and to advise workers currently on the furlough scheme of their rights when returning to work; (iii) Council invite representatives from the local trade unions, including the Communication Workers Union to discuss their health and financial concerns; (iv) representatives from the National Union of Students-Union of Students in Ireland (NUS USI), Ulster University and Queen's University Students Unions be invited to meet with Members and officers to discuss the concerns of students and (v) The Mayor to meet with Trade Unions and Royal Mail staff.**

Councillor McCloskey thanked the Mayor for allowing her the opportunity to present her motion at her final meeting as an Elected Member of Council.

She proposed that Council supports the “Red Wednesday” campaign to highlight and challenge anti-Christian persecution across the globe. She reported that as a demonstration of this solidarity, Council will light up facilities in red on that day and pledge public support for this campaign. In addition, she asked that Council calls for an end to persecution of any group because of their religious beliefs.

Continuing, she stated that religious beliefs were core to many cultures throughout the world. She expressed concern that the Christian faith was currently undergoing extreme global persecution. She noted that the Anglican Bishop of Truro had recently compiled a report on the matter which had stated that the level and nature of persecution was arguably in some regions, bordering on the definition of genocide. The eradication of Christians and other minority groups by violent means was revealed to be the specific state objective of extremist groups in Syria, Iraq, Egypt, Nigeria, Philippines and other places. She stated that it was a serious matter that governments across the world must be engaged with. She stated that it was important to uphold the right of people’s freedom of belief.

Councillor McCloskey Proposed, Seconded by Councillor Dobbins

**That Council supports the “Red Wednesday” campaign to highlight and challenge anti-Christian persecution across the globe. As a demonstration of this solidarity, we will light Council properties in red on that day, and pledge public support for this campaign. In addition, we call for an end to persecution of any group because of their religious beliefs.**

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

**Resolved That Council supports the “Red Wednesday” campaign to highlight and challenge anti-Christian persecution across the globe. As a demonstration of this solidarity, we will light Council properties in red on that day, and pledge public support for this campaign. In**

**addition, we call for an end to persecution of any group because of their religious beliefs.**

The Mayor extended his best wishes to Councillor McCloskey for the future. He thanked her for her contribution as a fellow Councillor and as his colleague within the Ballyarnett DEA.

Alderman McClintock wished Councillor McCloskey well for the future and thanked her for bringing forward the proposal on the anti-Christian message which was fully supported by her Party.

Councillor McCloskey thanked the Mayor for his comments. She stated that she had found it a positive experience and thanked her colleagues and Council staff for a very enriching 18 months.

**C327/20      Lighting of ‘Let the Dance Begin’ sculptures in Strabane.**

Councillor Edwards referred to the ‘Let the Dance Begin’ sculptures, known as ‘The Tinnies’ in Strabane. He welcomed that Council had made improvements to the area by cutting back hedges and the addition of picnic benches. However, he felt that the lighting in the area was inadequate. He stated that the ‘Tinnies’ was a landmark in the Strabane area and similar to Council facilities in Derry, would be lit up to highlight campaigns. He requested that Council act on the matter and that a report be brought to the relevant committee outlining the cost of upgrading the lighting and the cost of lighting the area to date.

The Chief Executive advised that the Director for Environment and Regeneration and officers had already been working on the matter and a report on would be presented at a future meeting of the Environment and Regeneration Committee.

**C328/20      Dalradian Gold Ltd**

Councillor Kelly noted that over the past week, Dalradian Gold Ltd, vehicles had been parked in areas of the Sperrin DEA. He stated that this has caused consternation in the community as local residents did not know why they were in the area. He stated that apart from the moral responsibility of companies to inform landowners of their intentions, there was also a statutory obligation for companies to inform councils of its intentions where they intended to invoke permitted development rights. He hoped that Dalradian Gold Ltd were

not attempting to circumvent the ongoing legal process as no notification has been received by Council, from Dalradian Gold on the matter. He proposed that Council write to the Department of the Environment and Dalradian Gold Ltd to remind them of their statutory responsibilities.

Councillor Kelly Proposed, Seconded by Councillor M Boyle

**That Council write to the Department of the Environment and Dalradian Gold Ltd to remind them of their statutory responsibilities.**

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

**Resolved That Council write to the Department of the Environment and Dalradian Gold Ltd to remind them of their statutory responsibilities.**

**C329/20 Confirmation of the Open Minutes of the Meeting of Derry City and Strabane District Council held on Thursday 24 September 2020**

The Minutes of the Meeting of Derry City and Strabane District Council held on 24 September 2020 (C260/20-C309/20) were submitted.

On a matter of accuracy, Councillor McKinney stated that he had declared an interest in C263/20 notice of motion pay parity for health workers and requested that it be included in the minutes.

It was agreed that the minutes would be amended accordingly.

Alderman Devenney Moved, Alderman McKane Seconded and the Council.

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

**Matters Arising**

**C330/20 Responses to Motions (C272/20)**

Councillor Farrell thanked everyone for their kind words on his recent bereavement which will be greatly appreciated by the wider Doherty family.

He referred to the Executive's commitment to bring forward proposals for the expansion at Ulster University, Magee to 10,000 students. He noted that at the Council meeting on 25 September, he had requested an update on Council correspondence sent to the Executive and responses received. He reported that Council had written to the First and Deputy First Minister in March 2020 and subsequently in June, however no response has been received. He expressed disbelief that Council had written to the Executive regarding its responsibilities towards the expansion at Magee, which he described as one of the most critical projects in the City, and had failed to respond.

He proposed that Council send further correspondence to the First and Deputy First Ministers to urgently request engagement with Derry City and Strabane District Council and to update Members on their plans and proposals for the expansion of Magee Campus. He also asked Sinn Féin and DUP Members to lobby their respective Ministers, asking them to respond and act on the correspondence from Council.

Councillor Farrell Proposed, Seconded by Councillor J Boyle

**That Council writes to the Office of the First and Deputy First Minister to urgently request that they engage with Members and provide an update on any plans and proposals for the expansion of Magee Campus.**

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

**Resolved That Council writes to the Office of the First and Deputy First Minister to urgently request that they engage with Members and provide an update on any plans and proposals for the expansion of Magee Campus.**

**C331/20 Call-In of Council Item C237/20 (C296/20)**

Alderman Devenney stated that he was well aware that the matter had been raised at previous meetings. However, he wished to address concerns raised regarding costings for flowers and an airline ticket. He advised that the flight was for a member of Respect UK, a pioneering domestic abuse organisation who was invited to attend an event organised by Men's Action Network (MAN). He noted that the event took place in the Verbal Arts Centre on Friday 11 January 2019 and was attended by representatives from the Department of Justice, Western

Health and Social Care Trust and Nexus. He believed that the money allocated for the flight for the speaker met the criteria. In relation to flowers, he noted that after making some enquiries, a summer diversity programme had taken place, hosted by Dennett Interchange in Donemana. He noted that the total cost for flowers and refreshments was £20.00. He stated that the DUP had no issue with such claims being submitted as they met the required criteria.

Councillor Donnelly thanked Alderman Devenney for the clarification on the matter. However, he described it as unfortunate that Council officers were unable to furnish Members with that clarification. He felt that in his opinion, it was unprofessional that Council officers could not issue Members with the details. He noted that an outstanding issue remained regarding a group meal.

Councillor Logue referred to Councillor Donnelly's remarks on the matter. She stated that any Member at any time, could seek clarification from officers regarding any issues or concerns that they may have. She stated that she had contacted officers for the required information on behalf of Sinn Féin, adding that if Councillor Donnelly had have taken the time to seek the required clarification, he would have received the same.

Councillor Gallagher stated that a report had been submitted to the Assurance, Audit and Risk Committee which highlighted 44 recommendations. He noted that those recommendations stated that the financial procedures had not been correct. He stated that it was the role of Elected Members to seek clarification on such matters prior to approval.

### **C332/20      United Nations - 75th Anniversary (C275/20)**

Councillor Donnelly referred to the proposal he had made regarding the ongoing situation within Maghaberry Prison. He advised Members that thankfully, the hunger strike had ended. However, he felt that a cross-party delegation should still meet with the prisoner's families as a matter of urgency, as conditions that had led to the hunger strike still existed.

In response, the Chief Executive advised that correspondence had been sent to the Northern Ireland Office on 9 October 2020. He stated that arrangements would be made regarding the cross-party delegation and

that he would provide Councillor Donnelly with an update on the matter.

**C333/20 Confirmation of the Minutes of the Special Meeting of the Environment and Regeneration Committee held on Monday 21 September 2020**

The Minutes of the Special Meeting of the Environment and Regeneration Committee held on 21 September 2020 (SER164/20-SER167/20) were submitted.

Alderman McKane Moved, Alderman Devenney Seconded and the Council.

**Matters Arising from the Minutes**

**C334/20 Commemoration Plaque**

Alderman McKane expressed his thanks to Council staff on the erection of a plaque on the Cenotaph in Castlederg in commemoration of the four men from the town, who gave their lives in the First World War.

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

**C335/20 Monthly Governance and Strategic Planning Committee held on Tuesday 6 October 2020**

The Minutes of the Governance and Strategic Planning Committee held on 6 October 2020 (GSP134/20-GSP151/20) were submitted.

Alderman Bresland Moved, Councillor Duffy Seconded and the Council

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

**Matters Arising from the Minutes**

**C336/20 Update on Poverty Motion (GSP142/20)**

Councillor Harkin extended his thanks to officers who carried forward the motion. He referred to the devastating report published by the Department for the Economy regarding poverty across the City and District. He stated that there was severe hardship experienced by many families across the city and district as a result of the coronavirus pandemic. He noted that the furlough scheme was due to end on 31

October 2020 which would have a significant impact on families. He expressed disbelief that millions of pounds were being spent by the Northern Ireland Executive on anaerobic digesters and energy schemes, which he felt was not deserved, whilst others are told there is no money available.

He proposed that Council launch a hardship fund in an attempt to alleviate, as much as possible, the desperate poverty faced by many throughout the city and district. He stated that Council would take the leading role and ask those business owners with disposable income to contribute to the fund. He stated that many people would be going without food, basic necessities and struggling to heat their homes. He suggested that a meeting take place as soon as possible to establish the details on how to move forward.

Councillor Burke stated that her party supported the proposal as they had also explored the idea of implementing a hardship fund. She concurred with Councillor Harkin's comments regarding the furlough scheme and how this would impact on families and individuals across the Council area. She advised that from a community perspective, neighbourhood renewal areas had considered putting plans in place in the coming months to assist those in need. However, some people currently on furlough may not be included within a particular neighbourhood renewal area due to increase in demand. Therefore, the Sinn Féin Party supported the proposal to investigate the implementation of a hardship fund.

She proposed that Council writes to the Executive to establish if any additional support could be given during this time to offset the devastating impact on families when the furlough scheme ends. She stated that given the time constraints involved, if a response was received by the Executive the matter be discussed within the Welfare Reform Working Group.

Councillor Durkan expressed her support for the proposal and advised that trade unions had been talking to various charitable organisations and groups in relation to hardship. She felt that it would be an excellent initiative for Council to facilitate and take the lead on at this time.

Alderman McClintock stated that whilst she understood the sentiments within Councillor Harkin's proposal, she expressed concern regarding the practicalities of implementing such a fund. She stated that it was

important that primarily, officers draft a report outlining the details on the framework for such an initiative and the work involved before moving forward. She stated that a significant amount of work would be involved with an onus on Council to implement it. She stated that her Party could not support the proposal until a report was available on the matter.

Councillor Gallagher stated that whilst he concurred with the principle of the proposal, he asked that Members err on the side of caution regarding the role of Council in the matter. He felt that in his opinion, Council should not be the administrator of the initiative. He stated that there were implications regarding administration and governance matters in setting up such a fund. He agreed that the matter be dealt with within the Welfare Reform Working Group to establish how the hardship fund would be introduced and Council's role therein.

The Chief Executive stated that officers required absolute clarity on the nature of the proposal. He further stated that the ramifications such as the legal aspects must also be considered, therefore it may not be possible to implement it with immediate effect. He advised that in order for Members to make an informed decision on the matter, a report should be presented to the relevant Committee.

Councillor Duffy confirmed that Councillor Burke had put forward a proposal in terms of writing to the Executive to establish if they could provide additional funding to assist those who will experience hardship once the furlough scheme ends on 1 November 2020. She concurred that Councillor Harkin's proposal should be actioned through the Welfare Reform Working Group with cross-party and Independent Member representation.

Councillor Burke Proposed Seconded by Councillor Duffy

**That (i) A meeting of the Welfare Reform be convened as soon as possible to discuss the implementation of a hardship fund; and (ii) Council write to the Executive to establish if they could provide additional funding to assist those who will experience hardship once the furlough scheme ends on 1 November 2020.**

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

**Resolved That (i) A meeting of the Welfare Reform be**

**convened as soon as possible to discuss the implementation of a hardship fund; and (ii) Council write to the Executive to establish if they could provide additional funding to assist those who will experience hardship once the furlough scheme ends on 1 November 2020.**

The Chief Executive advised that a meeting of the Welfare Reform Working Group would be scheduled to enable Members to discuss a way forward on the matter.

Councillor McKeever joined the meeting at this point.

**C337/20      New Decades New Approach – Free Ports (GSP140/20)**

Councillor Jackson referred to a proposal brought forward by Alderman McCready which requested that a report be presented regarding the concept of a free port or enterprise zone within the Council district. He advised that it was acknowledged at the Committee meeting that Council did not have a corporate position in respect of free ports. He stated that as a member of the Londonderry Port and Harbour Commissioner's Board, he was aware that there were ambitions in terms of an enterprise/innovation zone at the port. He proposed that Council invite the Board of the Port and Harbour to present to the relevant Committee to outline their plans in relation to a free port/enterprise zone in the Council area.

Councillor Jackson Proposed, Seconded by Alderman McClintock

**That Council invite the Board of the Port and Harbour Commissioner to present to the relevant Committee to outline their plans in relation to a free port/enterprise zone in the Council area.**

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

**Resolved      That Council invite the Board of the Port and Harbour Commissioner to present to the relevant Committee to outline their plans in relation to a free port/enterprise zone in the Council area.**

**C338/20      Establishment of a Rural Issues Group (GSP144/20)**

Councillor McGuire nominated Councillor Kelly and Councillor McHugh to serve on the Rural Issues Group.

**C339/20 Monthly Planning Committee held on Wednesday 7 October 2020**

The Minutes of the Planning Committee held on 7 October 2020 (P116/20-P129/20) were submitted.

Alderman Bresland Moved, Seconded by Alderman Kerrigan and the Council

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

**C340/20 Monthly Planning Committee (Reconvened) held on Thursday 8 October 2020**

The Minutes of the Planning Committee held on 8 October 2020 (P130/20-P140/20) were submitted.

Alderman Bresland Moved, Seconded by Councillor Kelly and the Council

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

**C341/20 Monthly Business and Culture Committee held on Tuesday 13 October 2020**

The Minutes of the Business and Culture Committee held on Tuesday 13 October 2020 (BC127/20 – BC148/20) were submitted.

Councillor R Barr Moved, Seconded by Councillor M Boyle and the Council

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

**Matters Arising from the Minutes**

**C342/20 Centenary of Northern Ireland in 2021 Update (BC146/20)**

Alderman McClintock stated that she wished to comment on Councillor Cooper's remarks on behalf of Sinn Féin regarding the Northern Ireland Centenary. She stated that the event was an occasion of the utmost importance and significance to many people in the country including

many in the Council area. She felt that the Unionist community were extremely aware that they lived in a council area with a strong nationalist majority. She stated that they were also aware that Council had always led the way in finding accommodation for all shades of political opinion. She described it was worrying, that Sinn Féin had put down a marker as to what they would accept even before a meeting of the Decades of Centenary working group had taken place to discuss the matter.

Continuing, she noted that Sinn Féin would not support any proposal that celebrated the North as a single entity, adding that Councillor Cooper had berated Council officers for using the phrase 'Northern Ireland is one of the four countries of the United Kingdom'. She stated that whilst she did not wish to give the Elected Member or anyone else a history lesson, Northern Ireland was indeed, one of the four countries of the UK. She advised that Articles 2 and 3 of the Irish Constitution had been removed and the Republic had recognised the legitimacy of Northern Ireland. In fact, the United Kingdom of Great Britain and Ireland was a sovereign state that existed since 1801 up until the south had decided to become the 'Free State.' However, she stated that this was not the arena for a historical debate, but that history could not be re-written. She noted that Councillor Cooper had referred to positive celebration and recognition, however the Unionist community certainly found nothing positive in the way the negative comments were portrayed during the Committee meeting.

She stated that Council had managed to find a way through the challenging 2016 anniversaries and the DUP hoped that the necessary accommodation would be found in respect of this centenary event. Whilst she recognised that not everybody will be celebrating the occasion she was also aware that to make the centenary memorable, external funding was required to augment normal Council funding streams and this needed to be addressed. She stated that she had an initial conversation with an outside body who would consider an element of the required funding, details of which would be brought to the appropriate working group. However, she wished to make a proposal that Council write to the Northern Ireland Executive seeking clarification as to what provision they would be making to support those who wished to celebrate this momentous occasion.

Councillor Cooper stated that in terms of Alderman McClintock's comments, he had been specific in his language at the Committee

meeting for deliberate reasons as he was aware that people did wish to celebrate the Centenary of the Northern Ireland and had every right to do so. However, there were many who did not wish to celebrate. He stated that the points he had made referred to the language that was used in the report and that it was unfortunate that the language used was not of a more diplomatic nature as it was a sensitive issue. He stated that the key point that he wished to relay was that similar to the commemoration of the 1916 events such as the Somme and Easter Rising, Council had agreed to allocate funding through the Decade of Centenaries working group. This allowed groups to apply for funding in order to hold a range of events for both commemorations, which proved to be a successful and inclusive year. He reiterated that he had clearly indicated at Committee that a similar approach be taken regarding this matter as opposed to Council organising events corporately which may create an issue for the majority of Elected Members. This would allow people to either celebrate or critically evaluate the centenary of partition in a non-offensive manner.

Councillor Reilly concurred that the Decade of Centenaries Working Group was initiated to deal with these particular issues and celebrations. He stated that such occasions meant a lot to a section of people in the Council area but were not universal, as there were also people that would not find the event of any significance. He suggested that as in previous situations, the correct approach was to allow the working group to meet to carry out its function. He stated that whilst the centenary of partition was not an event that the SDLP would mark in a celebratory manner, that recognised the fact that there were people in the Council area who wished to celebrate it, adding that it should not stand in the way of people accessing public money to mark an occasion significant to them.

He stated that the issues regarding the centenary should be taken into consideration, whether it was something to be welcomed or changed in terms of the Union going forward. He felt that debate and conversation about the Union was as much an important part of the Nationalist/Republican tradition as it was from people from the Unionist tradition. He hoped that next years' planned events would be inclusive for everyone and that all have their say in relation to the centenary and that the SDLP would support Alderman McClintock's proposal.

Councillor Gallagher described Alderman McClintock's proposal as delusional. He stated that the request for funding reminded him of the phrase, 'a Protestant state for a Protestant people. He felt that in his opinion, that no right thinking Republican or Nationalist would support this supremacist view and would not be supporting it.

Councillor Harkin stated that he was neither a Nationalist or a Unionist but a Socialist. He added that there was an increasing amount of people with a socialist view. However, he did not feel that there was anything to celebrate in partition, as it had created division in communities across the entire island. He stated that perhaps there should be an understanding of why partition had not been successful and what can be done to overcome those divisions. He felt that ultimately it should be about ending partition and the introduction of the creation of a new Ireland. He stated that he held a similar vision to James Connolly, developed over 100 years ago for a socialist Ireland with rights for all.

Alderman McClintock Proposed, Seconded by Alderman Warke

**That Council write to the Northern Ireland Executive seeking clarification as to what provision they would be making to support those who wished to celebrate the momentous occasion of the Centenary of Northern Ireland.**

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

For:-19; Against:-15; Abstentions:-2.

The proposal was therefore carried and the Council

**Resolved That Council write to the Northern Ireland Executive seeking clarification as to what provision they would be making to support those who wished to celebrate this momentous occasion of the Centenary of Northern Ireland.**

Councillor Donnelly Proposed, Seconded by Councillor Gallagher

**That given the injustice of partition, that this Council will not participate in any event that commemorates or celebrates this injustice.**

Councillor Cooper referred to the wording of Councillor Donnelly's proposal and reiterated that he had already stated very clearly that this Council does not corporately hold any events that celebrated partition and that funding be available for groups to bid for to mark the centenary of partition in their own way. He noted that previously, funding was applied for and allocated through the Decades of Centenaries working group. He stated that if the proposal was passed, this now would not arise, therefore he was not entirely clear of the logic of the proposal.

In response to Councillor Cooper, Councillor Donnelly stated that he had made the proposal as the make-up of working groups meant that only one Independent Member could be nominated to sit on such groups, Independent Members therefore, did not have any input to that particular group and although he took on board Councillor Cooper's remarks, he still wished to make the proposal.

Alderman Ramsey stated that the proposal required Council to take a stand which he and many others in the City would consider sectarian.

Councillor Reilly explained that the SDLP had voted for Alderman McClintock's proposal because his Party recognised that there were many people in the Council area who wished to mark the Centenary of Northern Ireland 2021. He stated that whilst he and his Party were not supportive of partition, they recognised those who did wish to celebrate it should be entitled to do so. However, he also agreed that the Council should not be trying to support a position of partition therefore in relation to Councillor Donnelly's proposal, the SDLP would be supporting it.

Alderman Devenney concurred that the majority of people in Londonderry and Strabane may not be supportive of the Centenary of Partition. However, he felt that a dangerous precedent was being set in respect of the Council bordering on becoming sectarian against a Unionist minority in the Chamber. He felt that the proposal sent out a negative message to the minority in the Council area who looked forward to celebrating the 100<sup>th</sup> anniversary of the State. He stated that his Party would be voting against the proposal.

Alderman Guy stated that the UUP would be voting against the proposal. He stated that if he did not want to part of a particular event, he simply did not attend. He stated that Council prides itself on

inclusivity and equality, however there was no equality within the proposal which he described as unwelcome and senseless.

Councillor Ferguson stated that although it was a contentious issue it still had to be marked and that Council had a corporate position. However, this proposal would cause too much division, therefore the Alliance Party would not be supporting the motion.

Councillor McCloskey stated that there was a fundamental difference between political aspirations and a political interpretation of history and sectarianism. She stated that sectarianism was abhorrent and while she would have problems with the celebration of partition, she did not feel that a political aspiration to unite the people of this country was sectarian. She concurred with the remarks made by Councillor Reilly and supported people's right to celebrate and commemorate events important to them.

Alderman McClintock stated that she felt it was a really sad day for community relations in this Council area. She stated that the centenary of partition was an event that must be marked as people wished to celebrate or commemorate the occasion. She felt that the rights of all sections of the community should be taken into account and nobody was asking those who did not support it to celebrate it. She stated that it was an extremely sad day for Council if Members voted for the proposal which she described as sectarian.

Alderman McKane stated that he had prepared his parting speech for later in the meeting as this would be his last Council meeting. He expressed disappointment that he felt it necessary to change the wording because as a Unionist who had always felt welcome in the Guildhall and the City, had suddenly he got the feeling that he was no longer welcome. He stated that Alderman McClintock was right in her comments, that there were many who may not wish to celebrate the 100<sup>th</sup> anniversary of Northern Ireland. However, to actively action a proposal that would deny those who wished to celebrate it was extremely disappointing.

The Mayor stated that it was important to point out that Alderman McKane was most welcome in the Guildhall and the City regardless of the result of the vote.

Councillor Donnelly Proposed, Seconded by Councillor Gallagher

**That given the injustice of partition, that this Council will not participate in any event that commemorates or celebrates this injustice.**

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

For:- 27; Against:- 10; Abstentions:- 0.

Proposal was therefore carried and the Council

**Resolved That given the injustice of partition, that this Council will not participate in any event that commemorates or celebrates this injustice.**

**C343/20 Christmas Programme (BC136/20)**

Alderman Warke referred to the Society Street area of the City which lacked any type of Christmas decorations. He requested that Council officers look at this to see if a budget was available to decorate the area. He stated that there were also street lights in the area that were in need of repair which added to making the street look unwelcoming.

Councillor M Boyle stated that she had been contacted by a community group and a business owner at the retail park in Strabane Town regarding Christmas lighting. She stated that the community association was a small, rural organisation who have requested extra Christmas lights this year. She had spoken to the Director of Business and Culture on the matter and was advised that the budget for Christmas lights had been set for this year. She asked if there were any old sets of lights available for the community association. She stated that in regard to the retail park in Strabane, businesses were already struggling financially because of the coronavirus pandemic and whilst she understood it was a private development, they had asked for any possible assistance and support from Council. She noted that she had also written the Head of Business asking for assistance. She stated that people could not afford to pay for lighting displays to enable to provide a warm welcome to shoppers and visitors to Strabane and hoped that Council could help.

The Chief Executive asked that any requests in relation to Christmas lights be directly forwarded to officers for consideration. He stated that obviously there was a significant challenge in that there was no additional stock that would be rolled out across the Council area. He

advised that it would be almost impossible to get extra stock at this stage, but officers will do what they can with the current supply of Christmas lighting.

**C344/20 Monthly Environment and Regeneration Committee held on Wednesday 14 October 2020**

The Minutes of the Environment and Regeneration Committee held on 14 October 2020 (ER164/20 – ER192/20) were submitted.

On a matter of accuracy, Councillor Edwards referred to ER167/20 and ER171/20 he had been referred to as Councillor Stevens.

Alderman Devenney Moved, Seconded by Councillor Dobbins and the Council

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

**C345/20 Monthly Health and Community Committee held on Thursday 15 October 2020**

The Minutes of the Health and Community Committee held on Thursday 15 October 2020 (HC166/20-HC184/20) were submitted.

Alderman McKane Moved, Seconded by Alderman Devenney and the Council

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

**Matters Arising from the Minutes**

**C346/20 Chairperson of the Health and Community Committee to Step Down**

Alderman McKane announced that he would be stepping down as a Councillor and Chairperson of the Health and Community Committee on 31 October. He stated that he wished to extend his thanks to the Chief Executive, the Directors and Officers for their assistance and support during his time on Council. He also extended his gratitude to the Mayor and the previous Mayor, Councillor M Boyle for their support. He extended his thanks to all the Councillors, who up until now, had welcomed him and thanked all the parties and the Independent Members for the respect shown to him and hoped his respect was reciprocated to them. He stated that it had mostly been a very enjoyable experience in a very diverse chamber. He extended his

thanks to his party colleague, Alderman Guy for his support and said that they had shared more good times than sad times.

The Mayor advised Alderman McKane that he had recently spoken to Alderman Guy regarding his announcement and they felt that he may have preferred to make the announcement rather than the Mayor through Chairperson's Business. He stated that on behalf of Council, he wished to extend his thanks to Alderman McKane for his contribution to Council.

Members from all Parties and Independent Members, particularly from the Derg DEA extended their thanks to Alderman McKane for his good work. They stated that he had conducted business as Chairperson of the Health and Community Committee in a fair manner, bringing his knowledge and expertise from his employment in the NHS and mental health services. They stated that he was a fantastic advocate for the Derg area and extended their best wishes to him for the future.

Councillor Donnelly paid tribute to Alderman McKane and found him very fair and accommodating, positive and progressive. He stated that in respect of the previous vote that he understood his position. However, he stressed that it was not the motive behind the proposal that he should not feel welcome.

#### **HC347/20 Land at Springhill, Strabane (HC180/20)**

Councillor J Barr referred to the recommendation deferred to Council to lease the land at Springhill over 25 years at a cost of £17,500. He stated that Councillor Edwards had proposed at the Committee meeting that Council purchase the land at the cost of £20,000. He asked if there was an update available on the matter.

In response, the Director of Health and Community advised that after discussions with the legal and finance departments, that within the reserves of the former Strabane District Council, a sum of £10,000 was held towards this particular project. Therefore, if Members recommended to purchase the site then they must also agree that provision is made for the remaining cost of £10,000 to ensure an available budget for ground acquisition.

Councillor J Barr Proposed, Seconded by Councillor R Barr.

**That Council purchase the Land at Springhill, Strabane from the Northern Ireland Housing Executive at an initial investment of £20,000.**

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

**Resolved That Council purchase the Land at Springhill, Strabane from the Northern Ireland Housing Executive at an initial investment of £20,000.**

**C348/20 Bi-Monthly Assurance, Audit and Risk Committee held on Monday 19 October 2020**

The Minutes of the Assurance, Audit and Risk Committee held on 19 October 2020 (AAR36/20-AAR48/20) were submitted.

On a matter of accuracy, Councillor Logue referred to AAR47/20 where she had asked Councillor McCann for clarity and she felt there would be merit if it was included that the clarification she had sought was Councillor McCann asking people that in respect to the employers had implemented all the recommended safety precautions, if the workers still felt unsafe did they still have the right to walk out. She requested that this be included within the paragraph as it was pertinent to the recommendation in the report.

A further point of accuracy was raised by Councillor Gallagher regarding AAR42/20, paragraph 8 and asked that the word 'not' be removed from the final sentence.

It was agreed that the minutes would be amended accordingly.

Councillor McKeever Moved, Seconded by Councillor McKinney and the Council.

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

**Matters Arising from the Minutes**

**C349/20 Internal Audit Reports (AAR42/20)**

Councillor Donnelly referred to the earlier discussion in the meeting where Alderman Devenney had furnished Members with information.

He stated that if new information was available to clarify issues raised by Members, it should be presented at the Committee meeting or full Council. He asked that any additional information is forwarded to Members and in the absence of any proper verification or documentation for money spent, that Council uses the claw back measure to recoup that money.

Councillor Donnelly Proposed, Seconded by Councillor Gallagher

**That In the absence of verification or documentation regarding the purchase of flowers, meal and airline ticket, that Council claws back the money if the necessary documentation is not provided.**

Councillor Logue stated that after liaising with relevant Council officers to gather further information on the issues raised in the report, it was her understanding that it was not Council's money to recoup. The money was grant funding which was provided by a joint committee of the Department of Justice and the Policing Board. She stated that Council did not have the authority nor the right to claw back this money. She stated that she was satisfied that the relevant documentation had been verified by the joint committee.

The Director of Health and Community advised Members that a review had taken place regarding the issues raised as some Members had requested details on the matter which had been directly provided to them. She stated that officers would provide the information to all Members should they require it. She re-affirmed that the total expenditure being queried was £629.24, a small proportion of the overall PCSP budget at 0.23%. She stated that documentation was in existence and available in the PCSP offices. She stated that if Members required further details and clarification on the matter, they were held as additional support documentation.

Continuing, the Director of Health and Community clarified the following:

In terms of the meals, those payments were for reimbursements for a summer scheme programme in which a number of day trips had been organised. The expenditure was in line with the letter of offer, issued to

the programme. In relation to receipts for refreshments (food) on trips, this related to summer diversionary activities. In relation to flowers, this was for a fun day where refreshments were provided and the flowers were used for decoration of the facility, again, in keeping within the letter of offer. Receipts have been provided and bank statements to document that expenditure. In terms of flights, the explanation given to Members by Alderman Devenney was correct and details were available to Members. In summary, Council had been advised from an audit perspective, that there was no issue of ineligible expenditure or no issue of any suggestion or evidence of fraud in regard to the matter. The detailed information is available to Members upon request.

The Mayor suggested that a report be presented outlining all the issues discussed to the relevant Committee.

Councillor Gallagher stated that he felt that in the 5 projects audited, the correct procedures had not been carried out, which was identified in the audit. He stated that an overall sum of £600,00 was allocated which should be audited in its entirety to find a true percentage of what was spent. He stated that any grant given body that issued a letter of offer, deemed this as a contract and within that letter should state that if any money was spent inappropriately, i.e. was not in the agreed budget, then Council should have the remit to recoup the money. As a matter of prudence, this should be included in any letter of offer. He advised that was what the proposal was asking for and did not understand why some Members showed opposition on the matter.

Councillor Reilly welcomed the additional information from the Director of Health and Community and that it had come into the public domain. He noted that officers had found no evidence of fraud. He felt that the Mayor's suggestion regarding a report was the correct way forward. He stated that the Director of Health and Community had stated in the lengthy and comprehensive response, it would be useful for the information to be given to Members in a considered way for their perusal. He noted that the matter has been the subject of debate at various Committee meetings over the past few months and PCSP officers had implemented the recommendations within the report before the summer and had also provided updates on progress.

Councillor Harkin commended Councillor Donnelly's persistence in the

matter. He stated that there was a serious problem emanating from Stormont that many viewed as a culture of corruption. He felt that the public would think that it also took place at Council, adding that Council must not be seen to be corrupt when people were falling into absolute poverty. He stated that he could not understand why the majority parties in Council were so resistant to allowing transparency to fully develop.

Councillor Donnelly stated that his proposal was a matter of principle and if money had been spent that Council could not stand over, then it should be clawed back. He asked why there was so much resistance on the matter and stated that he would not be deviating from his proposal.

The Mayor agreed that the issues needed to be verified and that was why he suggested a report outlining all the relevant information for Members to make an informed decision going forward.

In response to a query by Councillor Ferguson, Councillor Donnelly stated that verification of expenditure should take place with all groups, not just PCSP.

Councillor Donnelly Proposed, Seconded by Councillor Gallagher

**That In the absence of verification or documentation regarding the purchase of flowers, meal and airline ticket, that Council claws back the money if the necessary documentation is not provided.**

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

For:- 26; Against:- 7; Abstentions:- 4.

The proposal was therefore carried and the Council

**Resolved That in the absence of verification or documentation regarding the purchase of flowers, meal and airline ticket, that Council claws back the money if the necessary**

**documentation is not provided.**

## **Notices of Motion**

### **C350/20 School Uniforms**

Councillor Cusack Moved, Seconded by Councillor Mellon

**That This Council supports the choice of students to wear trousers as opposed to skirts and vice versa as part of their regulation uniform. In this age of equality, fairness and indeed comfort, no girl or boy should be forced to wear an item of uniform which is traditionally gender related. This Council will make contact with all schools in the City and District of both primary and secondary level to encourage and promote that this choice be included in their uniform policy. Furthermore, to contact the Education Authority and Education Minister seeking their support in this matter.**

Councillor Cusack requested a slight change to the wording within the motion. Members agreed.

**That This Council supports the choice of students to wear trousers as opposed to skirts and vice versa as part of their regulation uniform. In this age of equality, fairness and indeed comfort, no child or young adult should be forced to wear an item of uniform which is traditionally gender related. This Council will make contact with all schools in the City and District of both primary and secondary level to encourage and promote that this choice be included in their uniform policy. Furthermore, to contact the Education Authority and Education Minister seeking their support in this matter.**

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

For:- 37; Against:- 1; Abstentions:- 0.

The Motion was therefore carried and the Council

**Resolved That this Council supports the choice of students to wear trousers as opposed to skirts**

**and vice versa as part of their regulation uniform. In this age of equality, fairness and indeed comfort, no child or young adult should be forced to wear an item of uniform which is traditionally gender related. This Council will make contact with all schools in the City and District of both primary and secondary level to encourage and promote that this choice be included in their uniform policy. Furthermore, to contact the Education Authority and Education Minister seeking their support in this matter.**

**C351/20 Call to Support the Work of the Alzheimer's Society**

Councillor Mooney Moved, Seconded by Councillor Dobbins

**That This Council notes with concern figures showing that over a quarter (27.5%) of those who died from Covid-19 were people living with dementia and this is the most common underlying health condition associated with deaths from the virus.**

**This Council welcomes the Minister for Health's stated commitment to reforming Adult Social Care and urges his Department to heed Alzheimer's Society's "The Fog of Support: An inquiry into the provision of respite care and carers assessments for people affected by dementia" to ensure those living with dementia are better protected now and into the future, specifically allowing loved ones of care home residents to be given key worker status.**

**This Council will commit to build on the work of Alzheimer's Society of creating Dementia Friendly Communities by hosting a virtual 'Dementia Friendly Workshop' which will increase the awareness and confidence of our staff to better relate to, support and communicate with people with dementia to help tackle stigma, establish best practice and reduce barriers for our ageing population within our Council area.**

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

**Resolved** That this Council notes with concern figures showing that over a quarter (27.5%) of those who died from Covid-19 were people living with dementia and this is the most common underlying health condition associated with deaths from the virus.

This Council welcomes the Minister for Health's stated commitment to reforming Adult Social Care and urges his Department to heed Alzheimer's Society's "The Fog of Support: An inquiry into the provision of respite care and carers assessments for people affected by dementia" to ensure those living with dementia are better protected now and into the future, specifically allowing loved ones of care home residents to be given key worker status.

This Council will commit to build on the work of Alzheimer's Society of creating Dementia Friendly Communities by hosting a virtual 'Dementia Friendly Workshop' which will increase the awareness and confidence of our staff to better relate to, support and communicate with people with dementia to help tackle stigma, establish best practice and reduce barriers for our ageing population within our Council area.

## **C352/20 Summer Youth Employment Programme**

Councillor Cooper Moved, Seconded by Councillor Duffy

**That** As a key first initiative of the proposed Job Creation & Skills Unit, that this Council agrees to work in partnership with other public sector bodies, youth service providers and the private sector to develop a Summer Youth Employment Programme aimed at 14-21 year olds primarily from areas of multiple deprivation.

This paid internship will provide participants with a decent wage, improve their skills, provide valuable

**work experience and improve long term employment opportunities for kids from lower socio economic backgrounds.**

**And that Council should look to the Boston City youth employment scheme, which even during the COVID crisis offered 8,000 posts to young people across the city of Boston. as a model of good practice.**

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

**Resolved That as a key first initiative of the proposed Job Creation & Skills Unit, that this Council agrees to work in partnership with other public sector bodies, youth service providers and the private sector to develop a Summer Youth Employment Programme aimed at 14-21 year olds primarily from areas of multiple deprivation.**

**This paid internship will provide participants with a decent wage, improve their skills, provide valuable work experience and improve long term employment opportunities for kids from lower socio economic backgrounds.**

**And that Council should look to the Boston City youth employment scheme, which even during the COVID crisis offered 8,000 posts to young people across the city of Boston. as a model of good practice.**

**C353/20 Opposition to the British Government's Covert Human Intelligence Source (Criminal Conduct) Bill**

Councillor Donnelly Moved, Seconded by Councillor Gallagher

**That Council will oppose, to the extent of its remit the implementation of the British Government's Covert Human Intelligence Source (Criminal Conduct) Bill, which provides authority to sanction or commit criminal acts with impunity. This is an anti-democratic authoritarian Bill that extends the British**

**governments right to break the law and breach human rights in the name of “National Security “. We would call on all those who have an interest in protecting human rights, including: Trade Unions, Advocacy Groups, Civil Liberties and Human Rights Organisations and other bodies which promote the democratic process to do all in their power to voice their concerns and oppose this Bill.**

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

For:- 28; Against:- 6; Abstentions:- 1.

The Motion was therefore carried and the Council

**Resolved That Council will oppose, to the extent of its remit the implementation of the British Government’s Covert Human Intelligence Source (Criminal Conduct) Bill, which provides authority to sanction or commit criminal acts with impunity. This is an anti-democratic authoritarian Bill that extends the British governments right to break the law and breach human rights in the name of “National Security”.**

**We would call on all those who have an interest in protecting human rights, including: Trade Unions, Advocacy Groups, Civil Liberties and Human Rights Organisations and other bodies which promote the democratic process to do all in their power to voice their concerns and oppose this Bill.**

## **C354/20 Unadopted Developments**

Councillor Jackson Moved, Seconded by Councillor Duffy

**That This Council recognises the issues faced by residents living in unadopted developments throughout this city and district.**

**We call for the re-establishment of the private streets working group, to allow it to explore the many issues that this presents and explore all options open to Council to address them on behalf of our residents.**

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

**Resolved That this Council recognises the issues faced by residents living in unadopted developments throughout this city and district.**

**We call for the re-establishment of the private streets working group, to allow it to explore the many issues that this presents and explore all options open to Council to address them on behalf of our residents.**

#### **C355/20 Shop Local this Christmas**

Councillor Duffy Moved, Seconded by Councillor Jackson

**Calls on Derry City and Strabane District Council to instigate a "Shop Derry and Strabane " campaign for Christmas.**

**Council should do all it can to assist our local traders and local shops throughout this difficult period, it should explore opportunities to promote local businesses through advertising, online presence and social media. This should include our shops and our small cottage industries with traders working from their homes.**

**We need to commit to supporting our local traders to get them and their families through Christmas so they can continue to trade in the New Year.**

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

**Resolved Calls on Derry City and Strabane District Council to instigate a "Shop Derry and Strabane " campaign for Christmas.**

**Council should do all it can to assist our local**

**traders and local shops throughout this difficult period, it should explore opportunities to promote local businesses through advertising, online presence and social media. This should include our shops and our small cottage industries with traders working from their homes.**

**We need to commit to supporting our local traders to get them and their families through Christmas so they can continue to trade in the New Year.**

**C356/20 Call to Deny Permitted Development Rights to Prospect for Oil or Gas**

Councillor McGuire advised Members that he wished to present an altered notice of motion to replace his original motion contained within the agenda for the meeting.

Councillor McGuire Moved, Seconded by Councillor M Boyle

**That this council restates its opposition to shale gas exploration and extraction by the process of hydraulic fracturing, otherwise known as 'fracking' and further opposes the importation of fracked gas to the island of Ireland.**

**Furthermore, that this Council, having already recognised that we are in a climate emergency;**

**being aware of the environmental damage caused by fracking and all forms of exploration and extraction of fossil fuels;**

**and furthermore aware of our duties under the Paris Agreement to drastically decarbonise to limit global warming to 1.5 degrees by the end of the century;**

**again calls on the Minister for the Economy to place an immediate moratorium on the issue of all petroleum licenses, acknowledges the Minister for Infrastructure's intention to amend the regulations**

**around permitted development rights and calls on that Minister to now place a ban on prospecting for oil and/or gas and update the 'Strategic Planning Policy Statement' accordingly.**

Councillor R Barr Proposed an Amendment, Seconded by Councillor Gallagher

**That this Council restates its opposition to shale gas exploration and extraction by the process of hydraulic fracturing, otherwise known as 'fracking' and further opposes the importation of fracked gas to the island of Ireland.**

**Furthermore, that this Council, having already recognised that we are in a climate emergency;**

**being aware of the environmental damage caused by fracking and all forms of exploration and extraction of fossil fuels and precious minerals;**

**and furthermore aware of our duties under the Paris Agreement to drastically decarbonise to limit global warming to 1.5 degrees by the end of the century;**

**again calls on the Minister for the Economy to place an immediate moratorium on the issue of all exploratory petroleum licenses, acknowledges the Minister for Infrastructure's intention to amend the regulations around permitted development rights for oil/gas extraction along with precious mineral mining and calls on that Minister to now place a ban on prospecting for oil and/or gas and update the 'Strategic Planning Policy Statement' accordingly.**

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

Alderman Kerrigan proposed a further Amendment Seconded by Alderman Devenney

**That This Council, recognising we are in a climate emergency and being aware of public concern and opposition to the use of hydraulic fracturing**

**(fracking), notes there are currently no applications in Northern Ireland to use fracking, but calls for all decisions on any future applications to be taken by the Northern Ireland Executive as a whole.**

However, after having received advice from the Chief Executive that it was now a different notice of motion, Alderman Kerrigan withdrew the amendment.

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

**Resolved That this Council restates its opposition to shale gas exploration and extraction by the process of hydraulic fracturing, otherwise known as 'fracking' and further opposes the importation of fracked gas to the island of Ireland.**

**Furthermore, that this Council, having already recognised that we are in a climate emergency;**

**being aware of the environmental damage caused by fracking and all forms of exploration and extraction of fossil fuels and precious minerals;**

**and furthermore aware of our duties under the Paris Agreement to drastically decarbonise to limit global warming to 1.5 degrees by the end of the century;**

**again calls on the Minister for the Economy to place an immediate moratorium on the issue of all exploratory petroleum licenses, acknowledges the Minister for Infrastructure's intention to amend the regulations around permitted development rights for oil/gas extraction along with precious mineral mining and calls on that Minister to now place a ban on prospecting for oil and/or gas and update the 'Strategic Planning Policy Statement' accordingly.**

Councillor McCloskey left the meeting at this point.

**C357/20 Air Quality Action Plan**

Councillor McCann Moved, Seconded by Councillor Harkin

**That Council will recall that a motion was moved at the December 2019 Council meeting calling for action to combat poor air quality in the council area. Officials advised at that time that the motion was premature, given the imminent publication of a report which might have a bearing on the motion. Council notes that the report has since been produced but does not have a bearing on the motion.**

**Council endorses the thrust of the December 2019 motion as now resubmitted:**

**Council acknowledges that poor air quality has harmful effects on human health, especially on the health of the elderly, the infirm and young children.**

**Council recognises that urgent action needs to be taken to tackle air pollution. Council commits to increasing its air quality monitoring across its council area, including of harmful PM2.5s, PM10s and ammonia;**

**Council will create an air quality action plan and adopt World Health Organisation standards for PM2.5;**

**Council will bring forward draft policy options for discouraging the installation of fossil fuel heating and wood burning stoves in all new planning projects. Council will devise a set of criteria to be agreed by Members above which an air quality assessment will be required to accompany planning applications;**

**Council will organise a series of seminars to upskill members on Current Air Quality issues. Council will write to all other councils urging them to pass a similar air quality motion;**

**Council will write to the Northern Ireland Executive asking for an update on the effectiveness of the air**

**quality monitoring station at Brooke Park since the station was moved from its original location at the junction of Creggan Road and Marlborough Terrace;**

**Council will underline to the Executive the urgent need for a NI Clean Air Act to include WHO threshold for PM2.5**

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

**Resolved** Council will recall that a motion was moved at the December 2019 Council meeting calling for action to combat poor air quality in the council area. Officials advised at that time that the motion was premature, given the imminent publication of a report which might have a bearing on the motion. Council notes that the report has since been produced but does not have a bearing on the motion.

**Council endorses the thrust of the December 2019 motion as now resubmitted:**

**Council acknowledges that poor air quality has harmful effects on human health, especially on the health of the elderly, the infirm and young children;**

**Council recognises that urgent action needs to be taken to tackle air pollution. Council commits to increasing its air quality monitoring across its council area, including of harmful PM2.5s, PM10s and ammonia;**

**Council will create an air quality action plan and adopt World Health Organisation standards for PM2.5;**

**Council will bring forward draft policy options for discouraging the installation of fossil fuel heating and wood burning stoves in all new planning projects. Council will devise a set of**

**criteria to be agreed by Members above which an air quality assessment will be required to accompany planning applications;**

**Council will organise a series of seminars to upskill members on Current Air Quality issues. Council will write to all other councils urging them to pass a similar air quality motion;**

**Council will write to the Northern Ireland Executive asking for an update on the effectiveness of the air quality monitoring station at Brooke Park since the station was moved from its original location at the junction of Creggan Road and Marlborough Terrace;**

**Council will underline to the Executive the urgent need for a NI Clean Air Act to include WHO threshold for PM2.5**

**C358/20 Global Poverty and Debt**

Councillor Durkan Moved, Seconded by Councillor J Boyle

**That This Council recognises that the Covid-19 pandemic has significantly impacted upon the health, safety and survival of people all around the world, with the populations of the poorest countries being forced deeper into poverty.**

**Council notes that this is an unprecedented time of multiple crises- with the pandemic coinciding with the global economic recession and escalating climate emergency.**

**Council notes that the continuing global debt problem is a barrier to people's survival, fight against inequality and the realization of human rights.**

**Council calls for urgent action from governments, international institutions and relevant agencies and lending bodies to address the debt crisis to include:**

**-the cancellation of debt payments for the world's poorest countries;**

**-Resources freed from debt to address immediate needs for vital healthcare, social protections, rights protections and to undertake urgent climate action.**

**-Review and Restructuring of lending, borrowing and payment policies aimed at preventing the re-accumulation of unsustainable and illegitimate debt.**

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

**Resolved That this Council recognises that the Covid-19 pandemic has significantly impacted upon the health, safety and survival of people all around the world, with the populations of the poorest countries being forced deeper into poverty.**

**Council notes that this is an unprecedented time of multiple crises- with the pandemic coinciding with the global economic recession and escalating climate emergency.**

**Council notes that the continuing global debt problem is a barrier to people's survival, fight against inequality and the realization of human rights.**

**Council calls for urgent action from governments, international institutions and relevant agencies and lending bodies to address the debt crisis to include:**

**-the cancellation of debt payments for the world's poorest countries;**

**-Resources freed from debt to address immediate needs for vital healthcare, social protections, rights protections and to undertake urgent climate action.**

**-Review and Restructuring of lending, borrowing and payment policies aimed at preventing the re-accumulation of unsustainable and illegitimate debt.**

**C359/20 River FM Radio Station**

Alderman Guy Moved, Seconded by Alderman McKane

**That This Council supports those involved with our local youth radio station River FM;**

**recognises their efforts in putting the youth of our council area first by offering opportunities to work in local media;**

**supports their ambition to obtain a non-profit FM community radio licence from Ofcom;**

**and writes to request that Ofcom reverse their decision not to allow River FM the same opportunities that it has afforded other regions of the UK and NI in providing a needs based community youth station on the FM spectrum which River FM facilitates in our Council area.**

Councillor J Boyle suggested that representatives from River FM be invited to make a presentation to the relevant Committee to provide Members of details on the work and ambitions of the radio station. Members agreed.

In response to a request for an update regarding Drive 105FM from Councillor J Boyle, the Mayor advised that conversations were still ongoing with the radio station and would he furnish Members with the updated information as requested.

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

**Resolved This council supports those involved with our local youth radio station River FM;**

**recognises their efforts in putting the youth of our council area first by offering opportunities to work in local media;**

**supports their ambition to obtain a non-profit FM community radio licence from Ofcom;**

**and writes to request that Ofcom reverse their decision not to allow River FM the same opportunities that it has afforded other regions of the UK and NI in providing a needs based community youth station on the FM spectrum which River FM facilitates in our council area.**

**C360/20 Commercial Dredging of Lough Neagh**

Councillor Harkin Moved, Seconded by Councillor Gallagher

**That Council notes with great disappointment the decision of Infrastructure Minister Nicola Mallon to grant continued commercial dredging of the European protected area Lough Neagh. Environmental campaigners Friends of the Earth said, "The Minister's decision has made a mockery of our environmental designations and our protections."**

**This decision amounts to an assault on our ecology that will, if unchecked, lead to an environmental wasteland.**

**Council will write to the Minister expressing our objection on the basis of our Climate Emergency Declaration and Pledge. Council will support efforts to reverse the decision. Council will invite representatives from Friends of the Earth and the Environmental Gathering for a presentation on the ramifications of this decision.**

Councillor Reilly Proposed an Amendment, Seconded by Councillor Dobbins

**That Council welcomes the recent launch of a cross-party Assembly Bill to tackle the climate emergency; notes points raised by Friends of the Earth in relation to the recent decision on sand dredging of Lough Neagh; further recognises Minister Mallon's statement that she commits to continuing to monitor the balance between the economic and environmental impact of sand dredging of Lough Neagh.**

**Council will write to the Minister outlining our**

**Climate Emergency Declaration and Pledge. Council will invite representatives from Friends of the Earth and the Environmental Gathering for a presentation on the ramifications of this decision.**

Councillor Harkin stated that he wished to challenge the admissibility of the amendment and sought advice on the matter. He believed that the amendment fundamentally altered the content of the original motion.

The Chief Executive referred to section 17.1(2) of standing orders and advised that he and the Lead Legal Services Officer had considered the matter independently and have concluded that the amendment was admissible for the following reasons: it did not negate the original motion; it notes the comments raised by Friends of the Earth, Council were still requested to write to the Minister; the amendment did not set out support and that the invite would still be extended to the environmental groups. He stated that the notice of motion had been weakened by the wording of the amendment, however it had not been negated.

He stated that there was an element of subjectivity to the matter and that it was ultimately the decision of the Mayor whether or not to accept the amendment.

Councillor Harkin argued that the amendment did negate the original motion as it altered the core proposal 'that Council objected' had been omitted from the motion. Therefore, on that basis, he still wished to challenge the validity of the amendment and suggested that the SDLP submit their amendment as a notice of motion at a subsequent Council meeting.

The Chief Executive advised that the consistent advice of the Lead Legal Services Officer in relation to notices of motion was to be extremely economical with language when proposing a notice of motion. Had the notice of motion simply contained that statement to object, the amendment would then be a negation. However, the notice of motion contained a number of actions and must be reviewed in its entirety.

The Mayor stated that it was his understanding as Councillor Harkin had outlined earlier in the meeting that he had requested advice on the amendment from the Chief Executive and the Lead Legal Services Officer. He stated that they had both provided that advice independently. He stated that he had always taken advice from them

on all issues that have been called into question and had always strongly heeded the advice given. Therefore, he would permit the amendment.

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

For:- 27; Against:- 6; Abstentions:- 0.

The Amendment was therefore carried.

Councillor Kelly Proposed a further Amendment, Seconded by Councillor Duffy

**That Council welcomes the recent launch of a cross-party Assembly Bill to tackle the climate emergency; notes points raised by Friends of the Earth in relation to the recent decision on sand dredging of Lough Neagh; further recognises Minister Mallon's statement that she commits to continuing to monitor the balance between the economic and environmental impact of sand dredging of Lough Neagh.**

**Council will write to the Minister outlining our Climate Emergency Declaration and Pledge. Council will invite representatives from Friends of the Earth and the Environmental Gathering, the Lough Neagh Partnership and the Quarry Products Association for a presentation on the ramifications of this decision.**

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

For:- 17; Against:- 11; Abstentions:- 3.

The Amendment was therefore carried and subsequently became the Substantive Motion.

**That Council welcomes the recent launch of a cross-party Assembly Bill to tackle the climate emergency; notes points raised by Friends of the Earth in relation to the recent decision on sand dredging of Lough Neagh; further recognises Minister Mallon's statement that she commits to continuing to monitor the balance**

**between the economic and environmental impact of sand dredging of Lough Neagh.**

**Council will write to the Minister outlining our Climate Emergency Declaration and Pledge. Council will invite representatives from Friends of the Earth and the Environmental Gathering, the Lough Neagh Partnership and the Quarry Products Association for a presentation on the ramifications of this decision.**

Councillor Harkin described the vote as disappointing and also very revealing. He felt that Sinn Féin, SDLP, DUP, UUP and the Alliance Party along with Council officers did not understand the climate emergency or what it meant to take a climate pledge. He stated that Council had effectively torn up the climate pledge.

The Mayor advised Councillor Harkin that Council officers provided advice and support. Councillor Harkin had asked for an officer opinion. The Chief Executive provided that opinion and also indicated that it was the decision of the Mayor whether or not to accept the amendment. He stated that it was unfair of Councillor Harkin to berate council officers for providing support and advice to the Mayor as Chair of Council or Members.

On a Point of Order, Councillor Reilly concurred with the Mayor's comments in relation to Councillor Harkin's remarks. He stated that he could have commentary on any of the Elected Members without interference and that people will have their say but to paint officers with a political opinion was wrong. He asked Councillor Harkin to withdraw his remarks. He stated that Councillor Harkin would have people believe that he was the champion of worker's rights and encouraged workers to join trade unions so he can't allow himself to be in a position where he was painting members of Council staff in this way.

The Chief Executive advised that he would address the issues raised by Councillor Harkin in respect of Council officers directly.

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

For:- 28; Against:- 4; Abstentions:- 0.

The Substantive Motion was therefore carried and the Council

**Resolved** That Council welcomes the recent launch of a cross-party Assembly Bill to tackle the climate emergency; notes points raised by Friends of the Earth in relation to the recent decision on sand dredging of Lough Neagh; further recognises Minister Mallon's statement that she commits to continuing to monitor the balance between the economic and environmental impact of sand dredging of Lough Neagh.

**Council will write to the Minister outlining our Climate Emergency Declaration and Pledge. Council will invite representatives from Friends of the Earth and the Environmental Gathering, the Lough Neagh Partnership and the Quarry Products Association for a presentation on the ramifications of this decision.**

### **Open for Information**

#### **C361/20 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.

#### **C362/20 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.

#### **C363/20 Sealing List October 2020**

Alderman Devenney Moved, Councillor Mooney Seconded and the Council

**Resolved that the seal of the Council be affixed to the following documents**

**Sealing List – October 2020**

Document Sealed 17 September 2020

Conveyance in duplicate:- Fountain Street Community Development Association ~to~ Derry City and Strabane District Council relating to land at Fountain Street, Strabane.

Deed of Surrender of Sub-Lease in duplicate:- Derry City and Strabane District Council ~and~ Fountain Street Community Development Association relating to land at Fountain Street, Strabane.

Documents Sealed 9 October 2020

Licence Agreement in triplicate:- St Columb's Diocesan Trust ~and~ Derry City and Strabane District Council relating to lands at Trench Road, Derry.

Licence Agreement:- Karen Grace t/as Twos Company Catering relating to Gwyn's Pavilion Brooke Park, Derry.

Documents Sealed 14 October 2020

Lease in duplicate:- Derry City and Strabane District Council ~and~ Bronagh Kearney, Nicola Bradley, Donna Nicholas and Linda Sayers Trustees of Jack & Jill Playgroup relating to premises at Dergbrough Road, Plumbridge.

Documents Sealed 15 October 2020

Deed of Indemnity:- Northern Ireland Tourist Board ~and~ Derry City and Strabane District Council relating to Design, Support and Hosting of E-Tourism related Website Platform.

Documents Sealed 29 October 2020

Grant of right of Burial in Ballyoan Cemetery

Dr Ian Palin, 13 Summerhill, Prehen Park, L'derry, BT47 2PL

Grant of Right of Burial in Claudy Cemetery

Mrs Mandy Harkness, 184 Abbeydale, Waterside, BT47 6FY  
Ms Elaine Ferguson, 130 The Old Fort, Derry, BT47 6SS

### Grants of Right of Burial in City Cemetery

Ms Catherine McCauley, 20 Aranmore Avenue, Creggan, Derry, BT48 9TS

Mr Denis White, 7 Leenan Gardens, Derry, BT48 9NF

Mr Bernard Friel, 12 Old School Lane, Derry, BT48 8SP

Kathleen Doherty, 155 Sunbeam Terrace, Derry, BT48 6UU

Mrs Aishling Joyce, 5 Meadow Vale, Dundrain, Burnfoot, County Donegal

Mr Emmanuel Carvana, 3 Creggan Heights, Derry, BT48 9QS

Siobhan Duffy, 6 Fairways, Derry, BT47 2NN

Mrs Mary Moore, 19 Brewsters Close, Derry, BT48 6AH

Mr Liam Lynch, 12 Oakfield Avenue, Derry, BT48 9BD

Mr Pat Reid, 28 Eastway Gardens, Derry, BT48 9QB

Mr Pius Cox, 4 Manse Farm, Derry, BT48 8GN

Mrs Kathleen Kelly, 33 Ardnamoyle, Derry, BT48 8HN

Ms Lisa Devine, 218 Clon Elagh, Derry, BT48 8TR

Mrs Kayleigh Fulton, 42 Earhart Park, Derry, BT48 8FN

Mr John Anthony Toland, 11 Joseph Place, Derry, BT48 6LH

Ms Shauna Doherty, 22 Chamberlain Street, Derry, BT48 6LR

Ms Geraldine Chambers, 24 Hatmore Park, Derry, BT48 0AY

Mr John Friel, 25 Portlock Place, Derry, BT48 8PR

Ms Emma Doyle, 51 Magowan Park, Creggan, Derry, BT48 9SJ

Ms Alicia McDaid, 10 Rathmore Road, Derry, BT48 9BS

Mrs Paula McIvor, 6 Woodland Mews, Derry, BT47 2FF

Mr Martin O'Hara, 241 Ivy Mead, Derry, BT47 3SW

Mr Sean Toland, 5 Three Gables, Foyle Road, Derry, BT48 6AY

### **Grants of Right of Burial in Ardstraw Burial Ground**

Don Craig, 9 Linen Green, Sion Mills, Strabane, Co Tyrone, BT82 9TL

### **Grants of Right of Burial in Aughalane Burial Ground**

Ivan McKelvey, 31 Main Street, Plumbridge, Omagh, Co Tyrone, BT79 8DQ

Lorna Griffin, 23 Gortmore Gardens, Omagh, Co Tyrone, BT78 5DZ

### **Grants of Right of Burial in Castleberg Burial Ground**

David Montgomery, 9B Hazel Grove, Castleberg, Co Tyrone, BT81 7RW

James McKibbin, 15 Derg Fold, Castleberg, Co Tyrone, BT81 7AJ

Stephen Allen, 29 Erganagh Road, Castledearg, Co Tyrone, BT81 7JQ

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

Donna Hepburn, 5 Wallace Heights, Magheramason, Co Londonderry, BT47 2SD

John McCrea, 15 Lowry's Lane, Ballymagorry, Strabane, Co Tyrone, BT82 0NP

Roberta Ferguson, 48 Primity Terrace, Newbuildings, Co Londonderry, BT47 2QX

Ryan Rutherford, 66 Duncastle Park, Newbuildings, Londonderry, BT47 2QL

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

Yvonne O'Kane, 20 Evisch Grove, Strabane, Co Tyrone, BT82 8HR

Aaron Moore, 71 Springhill Park, Strabane, Co Tyrone, BT82 8BZ

Noreen Dunnion, 160 Ballycolman Estate, Strabane, Co Tyrone, BT82 9AJ

Anna McCauley, 5 Innisfree Gardens, Strabane, Co Tyrone, BT82 8JD

Ann Jefferson, 33 Drumrallagh, Strabane, Co Tyrone, BT82 8JW

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

Violet Brown, 16 Spruce Road, Strabane, Co Tyrone, BT82 8LL

**C364/20 Local Government Act (Northern Ireland) 2014 – Confidential Business**

Alderman Devenney Moved, Councillor Mooney 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 24 September 2020;**

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

- (i) Special Environment and Regeneration Committee held on 21 September 2020**
- (ii) Monthly Governance and Strategic Planning Committee held on 6 October 2020**
- (iii) Monthly Planning Committee (Reconvened) held on 8 October 2020**
- (iv) Monthly Business and Culture Committee held on Tuesday 13 October 2020**
- (v) Monthly Environment and**
- (vi) Regeneration Committee held on Wednesday 14 October 2020.**
- (vii) Monthly Health and community Committee held on Thursday 15 October 2020.**

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