

Derry City and Strabane District Council

Open Minutes of Health and Community Committee of Derry City and Strabane District Council held in the Chamber, Guildhall, Derry on Thursday 19 July 2018 at 4.00pm.

Present: - Councillor R McHugh (Chairperson); Alderman McClintock; Councillors Cusack, Donnelly, Duffy, Gardiner, McCauley, McGinley, Robinson and Tierney.

Non Members of Committee:- Aldermen Devenney and Hussey; Councillors Gallagher and P Kelly.

In Attendance: - Director of Health and Community (Mrs K McFarland), Head of Health and Community Wellbeing (Mr S Donaghy), Solicitor (Mrs L McShane), Children and Young People's Co-ordinator (Ms C Lynch) PA to Health and Community Director (Mrs L Shields) and Committee Services Assistant (Mrs T Johnstone).

HC146/18 Notice and Summons for Meeting

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

HC147/18 Members Attendance and Apologies

The Director of Health and Community recorded Members attendance. Apologies were received from Aldermen R Hamilton and Thompson and Councillors Campbell and Carlin.

HC148/18 Declarations of Members' Interests

Councillor Tierney declared an interest in the following agenda items:

- Agenda Item 15 – Policing and Community Safety Partnership Funding Update 2018/19
- Agenda Item 16 – Policing and Community Safety Partnership (PCSP) Small Project Support 2018/19.

Councillor R McHugh declared an interest in the following agenda items:

- Agenda Item 15 – Policing and Community Safety Partnership Funding Update 2018/19
- Agenda Item 16 – Policing and Community Safety Partnership (PCSP) Small Project Support 2018/19.

Open for Decision

HC149/18 Deputation – Northern Ireland Human Rights Commission – ‘Out of Sight, Out of Mind: Travellers’ Accommodation in NI’

The Chair welcomed the Mr Colm Caughey and Ms Hannah Russell from the Northern Ireland Human Rights Commission to the committee meeting and invited them to make their presentation.

The representatives from the Human Rights Commission presented ‘Out of Sight, Out of Mind: Traveller’s Accommodation in NI’ and highlighted the following:

- The focus of their investigation which included all Travellers throughout Northern Ireland and their accommodation needs which was human rights focused
- The investigation timeline from June 2016 to March 2018
- Evidence gathering from public authorities, civil society organisations and Travellers
- The design guide within the legal framework was outdated with lack of clarity with site licences
- Laws were not adequately implemented in practice
- Found evidence of discriminatory behaviours and attitudes from public authorities and the settled community
- Lack of structured race relations programmes
- Existing accommodation was insufficient to need
- Lack of departmental monitoring mechanism for funding
- Insufficient culturally adequate accommodation and provision of standard services and facilities due to a lack of effective management
- Travellers not engaging with or availing of the formal mechanisms that are available
- Recommendations to Councils included; adequate provision and regulation of services, undue planning delays, site licences and active membership on the Local Government Partnership on Travellers Issues

The Chair thanked the representatives for their presentation and invited comments from the Committee.

Councillor McGinley welcomed the representatives to the meeting and thanked them on a valuable piece of work. He stated that the report had highlighted systemic issues which highlighted why an investigation was required. He stated that it was useful for Elected Representatives to have a sense of how much progress has been made and what ongoing work was needed within the recommendations. He proposed that Officers bring a report to a future committee meeting highlighting what progress has been made in accordance with the recommendations as it was important that Council implement the recommendations as soon as possible.

Councillor Donnelly stated that as an elected representative he has dealt with problems faced by the Traveller community on numerous occasions. He further stated that they faced widespread prejudice, racism and discrimination. He welcomed the report and hoped that the recommendations were acted upon by Council.

Councillor Tierney also thanked the representatives for their presentation and on behalf of the SDLP welcomed the publication of the report. He referred to the site at Ballyarnett and stated that there were major concerns regarding the classification of the site. He stated that the Ballyarnett site was no longer used as a transient site as most of the users were residing there on a permanent basis with children attending the local schools. He expressed concern that the statutory agencies had recognised that Ballyarnett was no longer being used as a transient site but were not prepared to upgrade facilities as required and that Elected Representatives were in the process of attempting to have Ballyarnett classified as a permanent site.

He further stated that the Northern Ireland Housing Executive (NIHE) in partnership with Council have stepped up and installed shower blocks at the site however, it still needs to be upgraded to a permanent site. He referred to the needs of Traveller accommodation within the report and stated that it was also important to look at the wider needs, such as adequate facilities for the traveller community. He felt that it was important for community facilities to be specifically tailored to the needs of Travellers was important as they had often felt anxious when having to attend a community facility given that the settled community had often deterred them from availing of that service.

He felt that in his opinion, that while working with some of the other statutory agencies on traveller issues they had taken a reserved approach and that the Traveller community was reluctant to highlight their plight due to fears of a backlash.

Alderman McClintock thanked Mr Caughey and Ms Russell for their very informative presentation. She remarked that the report encompassed the Traveller community throughout all of Northern Ireland. She proposed that a specific report become available giving details on the recommendations being implemented by Derry City and Strabane District Council. She stated that as a Member of the Planning Committee, she hoped that applications were not being dealt with in any discriminatory manner.

Alderman Hussey stated that on a few occasions he had to intervene when issues arose between travellers living within the settled community and that the interaction between both communities could be fractious at times and asked;

- Was there any indication of what the Traveller community was doing towards being proactive in their engagement with the settled community
- how many indigenous and transient travellers were currently residing in the DCSDC area
- Have the necessary resources for the implementation of the recommendations within the report been identified.

In response, Mr Caughey stated that regarding proactive engagement with the travelling community, a number of new traveller groups had been emerging that focused not only on traveller accommodation but also broader issues encountered by Travellers. He stated that as with all community groups and organisations, resources were important and it was imperative that those individuals felt supported by public authorities and others. He reported that the Commission was in the process of implementing a traveller community work forum to include representatives from public authorities along with members of traveller communities and support groups. With regard to resources that are required, he stated that recommendations had been made to the public authorities to identify the necessary resources as there were a range of issues which needed to be addressed. He further stated that a few of the recommendations had indicated that some of the current resources had to be reviewed to ensure their effectiveness. He added that a racial equality strategy was brought into place in 2017 which included groups to deal with issues such as travellers' rights.

Ms Russell referred to comments regarding the Ballyarnett site. She stated that the Commission was aware of issues regarding the categorisation of the site at Ballyarnett. She indicated that Council had the authority to refuse a licence for that site until they were satisfied with the standard of the facilities and the site could not operate until it

was fully licensed. She referred to Alderman Hussey's comments and stated the following:-

- In relation to the amount of travellers within DCSDC area, this was not known and was a matter that needed to be addressed.
- With regard to the traveller community being proactive, it was important to look at the causes of the fractious relationships.
- Wider discussion was needed to gauge what the traveller communities, Council public authorities and the settled community were doing regarding being proactive.

She added that Council as a public authority has a responsibility to monitor, guide and to protect the rights of the settled community and the traveller community. She felt that proactive steps from travellers within settled communities was needed.

Councillor Gallagher stated that travellers had expressed a sense of erosion of their culture particularly from public bodies. He stated that it was important to make attempts to eradicate that feeling within the Traveller community. He stated that he concurred with comments made by Councillor Donnelly on the importance that the recommendations outlined in the report were implemented.

Councillor Robinson stated that Members were dealing with issues at the Ballyarnett site as part of a community forum in an attempt to come to a resolution. He concurred with Councillor Tierney's remarks regarding the reluctance of the statutory agencies in dealing with travellers issues on the lack of facilities. He stated that in his opinion, the agencies were using legislation and red tape to block the provision of proper facilities. He stated that by using sustained pressure at the forum, some of those issues had been partially resolved. He enquired what help the Human Rights Commission could provide to a forum to deal with these issues.

Mr Caughey stated that the Commission held an advice clinic to enable people to receive advice on specific issues and also to provide guidance to community groups for advice or training. He stated that the Commission did not have a specific training or capacity based department within the organisation. However they were keen within the resources they had, to assist organisations and to keep them informed in terms of actions to be taken towards the implementation of the recommendations within the report. He stated that the proposed forum would encourage public authorities and local councils to take ownership and provide best practice within that group which could be shared in other areas.

Councillor P Kelly thanked the representatives for their report and asked what engagement they have had with the NIHE and Council regarding the Greenbrae site at Strabane. He stated that it would be extremely costly to make the site fit for purpose as it has been derelict for quite some time.

In response, Ms Russell stated that part of the implementation plan would be to liaise with the public authorities, Council and the Northern Ireland Housing Executive. She reported that the Commission had met with the NIHE and they had raised all concerns regarding the site at Greenbrae. She stated that from a human rights point of view there is an urgent need for services to be provided. She further stated that the report clearly outlined the obligations and it was the responsibility of stakeholders including Council as a public authority to inform them of their obligations as a housing provider on these matters and to provide a resolution.

The Head of Health and Community Wellbeing reported that approximately four of the recommendations directly related to Strabane and Derry and that Greenbrae and Daisyfield had closed. He stated that applications had been received for a site licence, however these were returned to the NIHE as they were incomplete. He reported that a number of meetings with NIHE have taken place to discuss proposals and the NIHE had commissioned a consultant to review traveller sites across Northern Ireland and this report has been completed. He further stated that Council will process any applications for a site licence from the NIHE and that no planning applications have been received.

Ms Russell referred to Councillor P Kelly's comments regarding Greenbrae. She stated that the approach of the Commission was to consider Greenbrae as a business case. She stated that after discussions with Travellers, they want accommodation that is appropriate to their culture and tradition therefore there was an obligation to consider their needs, however one must also look at the obligation to the wider community. She stated that to build houses for those who wished to move back onto the traveller site would have a significant cost. She stated that a major issue was that sites had not been properly managed which had led to additional costs.

Councillor Gallagher stated that the NIHE spend millions of pounds on the building and maintenance of social housing because they owned the properties. However, Greenbrae is also owned by them therefore they should be building on and maintaining the site.

The Chair thanked Mr Caughey and Ms Russell for their presentation and on behalf of the Committee was happy to hear that Council was active in meeting some of the recommendations, however the report had highlighted that further work was necessary. He added that the Officer report would provide details on how Council could be even more supportive in terms of the recommendations within the Commission's report.

Chairperson's Business

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Matters Arising

Open for Information

The Meeting then went into Confidential Business.