

**LIMAVADY BOROUGH COUNCIL
COMHAIRLE BHUIRG LÉIM AN MHADAIDH
MONTHLY COUNCIL MEETING**

3 FEBRUARY 2009

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 7.40 pm on the above date.

PRESENT:

In the Chair: Councillor Chivers.

Aldermen G Mullan, J Rankin and G Robinson. Councillors A Brolly, P Butcher, M Carten, M Coyle, L Cubitt, M Donaghy, B Douglas, Councillor Ó hOisín, A Robinson and E Stevenson.

IN ATTENDANCE:

Committee Clerk, Administration Officer, Director of Support Services and the Chief Executive.

APOLOGIES: - Councillor McElhinney.

MINUTES:

The minutes of meeting held 16 December 2008 were approved and signed on the proposal of Alderman Robinson, seconded by Councillor Coyle subject to the following comment being noted:

Page 1 – Transition Committee: Councillor Stevenson requested that it be noted that during the debate on nominations to the transition committee that he had highlighted that A member stressed that

MATTERS ARISING: - None.

MINUTES OF AUDIT COMMITTEE:

The minutes of Audit Committee meeting held 9 October 2008 were noted.

RATES ESTIMATES:

Following on from the meeting of Council's Support Services Committee on 29 January 2009, Councillor Donaghy Chairperson of the committee proposed:

- (a) adoption of the projected estimated net expenditure of £8,740,947 for 2009/2010;
- (b) authorisation of the expenditure as set out in the Estimates and
- (c) adoption of a Domestic Rate of 0.3750 pence and a Non-Domestic Rate of 25.6732 pence for the year 2009/2010.

This represents an increase of 5.49% from the year 2008/09.

Councillor Donaghy outlined that Council would implement its corporate plan for the period 2009-2011 with the overall mission of serving the community of Limavady Borough in a way that meets its needs for service provision, economic prosperity, sustainable development and quality of life. She said that in so doing, Council is most conscious of the need to maintain tight and effective budgetary control, strike a reasonable rate for the incoming year and endeavour to maintain reasonable reserves in line with Local Government Auditor guidance. She added that Council's reserves of £185k were the lowest in five years as a result of a claim back in rates revenue by the Ministry of Defence of £395k resulting from an appeal dating back to 2003/2004.

Councillor Donaghy explained that in order to improve services and facilities, Council would be involved in the following activities:

- Construction of a new multi-purpose Civic Centre at Town Hall site, Limavady.
- Provision of 3 new play areas.
- Undertaking various works to improve access for the disabled to our services and our facilities.
- Implementation of the Tourism Strategy for the Borough.
- Implementation of a Good Relations Strategy.
- Provision of a civic amenity site for Dungiven area.
- Development of a recycling education and awareness programme.
- Upgrading various playing fields and sports facilities.
- Carrying out improvements to Benone Tourist Complex and Roe Valley Leisure Centre.
- Provision of toilet facilities in Ballykelly.

She said that many of these activities would attract other sources of funding to support the ratepayers contribution thus helping to provide better value for money

Councillor Donaghy explained that the rates estimates for 2009/10 consisted of loan charges of £989k, an increase of £135k or 15.80% due to the provision of a new multi purpose civic centre costing £98k, improvements being carried out at Roe Valley Leisure Centre and Benone Tourist Complex costing £8k and the replacement of vehicles and equipment costing £29k. She said that wages and salaries amounted to £5,002k, an increase of £304k or 6.46% due mainly to a cost of living increase of 2.00% costing £95k, an increase in employers pension contribution rate from 15% to 16% costing £43k, finalising the implementation of Single Status costing £67k, additional staff required to manage Dungiven Community Hall costing £38k and staffing of other initiatives such as Community Wardens £32k, Active Lifestyle £10k and Neighbourhood Renewal £12k. These three initiatives were 100% grant aided.

It was noted that other expenses were £4,856k an increase of £270k or 5.88% due to the Neighbourhood Renewal initiative costing £122k for which there is a 100% grant aid, landfill tax associated with the disposal of 9700 tonnes of waste costing £96k, additional vehicle hire costing £17k, increased heating oil, electricity and Ffirmus Gas prices costing £34k in total, community improvement initiatives costing £80k for which there is a 100% grant and the leasing cost of equipment to upgrade Dungiven Sports Pavilion and Community Hall costing £23k. Offset against these additional costs were savings of £55k for car ferry security and a one

off contribution in 2008/09 of £50k towards the provision of a new all weather pitch in Limavady.

Councillor Donaghy reported an income of £2,106k an increase of £370k or 21.32% due to grants towards the cost of the initiatives of Neighbourhood Renewal £135k, Active Lifestyle £11k, Community Safety £30k, Community Warden £37k, Local Community fund £51k. She said that additional income would be generated at the Dungiven Community Hall and Sports Pavilion of £37k and at the astro turf pitch in Limavady of £35k. She added that additional funding was available for air quality monitoring and home safety initiative £25k and that waste disposal recycling sales would generate £40k. Offset against these increases was a reduction in building control income of £40k reflecting a downturn in the building industry.

Councillor Donaghy stated that this resulted in a net expenditure of £8,741k, an increase of £338k or 4.03% and after allowing for General Grant of £1,565k, a decrease of £85k and a balance applied of £91, the net amount to be raised by the rates was £7,085k which is equivalent to a Domestic rate of 0.3750 in the pound, an increase of 5.49% and a Non Domestic rate of 25.6732 pence in the pound, an increase of 5.49%. She said that as the regional rate increase for the year 2009/10 was zero, the net increases to the householder or commercial premise would be 2.72% and 2.46% respectively, which would mean a rates bill increase of £19 per year for the average householder in the Limavady Borough Council area.

The proposal was seconded by Councillor Butcher and on being put to the meeting was declared carried, 13 for, with Councillor Cubitt requested that it be noted that he voted against the striking of the rate.

CHIEF EXECUTIVE'S REPORT – FEBRUARY 2009:

Civic Centre Tender Report: *IN COMMITTEE* on the proposal of Councillor Butcher, seconded by Councillor Donaghy. Members were tabled with tender report for the Multi-Purpose Civic Centre. Following review, it was agreed on the proposal of Councillor Butcher, seconded by Alderman Mullan that the lowest tender submitted by Heron Brothers Ltd in the sum of £2,633,000 would be accepted.

Former Employees Complaint: The Chief Executive summarised legal opinion received in relation to a complaint by two former employees. It was agreed on the proposal of Councillor Coyle, seconded by Alderman Mullan that the recommended statement of apology would be forwarded to the employees' solicitor and if accepted, this would be the end of the matter and neither Council nor individual Councillors would be subject to any further action. *OUT OF COMMITTEE* on the proposal of Councillor Donaghy, seconded by Alderman Robinson.

EQIA – Extension of Councils Bilingual Logo: Members were informed that consultation would commence within the next two weeks on proposals to extend the use of Councils Bilingual logo. He said Councillors, Council staff, elected representatives, political parties and 120 organisations would be invited to input into the process during the 8 weeks of statutory consultation.

Roe Valley Community Education Forum and Women's Network: It was agreed that the Roe Valley Community Education Forum and Women's Network

would present details of their work to Council at the Development Services meeting on 10 March 2009.

TRANSITION COMMITTEE NOMINATIONS:

a) Notice of Motion submitted by Alderman Robinson:

‘That this Council rescinds the decision made at the Support Services meeting on 2nd December 2008 regarding nominations to the Causeway Coast Transition Committee and instead adopts the D’Hondt list (Assembly method) in this instance ie in the order SF, SDLP, SF, UUC and DUP, thus reflecting the current balance of Council’

The motion was seconded by Councillor Robinson and after considerable debate by members; Councillor Stevenson proposed the following amendment:

‘That this Council rescinds the decision made at the Support Services meeting on 2nd December 2008 regarding nominations to the Causeway Coast Transition Committee and instead adopts the D’Hondt list (Assembly method) **and thereafter during the life of this council, including any extension**, ie in the order SF, SDLP, SF, UUC and DUP, thus reflecting the current balance of Council’

The amendment was seconded by Alderman Rankin. A number of points were made in favour of the motion, which included that the Assembly method of D’Hondt reflected proportionality of Council and was recommended by Professor Elliott from Queens University.

Council agreed to take a 10 minute recess at 8.35 pm and resumed at 8.45 pm.

A member stated that although Alderman Robinson had given direction with regard to D’Hondt, the amendment to extend this method for the duration of the Council was irrelevant for nominating to the Transition Committee.

The amendment was put to the meeting and declared lost, 2 for, 8 against and 4 abstentions. The substantive motion was put to the meeting and declared lost, 6 for, 7 against and 1 abstention.

b) Report – Transition Committee Nominations:

Using the current method of D’Hondt the members nominated to the Transition Committee were (3 SF) Councillor Ó hOisín, Councillor Butcher, Councillor Chivers and (1 SDLP) Alderman Mullan, The UUC decided to defer nomination for the fifth seat until after the outcome of investigation into Councils use of D’Hondt by the Equality Commission.

RESOLUTION SUBMITTED BY ARMAGH CITY & DISTRICT COUNCIL:

The following resolution submitted by Armagh City & District Council was noted.

‘That this Council supports the Minister for Regional Development in reviewing his department’s policy for gritting rural roads to ensure that all roads which are used by a school bus are included in the Winter Gritting Schedule as a matter of policy.’

EXTERNAL MINUTES - NOTED:

- Lower Foyle Catchment Stakeholder Group – 21 October 2008
- WH&SCT – 6 November and 4 December 2008

CONSULTATIONS:

It was agreed that the Corporate Policy Officer would respond on Council's behalf to the following consultation documents:

- ◆ Office of the First Minister and Deputy First Minister – Removal of the Exemption for Operators of Transport Services from Part III of the Disability Discrimination Act 1995 – *13 March 2009.*
- ◆ Department of the Environment – The Draft Local Government (Contracts and Compulsory Purchase) Bill – *12 March 2009. It was agreed that response would take into consideration any additional information provided by the solicitor of Derry City Council.*
- ◆ DARD – Revised Equine Identification Legislation – *27 February 2009.*
- ◆ Department of Health, Social Services and Public Safety – A Legislative Framework for Mental Capacity and Mental Health Legislation in Northern Ireland – *31 March 2009.*
- ◆ NIO Policing Policy and Strategy Division – Government Proposals in Response to a Review of Policy and Criminal Evidence (PACE) in Northern Ireland – *2 April 2009.*
- ◆ Roads Service – Setting Local Speed Limits in Northern Ireland – *17 April 2009. A member highlighted that there could be difficulties having so many different speed limits. However, lowering the speed limit at schools was welcomed.*
- ◆ Advice Services Alliance (Advice NI, Citizens Advice and Law Centre NI) – Consultation Papers on Quality, Information Technology and Training – *27 February 2009.*

COURSES/CONFERENCES:

It was agreed that Councillor Coyle, Councillor Chivers, Councillor Cubitt and the Chief Executive would attend the NILGA 2009 Annual Conference & Exhibition 'Leading Change, Serving Citizens' to be held 26 and 27 February 2009 in Armagh City Hotel.

SEAL LEGAL DOCUMENTS: - None.

ANY OTHER BUSINESS:

WWW Earth Hour Initiative: It was agreed that Council would support the initiative whereby people around the world would turn their lights off for one hour on Saturday 28 March 2009 at 8.30 pm.

Translink Services: Members voiced concern at the withdrawal of the bus service from Limavady to Belfast by Translink and to the fact that the bus station was closed on Saturdays or when there was a shortage of staff. It was suggested that officials from Translink attend a Council meeting to answer the concerns raised.

Road Safety Council: Concern was raised at the withdrawal of funding for the Road Safety Council and to the fact that local Road Safety groups provided an important role in raising road safety issues which made impact on loss of life. It was suggested that the Roads Safety Council made a presentation to Council with regard to their work and future plans.

School Transfers: It was agreed that a letter would be forwarded to the Minister for Education Caitriona Ruane to inform her that the parents of P6 pupils in the Borough were extremely disgruntled that agreement had not been reached with regard to the school transfer system.

Water Flowing from Quarry: It was agreed that Kennedy Quarries would be asked to stop the flow of water from their quarry on the Coleraine Mountain Road as a number of accidents had occurred when the water turned to ice during spells of cold weather.

FORMAL CORRESPONDENCE:

- ◆ North West Regional College – Get Ahead (Magazine on Full Time Courses 09/10)
- ◆ Equality Commission for Northern Ireland – Equality for All – Annual Report & Accounts 2007/08
- ◆ Community Foundation for Northern Ireland – Annual Report 2007/08
- ◆ The Consumer Council – Annual Report and Accounts 2007/08
- ◆ Oaklee Housing Association – Annual Review 2008
- ◆ Quarry Products Association – The State of your Roads
- ◆ Northern Ireland Statistics & Research Agency – Registrar General Northern Annual Report 2007
- ◆ Report of the Quality Working Group – 12 March 2008
- ◆ Office of the First Minister & Deputy First Minister – Twelfth Annual Report on Public Appointments (www.ofmdfmi.gov.uk/public-appointments)
- ◆ Housing Executive Housing & Health Review Action Plan 2008/11
- ◆ Equality Commission – Mainstreaming Equality of Opportunity and Good Relations for Traveller Children in Schools – Public Policy Statement 2
- ◆ Centre for Competitiveness – Annual Report 2008
- ◆ Community Relations Council – Truce Transformation – Annual Review 07/08
- ◆ Deloitte Research Report – Turning the Tide, opportunities for public sector organisations in an economic downturn
- ◆ PPSERVICE – Guidelines for Division and Code for Prosecutors
- ◆ Review of Domestic Rating – A Consultation Report January 2009
- ◆ Equality Commission for Northern Ireland – Section 75 Keeping it Effective Final Report November 2008
- ◆ Western Education and Library Board - 35 Years Supporting Learning
- ◆ Northern Ireland Human Rights Commission – Annual Report and Accounts 2007/08

NEXT MEETING: - 3 March 2009.

THIS CONCLUDED THE BUSINESS
(The meeting ended at 9.25 pm)

Signed: _____
 Chair of Meeting