

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

3 APRIL 2012

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 S McGlinchey.

Aldermen M Coyle, G Robinson and J Rankin. Councillors O Beattie, A Brolly, B Chivers, B Douglas, T McCaul, C McLaughlin, G Mullan, D Nicholl, A Robinson and E Stevenson.

IN ATTENDANCE:

Committee Clerk and the Chief Executive.

APOLOGIES: - Councillor McCorkell.

MINUTES:

The minutes of meeting held 6 March 2012 were approved and signed on the proposal of Councillor Chivers, seconded by Alderman Coyle.

MATTERS ARISING: - None.

MINUTES OF AUDIT COMMITTEE:

The minutes of Audit Committee held 14 December 2011 were tabled and noted.

CHIEF EXECUTIVES REPORT:

The Chief Executive presented his report for April 2012 which was approved on the proposal of Councillor McCaul, seconded by Councillor McLaughlin subject to the following:

RPA Programme: The Chief Executive informed members that on 26 April 2012 the Voluntary Transition Committee (VTC) would discuss the request by the DOE Minister that a Chair be nominated to the VTC and for the Chair & supporting Chief Executive to be nominated to the Regional Transition Committee. He said that the Minister had also requested that Transition Managers be appointed within each cluster, without financial support from the DOE. He added that the VTC had considered the work requirement likely to progressing reform in the creation of the new Council and it had been agreed that a recommendation go to each of the four Councils to extend the Transition Project Manager post until the Statutory Transition Committee was established, at which time the arrangement would be reviewed. Agreed.

Corporate Risk Register: The Chief Executive presented a progress report on Council's Corporate Risk Register for 2011/12, which was approved by Council. It was agreed that the risk around the joint Corporate Health & Safety Officer post with Moyle District Council would be discussed at the May 2012 meeting. It was also agreed that the risk around procurement would be brought back to Council for further discussion.

Streamlining of Planning Applications: The Chief Executive explained that in January 2012 DOE Planning Division had written to Council regarding the proposed extension to the Streamlined Consultation Scheme, which Council had been operating since 2008. He said that Planning Service proposed to extend the scheme to include all minor and intermediate applications, housing applications up to a maximum of 25 units and office accommodation up to a maximum of 200 sq metres.

Members discussed the streamlined process and it was acknowledged that whilst there were a number of problems associated with the scheme, any proposal which lead to applications being processed quickly was to be welcomed. The proposed extension to the Streamlined Consultation Scheme was approved.

Presentation to Council: It was agreed that the Northern Ireland Housing Executive would present its annual District Housing Plan to Council at the August 2012 Monthly meeting.

HIGH HEDGES (FEE) REGULATIONS (NI) 2012:

The Chief Executive referred to a paper presented to Council by the Director of Environmental Services, which outlined that the High Hedges Act (Northern Ireland) 2011 came into operation on 31 March 2012 and that this gave local councils the power to deal with complaints about high hedges. He said that a complaint may be made to Council if a person's reasonable enjoyment of their property is being adversely affected by the height of a hedge situated on land owned or occupied by another person and this must be accompanied by a fee determined by the local council, up to a limit of £360.

The Chief Executive outlined that it was recommended that in line with other neighbouring councils and in accordance with Section 3(1)(b) of the High Hedges Act (Northern Ireland) 2011, that a fee of £360 would be set by Limavady Borough Council to accompany a complaint regarding a high hedge.

Councillor Chivers proposed, seconded by Councillor McLaughlin that the fee be set at £50 and reviewed in one year's time. There followed a discussion in which it was highlighted that a low fee could lead to vexatious complaints and that Council should take a balanced approach and consider all the information set out in the legislation. Councillor Douglas said that Limavady Borough Council should be doing the same as other Councils in the Causeway cluster and proposed that the fee be set at £360 and reviewed in 6 months. This was seconded by Alderman Rankin.

Councillor Brolly put forward an amendment and proposed, seconded by Councillor McCaul that the fee be set at £100 and reviewed in 6 months time. At this point Councillor Chivers withdrew her initial proposal. The amendment was put to the meeting and declared carried, 9 for, 5 against. The substantive motion was put to the meeting and declared carried, 9 for, 5 against.

EXTERNAL MINUTES NOTED:

- Western Health & Social Care Trust – 1 December 2011
- Western Health Environmental Health Committee – 6 December 2011

CONSULTATIONS:

The following consultation documents were noted by Council:

- Department of Justice – Proposals for the Future of Office of the Police Ombudsman for NI.

COURSES/CONFERENCES: - None.

SEAL LEGAL DOCUMENTS: - None.

FORMAL CORRESPONDENCE:

- Odyssey Trust, 2011 Annual Accounts
- RSPCC – Annual Report 2010
- Queens University Belfast – We are Exceptional, Vice Chancellors Report 2010/11
- International Fund for Ireland – Annual Report & Accounts
- Housing Research Bulletin – Issue 13 2012
- The Institute of Public Health in Ireland – Active Travel
- WELB – Annual Report & Accounts

ANY OTHER BUSINESS:

Ferry Service: IN COMMITTEE. It was agreed on the proposal of Alderman Coyle, seconded by Councillor Brolly that Council would accede to the request from the Foyle Ferry Company for 50% of the €10,000 set aside as deficit funding for the ferry service. This was subject to a mechanism being in place to recover the funds, with an assurance given that if the money was not needed, that it could be clawed back and after the specified accounts had been made available. It was also agreed that although the contract period for the Magilligan to Greencastle Ferry was from 1 April to 30 September 2012, that the Ferry Company could operate at their own risk until 31 March 2013. **OUT OF COMMITTEE.**

NEXT MEETING: - 1 May 2012.

THE BUSINESS CONCLUDED AT 8.35 PM

Signed: _____
Chair of Meeting