

**LIMAVADY BOROUGH COUNCIL
COMHAIRLE BHUIRG LÉIM AN MHADAIDH
ENVIRONMENTAL SERVICES COMMITTEE**

5 APRIL 2005

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 7.30 pm on the above date.

PRESENT:

Aldermen J Dolan, M Carten & G Robinson. Councillors A Brolly, B Chivers, L Cubitt, M Donaghy (in the chair), B Douglas, D Lowry, G Mullan, M McGuigan, J Rankin and E Stevenson.

In Attendance: Committee Clerk, Chief Environmental Health Office, Chief Technical Service Officer, Senior Technical & Waste Management Officer and the Town Clerk.

APOLOGIES:

Councillors M Coyle and B Brown.

DEATH OF POPE JOHN PAUL II:

Members expressed their sorrow on the death of Pope John Paul II and stood in silence as a mark of respect.

MINUTES:

The minutes of previous meeting dated 7 March 2005 were approved and signed on the proposal of Alderman Carten, seconded by Councillor Chivers

MATTERS ARISING:

None

GEOGRAPHICAL SURVEY OF NORTHERN IRELAND:

The chair welcomed Dr Marie Cowan and Mr Conall McDevitt, Geological Survey of Northern Ireland to the meeting.

Dr Cowan explained that the Tellus research programme was a countrywide mapping project, aimed at understanding and contributing to the sustainable development and management of natural resources and to measure and assess the environmental well being of Northern Ireland using modern mapping techniques.

Dr Cowan said that the project was funded by the Department of Enterprise, Trade and Investment and was being conducted by Geological Survey of Northern Ireland. She said that the project would include a ground (geochemical) and airborne (geophysical) survey, both to be completed by the summer of 2006.

Dr Cowan detailed the natural resources of Northern Ireland and how minerals and metals found underground were used for both construction and industrial use.

Members noted the importance of the links between bedrock, soils, drinking water and food and how a better understanding of this would increase the quality of life for residents of the Borough.

Councillor Douglas welcomed the survey and suggested that the results would be beneficial in identifying underground water and for accurate land map boundaries.

Dr Cowan confirmed to Councillor Lowry that when funding was available, it was intended that the project be extended to all of Ireland and that scientific experts working within the project would continue to provide data to agencies such as the DOE on pollutants in local Loughs.

CHIEF ENVIRONMENTAL HEALTH OFFICER'S REPORT – APRIL 2005:

The Chief Environmental Health Officer presented his Report and enlarged thereon. The report was adopted, on the proposal of Councillor Cubitt, seconded by Councillor Rankin subject to the following:

Food Safety (General Food Hygiene) (Amendment) Regulations (NI) 2001: Members noted that following inspection and payment of £100 fee, the licence had been renewed to Ciaran Quinn, O'Kane's Supervalu, 2 Garvagh Road, Dungiven for the sale of both unwrapped raw meats and ready to eat foods from the same premises.

Dogs (NI) Order 1983 - Transfer of Stray Dogs to England: The Chief Environmental Health Officer reported that Council was in receipt of correspondence from the Dogs Trust requesting permission for the Trust to take dogs from the Council's kennels for onward transfer and rehoming in England. He said that Council would receive no payment for the dog and that the Trust had requested that each dog have their first vaccination before transfer.

Members welcomed the and agreed accordingly.

Street Trading (NI) Act 2001: The Chief Environmental Health Officer said that in accordance with powers delegated by Council, a street trading licence had been granted to Mr Raymond Carton, 14 Mountainview Gardens, Coleraine, for a mobile trading licence for the sale of ice cream and confectionary subject to standard terms and conditions for the period 11 March 2005 – 10 March 2006.

In response to Councillor Cubitt's query regarding trading on the beach at Benone, the Chief Environmental Health Officer confirmed that the licence covered street trading only and if this person was found to be trading on the beach, it would be issue Council's by-laws and would be dealt with by the Chief Recreation & Tourism Officer.

Litter (NI) Order 1994 – Article 20 Notice – Failure to Comply: The Chief Environmental Health Officer reported that examination of deposited material found at Terrydremond Road, Limavady revealed correspondence associated with Ms Dianne Young and that on 8 October 2004 a Notice requesting Information about the deposit was served under Article 20 of the Litter (NI) Order 1994.

After failing to return the Notice within the prescribed period, the case had proceeded to Limavady Magistrates Court and on 16 March 2005 the Resident Magistrate had imposed a fine of £120 on Ms Young.

In response to members' queries, the Chief Environmental Health Officer said that the fine imposed was not the standing £50 fixed penalty charge usually imposed for littering or small fly tipping and that once litter went beyond this, it became unlicensed dumping and would be referred to the DOE. He confirmed that was the responsibility of landowner to have dumped material cleared from his/her land.

Chief Technical Service Officer clarified that it would be difficult to quantify the cost of Council for clearing litter but any cost should include man power, transport to landfill, disposal charges and taxes. It was also pointed out that the receipts of fines did not come to Council.

Transfrontier Shipment of Waste Regulations 1994: (LBC –V- Kenneth Cummings & LBC –V- Lesley Morrison) The Chief Environmental Health Officer reminded members that in February 2004 lorries belonging to Mr Morrison were used to haul waste produced by Mr Cummings' business at Aghanloo for disposal in Co. Donegal. He explained that the Environmental Health Department had been in contract with Mr Cummings over a period of time in order to secure the removal of a large quantity of controlled waste unlawfully deposited on lands at Dowland Road, Aghanloo and that it was made clear to him that the materials would have to be removed to a licensed waste management facility.

Members noted that on 9 February 2004 Donegal County Council had impounded several lorry loads of waste sourced at Aghanloo, which were on route to an unlicensed landfill site at Killea and that following negotiations, it was agreed that the waste would be returned to Dowland Road.

The Chief Environmental Health Officer explained that the movement of waste from Limavady to Donegal constituted a breach of the Transfrontier Shipment of waste Regulations 1994 and following court proceedings, Mr Cummings had been fined £1,000 and ordered to pay £75 towards Councils legal costs, together with £40 court costs. Mr Morrison was fined £500 and ordered to pay £75 towards Councils legal costs together with £80 court costs.

The Chief Environmental Health Officer paid tribute to officers of the Department who led the investigation and acknowledged the co-operation and assistance of the officers of Donegal County Council in this complex case.

Ruins at Castle Inn, Dungiven: On behalf of Councillor Coyle, Councillor Lowry requested that the owner of the site of the former Castle Inn, Dungiven remove the fire damaged ruins as they were a health & safety hazard and an eyesore. The Chief Environmental Health Officer said he understood that the site had recently been sold and would continue to try and ensure the ruins were removed under the Dilapidation Pollution Control Order.

CHIEF TECHNICAL SERVICES OFFICER'S REPORT – APRIL 2005:

The Senior Technical & Waste Management Officer presented his report and enlarged thereon. The report was adopted, on the proposal of Councillor Cubitt, seconded by Councillor McGuigan subject to the following:

General Requests for Services: Members voiced concern that trees had been uprooted in the Scroggy Road area and said they would be reluctant to agree to requests for further tree planting until anti-social behaviour had been sorted out.

Northern Ireland Landfill Allowance Scheme: The Senior Technical & Waste Management Officer said that a statement issued by the Department marked the formal introduction from 1 April 2005 of the Northern Ireland Landfill Allowance Scheme. He said that he was confident that Limavady Borough 2005/2006 Northern Ireland Landfill Allowance Scheme targets would be met and consequently no fines would be faced by Council during the period. He added that the various recycling and waste management measures approved by members had seen the diversion from landfill rate rise, for the first time to over 30% for the last quarter of 2004.

Councillor Lowry said he had recently attended a conference where one local authority had put a microchip in household bins which was used to calculate bin weight and subsequently each household was billed for the amount of waste they generated. He suggested Council investigate this concept as it could encourage people to recycle.

Councillor Mullan pointed out that some people could not manage with one grey bin and queried if Council would charge for the collection of a second bin. He suggested that the collection of a second bin might reduce fly tipping. The Chief Technical Service Officer said there were private organisation who provided a second bin collection service.

Draft Policy – Motor Fleet Management: The Senior Technical & Waste Management Officer explained that the purpose of developing the policy on motor fleet management was to help drive improvement of management and operational practices. He said that Council's overall aim was to prevent employees who use vehicles on Limavady Borough Council business and all other who were affected by actions, from suffering accident or ill health at work.

The draft policy was formally adopted by Council on the proposal of Councillor Cubitt, seconded by Alderman Dolan.

Multi Purpose Civic Centre: The Senior Technical & Waste Management Officer reported that Consarc Design Group had advised that the input of an acoustician was required in respect of the design of the multi-purpose hall in order to achieve a successful environment that meet the needs of all end users. It was agreed that the quotation from Robin Mark, a recognised acoustician and specialist in the field of multi-purpose hall acoustics be accepted.

Drainage at Drumavalley Playing Field: The Senior Technical & Waste Management Officer said that whilst the blocked concrete pipe had been repaired at Drumavalley playing field, Council needed to consider the following long term options:

- pumped drainage system
- infill and raise pitch levels
- sell land and acquire higher, drainable land opposite existing pitch

Councillor Mullan said he would like the options to be further explored and that consultations should take place with local farmers and the Community Association. It was agreed on the proposal of Alderman Robinson, seconded by Councillor Cubitt that the options be further developed in consultation with the Chief Recreation and Tourist Officer to enable a firm recommendation to be brought to Council.

South East Lands: It was agreed that this item be discussed **IN COMMITTEE**. The Chief Technical Services Officer outlined the zoning of recreation and open space in the current Limavady Area Plan and in the proposed Northern Area Plan, which was to be published in mid May 2005. He also drew members' attention to the requirements of PPS 8 and submitted letter dated 4 March 2005 from B Mullan & Sons, owners of the land, which offered to provide lands at Bovally free of charge to Council with additional constructed features, subject to that firm being granted permission to construct private dwellings on the balance of the zoned lands.

Members noted that the facilities to be provided were as follows and had a value of £550,000:

- games playing pitch;
- construction of an area adjacent to accommodate play equipment;
- pathway suitable for pedestrian use;
- combined changing room/local club house facility for use by the local community;
- parking space and access for the nearest public road.

Members also noted that in addition the firm was provided to sell to Council part of their lands at Rathbredy Beg adjacent to the town by-pass to meet Council's further recreational needs. Officers confirmed that they were in total agreement that the offer represented good value for Council, met the local needs of the people of Bovally for recreation and open space and would also fill the recreation needs of the wider community of Limavady. Officers also highlighted the importance of Council reaching an early decision thereon. Councillor Brolly proposed that officers be authorised to accept the offer of B Mullan & Sons and this was seconded by Councillor Lowry. Other members, however, felt that it was inappropriate to take such an important decision at such short notice and Councillor Stevenson proposed an amendment that no action be taken until the matter had been further discussed at the last meeting of Council before the Local Government Election which would be held on Thursday 7 April 2005. This was seconded by Alderman Dolan.

Councillor Cubitt requested a recorded vote.

The amendment on being put to the meeting was declared carried, 6, Aldermen Dolan and Robinson and Councillors Cubitt, Douglas, Rankin and Stevenson voting for and 6, Alderman Carten and Councillors Brolly, Chivers, Donaghy, Lowry and Mullan voting against, with the Chair using her casting vote in favour of the amendment. **OUT OF COMMITTEE.**

Drumaduff Landfill Site: The Senior Technical & Waste Management Officer highlighted that the District Valuer had been instructed to urgently approach the relevant land agents with a view to concluding purchase by 29 April 2005 and if agreement was not indicated by this time, it was intended to initiate Compulsory Purchase with the Department of Environment. It was agreed that Council advertise for suitably qualified contractors for inclusion on a select list for carrying out the restoration, closure and aftercare works.

BUILDING REGULATIONS APPLICATIONS (schedule enclosed):

The District Chief Building Control Officer's report detailing applications approved, acknowledged and issued between 2 March 2005 and 24 March 2005 were tabled and noted.

APPROVAL OF EXPENSE FOR INCIDENT TRACKING SYSTEM:

The Senior Management Team's recommended purchase of an Incident Tracking System was agreed on the proposal of Councillor Cubitt, seconded by Alderman Dolan.

WESTPORT EXPERIENCE – ANNUAL CONFERENCE:

It was agreed on the proposal of Councillor Lowry, seconded by Councillor Broolly that 2 officers from Council attend the Westport Annual Conference to be held on Thursday 19 - Saturday 21 May 2005 at a cost of €95.

ANY OTHER BUSINESS:

Condolences: Members expressed their sorry at the sudden death of Mr Desmond McQuilkin who died at Benone Golf Course and it was agreed that a letter of condolence be forwarded to the late Mr McQuilkin's family.

Gortnaghey Community Association: The letter of appeal from Gortnaghey Community Association to Council's decision regarding funding of the proposed Community Hall was tabled and noted.

NEXT MEETING:

6 June 2005

THIS CONCLUDED THE BUSINESS

(The meeting ended at 11.15 pm)