

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

**7 FEBRUARY 2005**

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

**PRESENT:**

**Present:** Aldermen J Dolan and M Carten. Councillors A Brolly, B Brown, B Chivers, M Coyle, L Cubitt, M Donaghy (in the chair), B Douglas, G Mullan, M McGuigan, J Rankin and E Stevenson.

**In Attendance:** Committee Clerk, Acting Town Clerk & Chief Executive, Acting Chief Technical Service Officer and the Senior Environmental Health Officer.

**APOLOGIES:**

Alderman G Robinson, the Chief Environmental Health Officer and the Town Clerk

**MINUTES:**

The minutes of previous meeting dated 10 January 2005 were approved and signed on the proposal of Councillor Coyle, seconded by Councillor Cubitt.

Councillor Cubitt said that on page 3, paragraph 3, Street Trading Act (NI) 2001 – Fees and Charges, that he had not objected to the granting of temporary trading licences but had objected to the price of a temporary licence, compared to yearly licence charges. Noted.

**MATTERS ARISING:**

**Flooding of Country Tavern – Faughanvale:** The Acting Town Clerk & Chief Executive referred to letter dated 2 February 2005 from Rivers Agency, which stated that investigations were still ongoing to establish the cause/source of the floodwaters at the Country Tavern and that Council would be contacted once the investigation was complete.

**Heavy Traffic - Scotchtown Road:** The Acting Town Clerk & Chief Executive said that he had written to Roads Service regarding heavy traffic on Scotchtown Road and was awaiting a response.

**CHIEF ENVIRONMENTAL HEALTH OFFICER'S REPORT – FEBRUARY 2005:**

The Senior Environmental Health Officer presented the Chief Environmental Health Officer's Report and enlarged thereon. The report was adopted, on the proposal of Councillor Cubitt, seconded by Alderman Dolan.

**ISO 9001:2000 Quality Management Systems:** The Senior Environmental Health Officer reported that ISO 9001:2000 was an internationally recognised quality management standard which requires an organisation to meet customer and applicable regulatory requirements. She said that following a great deal of work by staff across the Western Environmental Health Group, application was made to seek accreditation of the ISO standard and that following an internal audit carried out in December 2004 on Derry, Limavady, Omagh and Strabane Councils, the Western Group were recommended for registration of their Quality Management Systems to ISO 9001:2000 standards.

Alderman Carten stated that he had been delighted to accept the Certification of registration on behalf of Council's Environmental Health Service at a presentation which was in Omagh District Council offices on 27 January 2005. The Senior Environmental Health Officer said that the Chief Environmental Health Officer, Mr Crawford, wished to thank all the staff of the Western Group Environmental Health Service for their support and assistance towards achieving the award. Members welcomed this accolade.

**Smoking in the Workplace – Review of Council Policy:** The Senior Environmental Health Officer explained that the Health & Safety at Work (NI) Order 1978 places a duty on employers to ensure as far as reasonably practicable the health, safety and welfare of their employees and of others who may be affected by work activities. She said that Limavady Borough Council's current smoking policy prohibits smoking in Council workplaces, with the exception of the main Council Offices where smoking is permitted in a designated smoking room.

The Senior Environmental Health Officer pointed out that in recent year's large employers such as the NI Civil Service had introduced a total ban on smoking and the Senior Management Team who had also discussed the issue of smoking and now sought Council's approval to review current policy on smoking in the workplace. She said that in reviewing the policy the SMT would consult with elected members, staff and trade unions and in addition, by recognising the highly addictive nature of nicotine, those persons currently employed by Council who smoke should be offered advice and support if they would like to quit.

Councillor Brown voiced his opposition and said that he took grave exception to changing the policy to ban smoking, which in his opinion was against those who smoked. Councillor Stevenson supported this view. The Acting Town Clerk & Chief Executive said that Council had a duty under Health & Safety to look after the welfare of employees and that the current policy on smoking, which had been approved by Council states that this was to be reviewed annually.

**Pollution Control & Local Government (NI) Order 1978: Abandoned/Unlicensed Vehicles: Delegation of DVLNI Powers to Local Authorities:** The Senior Environmental Health Officer reported that it was widely recognised that abandoned vehicles presented a threat to the environment and were frequently associated with crime and other anti-social behaviour such as joy riding. She said that in recognition of limitations in current powers to deal with abandoned vehicles, the DOE Environment and Heritage Service established an Abandoned Vehicle Working Group, in which Council's Acting Chief Technical Service Officer, Jonathan Gray sits, and that this group had assisted in preparing a contract for the Collection and Environmentally Appropriate Treatment and Disposal of Abandoned Vehicles.

The Senior Environmental Health Officer said that the contract to be in place by April 2005, would be let by the Environment & Heritage Service and would be funded at no cost to Council through the New Burdens Fund until April 2007. She added that in conjunction with the contract, expressions of interest were sought from Councils for taking on delegated powers from Driver and Vehicle Licensing NI to assist with the removal and disposal of abandoned vehicles and that this would take the form of a Code of Practice to be signed by individual Councils.

The Senior Environmental Health Officer pointed out the benefits of the detailed scheme and said that it would seem appropriate that Council would agree to enter into an agreement with DVLNI for the transfer of powers that would enable Councils to deal effectively with abandoned vehicles.

Councillor Stevenson welcomed the delegation of DVLNI powers to Council but said that he feared this would not stop joy riders from buying cars at a nominal fee and later dumped them in such locations as local forests or unused quarries. The Acting Town Clerk & Chief Executive responded that new legislation for continuous registration would try and close loop holes regarding the last person to own vehicles and who they sold vehicle onto.

It was agreed that Council agree in principle to the delegation of DVLNI powers to Council in order to facilitate improvements in the removal and disposal of abandoned vehicles subject to further discussion and clarification between officers of Council and DOE Environment & Heritage Service.

**Noise Awareness Campaign:** The Senior Environmental Health Officer reported that following Pilot Noise Awareness Campaigns by Defra and DOE in 2003, which resulted in significantly higher levels of noise complaints being received by Councils, a key recommendation from the campaigns was that a broader NI campaign be carried out in 2004.

Members noted that the tender for the NI wide campaign had been awarded to Lyle Bailie International and that the campaign would be conducted across TV and newspaper media for a period of four weeks commencing 24 January 2005. Members also noted that in the period April 2003 to March 2004, Council's Environmental Health Department received 57 complaints and in April 2004 – December 2004 a total of 54 complaints were received.

The Senior Environmental Health Officer outlined Council's complaint procedure regarding noise and the subsequent investigation process. She explained that most complaints could be dealt with without prosecutions.

#### **CHIEF TECHNICAL SERVICES OFFICER'S REPORT – FEBRUARY 2005:**

The Acting Chief Technical Service Officer presented his report and enlarged thereon. The report was adopted, on the proposal of Alderman Dolan, seconded by Councillor Cubitt subject to the following:

**Civic Amenity Waste Recycling Scheme:** The Acting Chief Technical Services Officer reported that un-segregated skip waste from the civic amenity sites from the borough had been delivered to the sorting and recycling facility between

Campsie and Drumahoe for the last 3 months. He said that the trial period had been very successful and has proved valuable experience in terms of the specification issues that require to be addressed before seeking tenders for a 1 or 2 year contract for this type of new service to Northern Ireland. It was agreed that Council seek competitive tenders for the provision of Mixed Civic Amenity Site Waste Recovery/Recycling services.

**Brown Bin Scheme:** The Acting Chief Technical Services Officer explained that Council could not commence delivery of Brown Bins to householders until a suitable facility was available to treat the collected material. He said that planning application for a local composting facility was well advanced and would hopefully be opening for business within the next three months and that the North West Regional Waste Management Group had almost twenty expressions of interest for a regional composting facility but this would not be ready to operate in the short term. It was agreed on the proposal of Councillor Coyle, seconded by Councillor Cubitt that as no treatment facility had become available in 2004/05 and it would appear most likely that one would become available during 2005/06, that capital grant monies be carried forward into 2005/06 to purchase the first batch of 4500 brown bins at an approximate cost of £47,000.

It was also agreed on the proposal of Councillor Cubitt, seconded by Alderman Dolan that Council resolves to purchase and implement a second batch of 4500 brown bins at an approximate cost of £47,000, bringing the total commitment to purchase and issue 9000 brown bins across the borough and to purchase a suitable collection vehicle.

**Draft Policy of Provision of Public Conveniences:** The Acting Chief Technical Services Officer outlined a draft policy on the Provision of Public Conveniences for members comment. It was agreed on the proposal of Councillor Coyle, seconded by Councillor Brown that the Draft Policy, subject to members amendments, be brought to the February Monthly Meeting for formal adoption by Council.

The Senior Environmental Health Officer left the meeting at 9.15 pm.

**Freedom of Information Requests:** Members noted Council's Technical Services Department had dealt with a number of requests for information under the new Freedom of Information legislation, which included a circular request which had been sent to every Public Authority in the UK. Members voiced concern at the amount of time staff spent on retrieval, collation and photocopying to deal with requests.

**Roe Valley Leisure Centre:** The Acting Chief Technical Services Officer informed members that Larsen Contracts were unable to proceed with the work to repair main pool cracking/leaking and that Ferguson McIlveen would inform Council of a revised date for commencement of the work. Councillor Cubitt requested a report on pool repair and consultancy fees costs for Roe Valley Leisure Centre over the last few years. The Acting Chief Technical Service Officer confirmed that the pool required more than other types of buildings to be spent on repair due to the climate and type of atmosphere (damp and corrosive) it was located in, and additionally it made sense to have regular inspections to get things fixed quickly.

**Cemetery:** The Acting Chief Technical Service Officer advised that Section A within the Cemetery was near full and that numbering had commenced on Section B together with dropping kerbs at each end of the pathways. The Acting Town Clerk & Chief Executive explained that graves were dug 9 feet deep to accommodate 3 internments and that families could reserve an additional site when internment took place.

**Flower Beds:** Members noted that spraying and re-barking of the flower beds within the town areas along with minor landscaping to picnic areas was being carried out at present. Councillor Chivers suggested that surplus flowers be planted in country areas. The Acting Town Clerk & Chief Executive explained that Council provided flowers for major towns in the borough and that cost and man power had to be considered if flowers were to be provided in villages such as Drumsurn. He added that he would like to see community associations becoming involved in flower planting and if a plot could be identified, Council would consider providing surplus flowers to this.

**Bus Shelter – Beech Road, Drumsurn:** The Acting Chief Technical Service Officer informed members that Council had met with Ulsterbus, Roads Service and the PSNI regarding relocating the existing bus shelter from Drumsurn Road to Beech Road and replacing it with a clear Perspex type shelter. He said that as part of the investigation, occupiers of 6 houses most affected by the re-location were contacted and 3 negative responses had been received by the closing date of Friday 28<sup>th</sup> January 2005.

The Acting Chief Technical Service Officer explained that Council had now been informed that the original objector to the existing shelter in its current location would accept a redesigned shelter in the same location. Accordingly, it was agreed that the existing shelter be removed and replaced by a ‘clear’ back and roof only type shelter in the same location.

**Request for Wayleave at Seacoast Road, Magilligan:** At the request for wayleave at Seacoast Road, Magilligan, it was agreed that as Council had agreed to two previous requests at the same location, that this request be agreed in principle, subject to the appropriate legal arrangements and costs incurred being sourced by the applicants.

Councillor Mullan advised that the problem of rodents at the watercourse had to be addressed and that local residents had complained about the smell of stench coming up through the pipe leading to kitchen sinks. The Acting Town Clerk & Chief Executive explained that local houses did not have permission to discharge into this waterway.

#### **BUILDING REGULATIONS APPLICATIONS (schedule enclosed):**

The District Chief Building Control Officer’s report detailing applications approved, acknowledged and issued between 4 January 2005 and 1 February 2005 was tabled and noted.

#### **ANY OTHER BUSINESS:**

**Damage – Turmeel Footbridge:** Councillor Douglas expressed concern that Turmeel Footbridge had not been repaired, despite being reported damaged 18 months previously. He said that this established right of way was dangerous for

children as a sheep had fallen through the wire on the bridge and had been found hanging from its horns. The Acting Town Clerk & Chief Executive agreed to investigate the reported damage.

**Closure of Landfill Site:** In response to Councillor Douglas, the Acting Town Clerk & Chief Executive said that Council had been approached by the agent of the biggest number of landowners and that technicalities had been sorted out for the purchase of lands at Drumaduff Landfill Site.

**Rates Collection:** Councillor Cubitt pointed out that Council was losing out on rates payments due to inefficiency within the Rates Collection Agency as some houses had been completed up to 18 months before receiving a rates bill. The Acting Town Clerk & Chief Executive said that this inefficiency effected performance indicators which Council was aware of.

**NEXT MEETING:**

7 March 2005

**THIS CONCLUDED THE BUSINESS**

**(The meeting ended at 10.00 pm)**