

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

**ENVIRONMENTAL SERVICES COMMITTEE**

**15 JUNE 2010**

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 8.25 pm on the above date.

**PRESENT:**

Aldermen M Coyle, G Robinson and J Rankin. Councillors A Brolly, P Butcher, M Carten, B Chivers, L Cubitt (chair), M Donaghy, B Douglas, C Ó hOisín, G Mullan, J F McEhinney, E Stevinson and A Robinson.

**IN ATTENDANCE:**

Committee Clerk, Director Environmental Services, Waste Services Manager, Operations Manager, Acting Environmental Health Manager and the Chief Executive.

**APOLOGIES:** None.

**APPOINTMENT OF CHAIRPERSON:**

It was agreed on the proposal of Councillor Douglas, seconded by Alderman Rankin that Councillor Cubitt would chair the Environmental Services committee for the year 2010/11.

**MINUTES:**

The minutes of meeting dated 18 May 2010 were approved on the proposal of Councillor Butcher, seconded by Councillor Carten subject to the following amendment:

**Page 2 & 3 – Accident to an Employee while Inflating a Vehicle Tyre:** It was agreed that the minutes would be amended to reflect that members had asked that officers meet with the owner of a fuel distribution business where the above incident occurred. Agreed.

**MATTERS ARISING:**

**Sheep Grazing on Council owned Land:** The Director of Environmental Services reported that the sheep had now been removed from Council owned land along the River Roe.

**DIRECTOR OF ENVIRONMENTAL SERVICES REPORTS – JUNE 2010:**

***Building Control Department:***

The Director of Environmental Services presented the Building Control Report which detailed applications approved and issued between 1 and 31 May 2010; fire at property in Irish Green Street; Entertainment Licences issued and renewed;

application for Occasional Entertainment Licence; application for transfer of Liquor Licence, Property Certificates issued; erection of bilingual name plate at Boviell Road and Facilities Management & Energy Report. The report was adopted on the proposal of Alderman Rankin, seconded by Councillor Ó hOisín.

***Environmental Health Department:***

The Director Environmental Services presented the Environmental Health Report which detailed information relating to the Rent (Northern Ireland) Order 1978; Health & Safety, Licensing & Regulatory, Street Trading and Pollution Control. The recommendations were accepted on the proposal of Councillor Ó hOisín, seconded by Councillor Carten subject to the following:

**Accident to an Employee while Inflating a Tyre:** The Director of Environmental Services reminded members that he had reported at the May 2010 Environmental Services meeting of an accident which occurred at a fuel distribution business where an employee of the business had been injured while inflating a tyre. He said decision had been deferred on the recommendation to instigate legal proceedings against the business for contraventions of health and safety regulations.

The meeting was adjourned at 8.45 pm so that members could review letter tabled by the Director Environmental Services from the solicitor of the business which asked Council not to proceed with legal proceedings.

When the meeting resumed at 8.50 pm, it was agreed on the proposal of Councillor Brolly, seconded by Councillor Carten to hold the remainder of the discussion **IN COMMITTEE**. The proposal was put to the meeting and declared carried, 9 for, 2 against and 4 abstentions.

In the discussion which followed the Director Environmental Services informed Council of advices received from Councils' solicitor and of the need to be consistent with regard to decision making and that there was no basis for treating this case differently from any other.

Councillor Butcher proposed that in light of the amendment to the minute, that officer's would now meet with the owner of the business. After further discussion it was agreed that there would be no legal representatives from either side at the meeting but a Tyre Specialist & Councils Technical Expert could be in attendance. The proposal was put to the meeting and declared carried, 8 for, namely Alderman Coyle, Councillors L Cubitt, B Chivers, P Butcher, M Donaghy, A Brolly, C Ó hOisín and J F McElhinney, 3 against, Alderman Rankin, Councillors E Stevinson and B Douglas and 4, Alderman G Robinson, Councillors A Robinson, M Carten and G Mullan abstaining from the vote.

**OUT OF COMMITTEE** on the proposal of Alderman Coyle, seconded by Councillor Carten.

**Offence of Throwing Litter onto Land:** Councillor Butcher proposed that based on lack of any independent witnesses that Council would not proceed with legal proceedings against an individual who was alleged to have deposited garden waste on land on the Seacoast Road, Limavady. The proposal was seconded by Alderman Coyle and on being put to the meeting was declared carried, 7 for, 0 against and 6 abstentions.

**Technical Services Department:**

The Director Environmental Services presented the Technical Services Report and enlarged thereon. The items for information were noted and the report was adopted on the proposal of Alderman Coyle, seconded by Councillor Mullan subject to the following.

**Drumaduff Dump:** The Director Environmental Services updated members on meeting between five Councils who had disused landfill sites, the DOE and Northern Ireland Environment Agency. He said that amongst the issues discussed were proposals for the DOE to draw up a Framework Agreement with Councils for a way forward on appointment of consultants and update of Restoration & Remediation Plans. He added that he had reminded the Department and NIEA that Council had already provided them on two occasions with a Restoration & Remedial Plan for closure of Drumaduff. It was noted that NIEA would now review Limavady Borough Councils Plan.

The Chief Executive outlined that correspondence had been received from the Northern Ireland Audit Office (NIAO) which clarified that the five Councils who closed their landfill sites between July 2001 and January 2004 were now in infraction of the EEC landfill directive (Council Directive 99/31/EC). He said to avoid any penalties Councils must incur additional landfill site engineering and aftercare costs as the current closure arrangements do not meet the standards of the Landfill Directive. He added that the NIAO would be made aware of steps taken by Council to comply with the Directive.

**Flowerbeds and Planted Areas:** The Director Environmental Services reported that Council had received a number of offers of sponsorship for several of the flowerbeds and planted areas across the Borough. He said a joint offer of sponsorship had been received from Radisson (SAS) Roepark Hotel and DA Forgie for the Lisnakelly Roundabout in the total sum of £2,000 + VAT. It was agreed on the proposal of Alderman Rankin, seconded by Alderman Robinson that the joint offer would be accepted on a one year basis.

**Tenders & Quotations:** The following tenders were approved:

- (a) Vauxhall Public Sector Support for supply of new 3.5 ton panel van in the sum of £17,650.10.
- (b) Vauxhall Public Sector Support for supply of new 3.5 crew cab in the sum of £21,955.00.
- (c) Traka KMS Ltd for supply of 1 Key Management System in the sum of £7,750.00 plus associated fees of £2,940.00.
- (d) TBT Thompson for supply of 1 rock hammer in the sum of £3,000+VAT.
- (e) DA Forgie for supply of 1 High Dump Mower in the sum of £9,770.00+VAT.
- (f) DA Forgie for supply of 1 Ride on Tractor Mower in the sum of £6,995.00+VAT.
- (g) Laird Grass Machinery for supply of 1 Wag Tail seek sower in the sum of £1,400.00+VAT.
- (h) Laird Grass Machinery for supply of 1 Roller Mower in the sum of £4,200.00+VAT.
- (i) Wilsons of Rathkenny for supply of 1 flat bed plant trailer in the sum of £3,850.00+VAT.

**ANY OTHER BUSINESS:**

**Grass Cutting at Burnfoot:** The Director Environmental Services agreed to contact Roads Service regarding Council taking on responsibility for cutting an area of grass opposite Drumrane Primary School.

**Burnfoot Play Area:** It was agreed that Council would investigate, cost and consider construction of a set of steps for access to Burnfoot play area.

**Streamlining of Meetings:** The Chief Executive agreed to add to the August 2010 Agenda suggestions on how the meetings could be streamlined.

**Lease of Magilligan Ferry Terminal:** Following evaluation, it was recommended that Limavady Borough Council enter into a lease agreement with Shackleton and Aviation Museum for the period 1 July 2010 to 31 March 2011. Weekly rent of £20, with the organisation being responsible for covering all operational costs including, rates, contents insurance, costs associated with vandalism and energy costs. Agreed.

**NEXT MEETING** – Tuesday 17 August 2010.

**THE BUSINESS CONCLUDED AT 10.15 PM**

Signed: \_\_\_\_\_  
Chair of Meeting