

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

**ENVIRONMENTAL SERVICES COMMITTEE
16 OCTOBER 2012**

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 7.25pm on the above date.

PRESENT:

Aldermen M Coyle, J Rankin and G Robinson. Councillors O Beattie, B Chivers, B Douglas, T McCaul, J McCorkell, S McGlinchey, C McLaughlin, D Nicholl, G Mullan (Chair), A Robinson and E Stevenson.

IN ATTENDANCE:

Chief Executive, Director of Environmental Services and Committee Clerk.

APOLOGIES: - Councillor A Brolly

MINUTES:

The minutes of meeting dated 18 September 2012 were approved on the proposal of Councillor McCorkell, seconded by Councillor McCaul.

MATTERS ARISING: None

DIRECTOR OF ENVIRONMENTAL SERVICES REPORTS – OCTOBER 2012:

Building Control Department:

The Director of Environmental Services presented the Building Control Report which detailed applications approved, acknowledged, issued, cancelled and rejected between 1 and 30 September 2012; consultations, building regulations, Entertainment licences issued and applications for Entertainment Licence; bi-lingual street nameplates, Property Certificates issued, Warm Home Scheme and Facilities Management & Energy Management Report. The items for information were noted and the report was adopted on the proposal of Alderman Coyle, seconded by Councillor McLaughlin subject to the following:

Consultation on Proposals for the Building (Prescribed Fees) (Amendment) Regulations (Northern Ireland) 2013: The Director of Environmental Services detailed the background to the above consultation from the Department of Finance and Personnel and stated that it represented the first stage in a review of fee charges which had not been amended since 1997. It also outlined the proposed additions, deletions and alterations to give effect to the amended prescribed fee charges and new or revised provisions of the Building Regulations (Northern Ireland) 2012. The proposal would be to increase the fees by 15% in 2 stages – January 2013 and October 2013. It was agreed that Building Control would formulate a response in relation to this consultation and bring it to next

month's meeting prior to the closing date of 23 November 2012. Alderman Coyle indicated that he would wish to see a lesser percentage increase than proposed.

Councillor Robinson joined the meeting at 7.30 pm.

The Building Regulations (Northern Ireland) 2012: Members were advised that the new regulations would come into effect on 31 October 2012 and would involve a new suite of guidance which would allow architects and designers to introduce different complex solutions to buildings. Training would be provided for officers to ensure that the new regulations would be administered and enforced on a consistent basis.

Renewal of Entertainment Licence: Council had no objection to the application received for the grant of an Entertainment Licence for Martin & Josephine O'Kane for the Dolphin, 23 Gortnaghey Road Dungiven subject to no adverse comment from the police, fire service or public consultations.

Objections to the Renewal of an Entertainment Licence: Members were advised that Council had received objections from the PSNI to the renewal of the Entertainment Licence for Ban Joes, 82-84 Main Street Dungiven due to breaches in their Entertainment Licence. The matter will be brought back to Council for decision following receipt of clarification from the PSNI.

Bi-Lingual Street Nameplates: Council agreed the erection of bi-lingual street nameplates in English/Irish at Hass Road Dungiven and Coolnasallagh Road Dungiven.

Alderman Robinson joined the meeting at 7.35 pm

Warm Homes Scheme – Roof Space Insulation: It was agreed to exempt all works of roof space insulation from the payment of Building Control fees up to 31 March 2013 and to be reviewed thereafter.

Environmental Health Department:

The Director of Environmental Services presented the Environmental Health Report which detailed information relating to Environmental Health, food control, fuel poverty, health & safety, Licensing & Regulatory; Pollution Control and consultations.

Public Health Agency/Local Government Joint Working: The Director of Environmental Services reminded members that following a recommendation from the Health Minister in 2010 a number of joint working groups were established between the Public Health Agency and local councils with the aim of improving joint working and to contribute to an overall improvement in the health and well being of the public. Councils were required to work within their RPA clusters and in turn neighbouring clusters were required to work together. He added that Limavady Borough Council was involved in the Causeway and Mid Antrim council clusters and being part of the Western Health and Social Care Trust was also involved with the Derry/Strabane and Fermanagh/Omagh cluster group in the west. He gave a brief synopsis of some of the recent work undertaken by the two partnership groups which included the production of an "Active Travel Map" for Limavady which was tabled for Members information and the roll out of an energy saving scheme which would be piloted with 2 local

primary schools, Ballkelly PS and St Matthews PS Drumsurn. Children from the two schools would be provided with energy monitors to take home to help their families monitor their electricity consumption and identify ways to conserve energy.

Fit and Well, Changing Lives – A Ten Year Public Health Strategic Framework 2012-2022: It was agreed to hold the proposed response to this consultation for one week to enable members to comment before submitting by 31 October 2012.

Reviewed and Updated Health and Safety Enforcement Policy: Members approved the updated Health and Safety Enforcement Policy.

Dog Attack in Limavady – Ref: LR675–2012: Agreed that the matter be referred to Council’s solicitor with instructions to instigate legal proceedings against the owner of the dogs for the two offences of a dog attack on a person and a dog attack on another dog. Members were advised that a Control Condition Notice requiring the dogs to be muzzled and restrained by a leash when in a public place had been issued on 21 September 2012.

Unlicensed Dog Complaint Ref - LR667-2012: Council agreed that the matter be referred to Council’s solicitors with instructions to instigate legal proceedings against the keeper of the dog.

On Street Drinking Offences: It was agreed to refer the list of incidents detailed to the Council’s solicitor with a view to legal proceedings being taken against the persons identified for contravention of the bye-law prohibiting the consumption of intoxicating liquor in a designated place.

The Litter (NI) Order 1994 – Fixed Penalties Issued – PC139-2012: It was agreed to refer the case to Council’s solicitor with the view to legal proceedings being instigated against the person under Article 3 of the above Order.

Addendum to the Environmental Health Report for October 2012 – Rent (Northern Ireland) Order 1978: Part 1X-Alleged Illegal Eviction (EH104-2012):- The Director of Environmental Services tabled a paper which detailed the background to a complaint received in June 2012 from a tenant who alleged that his landlord had illegally evicted him and his partner from the house in which they lived. The landlord claimed the circumstances on the evening led him to believe that the tenant had vacated the property and he had to ensure that his property was secured and therefore he changed the locks to the property. During the investigation the Department had obtained evidence in the form of witness statements from the claimant and his partner, a statement given by the landlord under caution and a copy of the Tenancy Agreement and the details of the offence and the resultant penalties were explained to members.

The Director of Environmental Services went on to advise that the evidence provided had been considered and although there had been no previous history with the landlord, it had been determined that the landlord could be prosecuted for unlawfully depriving the tenants of occupying the tenant house. Following a lengthy discussion during which members argued both for and against the recommendation that the case would be referred to Council’s solicitor with a view to legal proceedings being instigated against the landlord, members were reminded that in terms of legislation, Council believed that there was a case to answer and it should be dealt with through the courts.

On being put to the vote the Environmental Health report, recommendations and the addendum report and recommendation were approved 12 for, 2 against and no abstentions.

Technical Services Report:

The Director of 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 Councillor McLaughlin, seconded by Councillor Chivers subject to the following:

Extension of Contracts for Waste Electronic and Electrical Equipment (WEEE): It was agreed to extend the current agreement with ERP for a further 24 months from 1 April 2013 until 31 March 2015 for the collection and processing of WEEE and waste batteries.

Dungiven Castle Park: Members were pleased to note the increased visitor numbers for Dungiven Castle Park but voiced their concern over the lack of an overall management plan for the area. The Director of Environmental Services agreed to pass their comments onto the Director of Development.

Major Waste Infrastructure Project: The Director of Environmental Services summarised the background to the formation of the North West Region Waste Management Group (NWRWMG) and detailed the progress to date on the procurement of the above project. He advised members that the process had been delayed due to the potential implications of the proposed changes to the eligibility for Renewable Obligations Certificates (ROCs) and continued that this had now been resolved and double ROCS will remain available to the project, subject to certain conditions being met by 2017. A special meeting of the NWRWMG Joint Committee has been arranged to consider the outcome of the above procurement process after which a recommendation will be made to the constituent councils by the Joint Committee.

ANY OTHER BUSINESS:

Employers' Clinic - Ballykelly: Leaflets were distributed to all members informing them of an invitation to an "Employers' Clinic" to be held in the Drummond Hotel on Thursday 18 October 2012 at 7.30 pm" for all Ballykelly Businesses. The invitation was extended to all elected members.

Request for a Street Light Connell Street/Backburn Path: At a member's request the Director of Environmental Services agreed to investigate the possibility of installing a light at the steps at the rear of Connell Street leading onto the Backburn Path.

NEXT MEETING – 20 November 2012.

THE BUSINESS CONCLUDED AT 8.50 PM

Signed: _____
Chair of Meeting