

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

**18 MAY 2010**

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 8.35 pm on the above date.

**PRESENT:**

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

**IN ATTENDANCE:**

Committee Clerk, Director Environmental Services and Waste Services Manager.

**APOLOGIES:** Councillor Mullan.

**PRESENTATION BY CONSARC - CIVIC CENTRE QUARTERLY REPORT:**

The Chair welcomed Ms Sarah Villiers, Consarc to the meeting.

Ms Villiers indicated that despite the severe weather and change of electrical sub-contractor, it was anticipated that the Civic Centre project would be handed over to Council in June 2010. She said positive comments had been received from elected members and most appeared impressed by progress to the centre during a site visit held just before the meeting.

Ms Villiers outlined that internally the last area of floor screeding was being completed and that works to the main hall was progressing, with the installation of the retractable bench seating to follow once the flooring was installed. She said externally all works to the boundary had been completed, the scaffolding had been removed, the town hall clock reinstated and the formation of the base plinth to the building, including ramps, steps and external stage area had now commenced. She added that the design and contracting team remained in regular contact with Council Officers to assist with the handover procedures for the building.

The Chair thanked Ms Villiers for the tour and update for the Civic Centre project and said Council was delighted that the project was due to be completed on schedule.

**MINUTES:**

The minutes of meeting dated 20 April 2010 were approved on the proposal of Alderman Rankin, seconded by Alderman Robinson.

**MATTERS ARISING:**

**Sheep Grazing on Council owned Land:** The Director of Environmental Services reported that Councils solicitor had contacted the owner of the sheep to request that they be removed from Council owned land.

**DIRECTOR OF ENVIRONMENTAL SERVICES REPORTS – MAY 2010:*****Building Control Department:***

The Director of Environmental Services presented the Building Control Report which detailed applications approved and issued between 1 and 30 April 2010; Entertainment Licences Issued and Renewed; Application for Occasional Entertainment Licence; Application for registration for Society under the Betting, Gaming, Lotteries & Amusements (NI) Order 1985; Property Certificates Issued and Facilities Management & Energy Report. The report was adopted on the proposal of Councillor Cubitt, seconded by Councillor Carten subject to the following:

**Consultation on Proposed Amendments to Building Regulations (NI) 2000:** It was agreed on the proposal of Councillor Cubitt, seconded by Councillor Carten that Council would support proposals to amend the Building Regulations (NI) 2000, with proposed minor amendments, correction and clarifications.

**Notice of Application for Final Grant of Liquor Licence:** There were no objection to application for final grant of liquor licence by Lynch's Foodstores Ltd on premises at 2 Glenroe Park, Dungiven.

**Street Naming & Property Numbering:** It was agreed that the new housing development at Foreglen Road would be named Cherry Drive.

***Environmental Health Department:***

The Director Environmental Services presented the Environmental Health Report which detailed information relating to Food Safety, Health & Safety, Licensing & Regulatory, Street Trading and Pollution Control. The recommendations were accepted on the proposal of Councillor Cubitt, seconded by Councillor Chivers subject to the following:

**Prosecution of Food Business:** The Director Environmental Services reminded members that Council had agreed to initiate legal proceedings against the proprietor of a bakery in Greysteel for long term severe breaches of food hygiene regulation. He said the proprietor had pleaded guilty to ten hygiene offences at Limavady Magistrates Court on 28 April 2010 and that the Magistrate imposed fines totalling £5,500. He added that the Magistrate had also imposed a prohibition on the proprietor from producing any high risk food products for a minimum of six months and ordered him to pay £75 towards Councils legal costs and a £10 court fee.

Officers were congratulated for their work and on the way the case was handled.

**Accident to an Employee while Inflating a Vehicle Tyre:** Members discussed an incident involving an employee of a fuel distribution business, when a vehicle

tyre exploded while being inflated in a workshop. The employee sustained injuries to the chest & back and received treatment at A&E.

Members were informed that officers from the Department who investigated the accident found that there were three main issues, namely that the employee received no training relating to the activity; a cage or similar safety device had not been used while the tyre was being inflated and the business had not completed a risk assessment for the activity.

Following investigation, it was recommended that legal proceedings be instigated against the business for the following offences:

1. failure to provide a safe system of work and adequate training and supervision for the inflation of commercial tyres under Article 4 of the Health & Safety at Work (NI) Order 1978.
2. failure to ensure that work equipment used for the inflation of vehicles tyres is so constructed or adapted as to be suitable for its purpose as required under Regulation 11 of the Provision and Use of Work Equipment Regulations (NI) 1999.
3. failure to make a suitable and sufficient assessment of the risks to the health and safety of employees as required under Regulation 3 of the Management of Health & Safety at Work Regulations (NI) 2000.

In the discussion which followed, Councillor Ó hOisín proposed, seconded by Councillor Butcher that any decision would be deferred until additional information was obtained and until Council was sure of the legal implications.

A recorded vote was requested on the proposal and on being put to the meeting was declared carried, 7 for, namely Councillor Cubitt, Councillor Carten, Councillor Butcher, Councillor Chivers, Councillor Brolly, Councillor Ó hOisín and Councillor McElhinney. Councillor Douglas, Alderman Rankin, Councillor Stevenson and Alderman Robinson, 4 voted against, with 3, Councillor Donaghy, Alderman Coyle and Councillor Robinson abstaining from the vote.

**Offences of Throwing Litter onto Land:** The Director Environmental Services informed members that the Department had received information regarding the alleged deposit of garden waste on lands off Seacoast Road. He said that a fixed penalty notice of £50 for the offence of littering had been served on the person but to date this remained unpaid.

Councillor Butcher proposed, seconded by Councillor Brolly that the recommendation to instigate legal proceedings against the person for the offence of littering contrary to Article 3 (1) of the Litter (NI) Order 1994 be deferred for one month. The proposal was put to the meeting and declared carried, 7 for, 5 against and 2 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 without comment on the proposal of Councillor Cubitt, seconded by Councillor Ó hOisín.

**ANY OTHER BUSINESS:**

- Members were informed that Roads Service would not allow Council to erect townland name plates. It was agreed as an alternative, that townland names would be added to road name plates but only when these needed replacing.
- It was agreed that Paul Cavanagh from the Western Office of the Health & Social Care Board would present to Council on cutbacks to GP Out of Hours Service. It was also agreed that Dr Devlin, GP for the Out of Hours Service would attend the meeting and have speaking rights.
- Council refused the request for Sperrins Tourism to attend the June 2010 Monthly meeting.
- It was agreed that AGM would be held on Tuesday 8 June 2010.
- It was agreed that a Farmers Market would take place in Council car park on Saturday 29 May 2010.

**NEXT MEETING** – Tuesday 15 June 2010.

**THE BUSINESS CONCLUDED AT 9.55 PM**

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