

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

**ENVIRONMENTAL SERVICES COMMITTEE
19 AUGUST 2008**

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 7.00 pm on the above date.

PRESENT:

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

APOLOGIES: - Councillor Brolly

IN ATTENDANCE:

Committee Clerk, Director of Environmental Services, Building Control Manager, Environmental Health Manager, Acting Technical Services Managers and the Chief Executive.

MINUTES:

The minutes of meeting dated 17 June 2008 were approved and signed on the proposal of Councillor Ó hOisín, seconded by Councillor Coyle.

MATTERS ARISING:

The following issues were discussed:

- ◆ Council was advised that an additional survey would be conducted once the schools re-opened on provision of a bus shelter in Ballykelly.
- ◆ The Director of Environmental Services agreed to provide Alderman Mullan with a list of estates/areas, which had been provided with brown bins.
- ◆ Members were informed that discussions were ongoing between WELB and Roads Service regarding provision of a park & ride facility in Dungiven. It was suggested that continued pressure be kept on Roads Service to invest in the facility rather than waiting for the by-pass to be constructed.

NORTHERN GROUP BUILDING CONTROL SERVICE ANNUAL REPORT:

The Chair welcomed Mr Robert White, Chief Building Control Officer to the meeting.

Mr White presented his Annual Building Control Report for the year 2007/08. He paid tribute to Alderman Rankin and Councillor Carten who sat on the Northern Group Building Control Committee and said this was an outstanding example of cross Council working in the delivery of co-ordinated services.

Mr White outlined that the work loads for the 5 Councils in the Northern Group remained high for the first three quarters of the year; however, the credit crises in the

later months of 2007 had led to a dramatic slowdown in house building in all areas and knock on effect to the economy. Mr White stated that the Department were in the process of consultation regarding amendments to Part D (Structure) and Part J (Solid Waste in Building) of the Building Control Regulations and were also in process of enacting an updated version of legislation under Building Regulations (NI) Order 1979. He added that regulations had been made under the European Communities Act 1972 in response to an EU Directive, which required all member states to introduce energy certificates for buildings by 2009.

The Chair thanked Mr White for presenting his Annual Building Control Report to Council over the last 31 years.

DIRECTOR OF ENVIRONMENTAL SERVICES REPORTS – JULY/AUGUST 2008:

Building Control Department:

The Building Control Manager presented the Building Control report which detailed applications approved and issued in June and July 2008; Entertainment Licences issued, applications for renewal/grant of Entertainment Licences and Facilities Management & Energy Management Report. The report was adopted on the proposal of Councillor Coyle, seconded by Councillor Cubitt subject to the following:

Grant of Amusement Permit: The Building Control Manager informed members that Council was awaiting additional information before an Amusement Permit could be granted for Gary's Amusement Arcade, 2 Dukes Lane, Ballykelly. He said a resident of Dukes Lane had raised a number of concerns and Alderman Gregory Cambell MP MLA had asked if Council would consider representation outside the 28 day consultation period. In the discussion which ensued, it was agreed that no permit would be granted until all outstanding issues had been met, including Planning Permission and it was stressed that objectors should address their concerns through the planning process.

Environmental Health Department:

The Environmental Health Manager presented the Environmental Health Report which detailed information in relation to Rent (Northern Ireland) Order 1978; Water Quality Report 2007; Health & Personal Social Services (NI) Order 1978, Dogs (NI) Order 1983, Bye-Laws Prohibiting the Consumption of Intoxicating Liquor in a Designated Place and penalties issued under the Litter (NI) Order 1994. The report and recommendations were adopted on the proposal of Councillor Cubitt, seconded by Councillor Coyle subject to the following:

Confidential Report – Revocation of Street Trading Licence: IN COMMITTEE. Members discussed the facts and background information into case whereby a licensee had been convicted of trading in counterfeit products. During the debate representation from the licensee and advice from Councils Solicitor was considered. The Director of Environmental Services advised members that Councils' power to revoke the licence was discretionary but that if Council decided to revoke the licence, then notice would be given in writing to the licence holder explaining grounds for the decision and advising of right of appeal.

There followed a discussion in which a recorded vote was requested. Alderman Robinson proposed that in the licensees favour and because of loss of livelihood and to the fact that the licensees Doctor could confirm his health problems, that Council show leniency for a 6 month period and let the Street Trading Licence run until it expired. Councillor Douglas seconded the proposal but on being put to a vote was declared lost, 6 namely, Councillor Douglas, Councillor Stevenson, Alderman Rankin, Councillor Cubitt, Councillor Robinson, Alderman Robinson voting for and 8 Councillor Carten, Councillor Coyle, Alderman Mullan, Councillor Butcher, Councillor Chivers, Councillor Donaghy, Councillor Ó hOisín and Councillor McElhinney voting against. Councillor Ó hOisín proposed, seconded by Councillor Butcher that the licence be revoked. This was carried 8 votes for and 6 against. **OUT OF COMMITTEE.**

Technical Services Department:

The Director of Environmental Services presented the Technical Services Report and enlarged thereon. The report and recommendations within were adopted on the proposal of Alderman Robinson, seconded by Councillor Cubitt subject to the following:

Drumaduff Landfill Site: It was agreed that the tender submitted by Glovers for detailed investigation works at Drumaduff Landfill Site in the sum of £20,075 would be accepted.

Dungiven Household Recycling Centre: It was agreed that quotations for redesign for a modern state of the art Household Recycling Facility in Dungiven would be brought to the Monthly Council meeting.

Vale Centre – Pitch Maintenance: The Director of Environmental Services outlined that following a series of meetings between Council Officers and members of the Board of Greysteel Community Enterprise Ltd, a draft maintenance schedule had been prepared and agreement reached in principle on majority of items for routine maintenance. He said that Greysteel Community Enterprise Ltd had requested that Council undertake some additional works to pitch 2 (grass based) which they determine necessary to bring the pitch up to an acceptable standard for play.

Councillors noted that it was the view of officers, together with an analysis of a report prepared by STRI Consultants, that whilst this work may have some immediate effect in improving the drainage, the underlying drainage system coupled with the made-up of the upper soil layers of the pitch may compromise the long term effectiveness of the works.

After considerable debate, Council approved the request to proceed with the works at an estimated cost of £7,900 for the current year together with a further £1,400 year on year.

Maintenance of Sports Club Pitches: The Director of Environmental Services explained that Council's Technical Services Department had received requests from a number of sporting clubs to carry out work to their pitches. He said for the most part these involved marking out of pitches, however, in the run up to the Milk Cup, more extensive maintenance works had been requested. He recommended that due to lack of resources and in order to protect Council from any liability, Council should not carry out any maintenance/markings to non-Council pitches in the Borough,

except those at the Vale Centre, Greysteel, the maintenance of which by Council was subject to a long standing agreement.

Councillor Ó hOisín objected to the recommendation and proposed that subject to availability of resources and individual applications, that minor Technical Service assistance be considered by Council. Councillor Butcher seconded the proposal.

Councillor Cubitt proposed that Council accept the officers' recommendation. This was seconded by Alderman Robinson.

Councillor Ó hOisín proposal was put to the meeting and declared lost, 5 voting for, 9 against. The officers' recommendation was adopted within the report.

ANY OTHER BUSINESS:

- ◆ Councillor Cubitt read the following statement:

'Mr Chairman, with reference to debacle at the meeting last Tuesday, I regret to having been allowed to be goaded by Sinn Féin and the SDLP into making uncharacteristic remarks regarding the Chief Executive's interpretation of Standing Orders 30 and 31 at the June monthly meeting, which I did not attend.

However, I cannot believe the hearsay in newspaper reports that has been demonstrated by the press coverage. The remarks made regarding delay in payments to Causeway Coast & Glens Heritage Trust and to Causeway Coast & Glens Tourism were said in the heat of the debate and I regret and withdraw same

However, I retain and reserve the right after taking legal advice, that Standing Orders 30 & 31 prevented Council from making payments to the above mentioned bodies without a Notice of Motion and I fully support action taken by the chair at the Development meeting under Standing Orders no 35.'

IN COMMITTEE: The Chief Executive responded in brief to the statement. It was agreed on the proposal of Alderman Mullan, seconded by Councillor Donaghy that Council would disassociate itself from comments made by Councillor Cubitt. **OUT OF COMMITTEE.**

- ◆ Members were informed that Council had sold the greenhouse polythene tunnels to a private individual. Councillor Ó hOisín indicated that he thought the equipment was to be donated to voluntary groups.
- ◆ Alderman Mullan requested an update on his Notice of Motion to replace existing road signage with townland names as debated at the May 2008 Environmental Services meeting and it was agreed that this would be brought to the next Environmental Services meeting.

NEXT MEETING – 16 September 2008.

THIS CONCLUDED THE BUSINESS
(The meeting ended at 9.30 pm)

Signed: _____
Chair of Meeting