

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

**MONTHLY COUNCIL MEETING  
20 JANUARY 2015**

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

**PRESENT:**

**Presiding Chair:** Alderman A Robinson.

Aldermen J Rankin and M Coyle. Councillors O Beattie, B Chivers, A Brolly, R Donaghy, B Douglas, T McCaul, J McCorkell, G Mullan, D Nicholl and E Scott.

**IN ATTENDANCE:**

Chief Executive, Director of Development, Director of Environmental Services, Head of Finance, Culture Arts & Tourism Manager, Administration Officer and Ms Julie McMath, DoE Planning Service.

**APOLOGIES:** - Councillors S McGlinchey and E Stevenson.

**DECLARATION OF INTERESTS:**

Councillor B Chivers – member of Drumsurn Community Association.

Councillor B Douglas – member of Burnfoot Community Association.

**PLANNING & SERVICES SUB-SECTION:**

Councillor B Douglas took the Chair for the Planning & Services sub-section of the meeting.

**Minutes:** The minutes of Planning & Services Committee meeting held 16 December 2014 were approved and signed on the proposal of Alderman M Coyle, seconded by Alderman J Rankin.

**Matters Arising:** - None

**Schedule of Planning Applications:** Ms McMath answered queries on applications listed on the deferred applications schedule and the recommendations were accepted subject to the following:

**D1: B/2014/0026/O – proposed dwelling on site approximately 280 metres east north east of no 83 Dogleap Road, Limavady (Mr Richard Dunn)**  
Application withdrawn.

**D2: B/2014/0072/F – erection of single storey farm dwelling 133m NE of 15 Gortarney Road, Limavady (Chris Mullan).** The decision to approve this application was welcomed.

Ms McMath answered queries on applications listed on the new applications schedule and the recommendations were accepted subject to the following:

**B/2013/0228/F – erection of 2 single storey dwelling (rooms in attic) and detached garages to rear of 27-39 Pollysbrae Road, Limavady (Mr Cromie)** Office meeting agreed.

**B/2014/0106/F – proposed split level single farm dwelling on lands to rear of 48 Ballykelly Road, Ballykelly (Mr McNicholl)** Deferred for one month.

**B/2014/0120/O – site for traditional single storey rural dwelling with detached garage/store under CTY/10 at Main Street, Ballykelly (Harold Moore)** Office meeting agreed.

**B/2014/0140/O – traditional two storey rural dwelling on a farm immediately East of 56 & 58 Loughermore Road, Ballykelly (James Canning)** Office meeting agreed.

**B/2014/0158/O – proposed site for farm dwelling and garage immediately south of 137 Carnamuff Road, Ballykelly (Mr McAneney)** Office meeting agreed.

**B/2014/0177/O – site for traditional rural dwelling to replace existing wall stead 280m east of 114 Duncrun Road, Limavady (Mr J Kelly)** Office meeting agreed.

**B/2014/0182/O – site for farm dwelling and detached garage/store 20m south of and adjacent to 184 Barnailt Road (Peter Semple)** Office meeting agreed.

The schedule outlining planning appeals decisions and planning applications decisions issued were noted by members.

*Queries outside of the schedule:*

**Planning Guidance Around Windmill Applications:** A member referred to a recent incident in which a windmill had collapsed during a storm and said there was a need for a review of planning guidance around windmill applications. Alderman M Coyle proposed, seconded by Councillor A Brolly that the Chief Executive contact Planning Service Headquarters requesting for the guidance to be reviewed.

Ms McMath left the meeting at 7.12 pm.

**Roads, Housing, Water Sewerage:** Reference was made to the NI Water dispute in which thousands had been left without water for a short period of time, including the vulnerable and senior citizens. The Chief Executive advised that NI Water had a list of names of properties affected and had followed protocol on water shortages on this occasion.

Councillor B Douglas stood down as Chair of the Planning & Services sub-section of the meeting at 7.15 pm.

**SUPPORT SERVICES SUB-SECTION:**

Councillor Beattie took the Chair for the Support Services sub-section of the meeting at 7.16 pm.

**Minutes:** The minutes of Support Services meeting held 2 December 2014 were approved on the proposal of Alderman M Coyle, seconded by Councillor B Chivers.

**Matters Arising:** None.

**Head of Finance Monthly Report:** The Head of Finance presented his report for the month of January 2015 as follows:

- a) The payment of accounts for the month of November 2014 were noted.
- b) The Accounts for 8 Months ending 30 November 2014 were approved by Council.
- c) The DoE Circular No LG 46/2014 outlined details of increase of 2.2% in Councillors' basic and special responsibility allowances effective from 1 January to 31 March 2015. Alderman M Coyle proposed, seconded by Councillor J McCorkell that as the amount payable was minimal, that the allowances remain the same as the previous year.
- d) The Head of Finance presented the Annual Audit Letter to Council for the year 2013-14. He stated that in the Auditors opinion, the financial statements gave a true and fair view of the financial position of Limavady Borough Council and that these were properly prepared in accordance with the Local Government (Accounts and Audit) Regulations (NI) 2006.

He pointed out that Council had identified in its Governance Statement the deficit in procurement expertise and had now joined with the cluster councils to employ a Procurement Manager in 2014/15. He said that Council had also capitalised landfill closure and aftercare costs in line with the DoE Circular LG16/12, which allowed for mitigation of specific approved costs re the landfill site over a set period of time. He added that Council had also identified in its Governance Statement the winding up of Limavady Borough Council and its dissolution presented a unique governance issue. Therefore an appropriate winding up action plan would be developed and implemented during 2014/15.

In conclusion, it was noted that based on the Auditors work, Council had in place proper arrangements to ensure economy, efficiency and effectiveness in the use of its resources. The Auditors, Audit Committee and staff were commended for their hard work which was reflected in the Annual Audit Letter.

- e) Economic Appraisals: Council approved for the following capital project to proceed to economic appraisal stage in order to get loans from DFPNI:
  - Provision of plant, equipment and vehicles (Technical Services) in the sum of £172,350
  - M & E Refurbishment (RVLC) £248,446

- Dungiven Household Recycling Centre and upgrade of Limavady Household Recycling Centre £702,374 and
- Benone Tourist Complex TDS scheme in the sum of £231,520.

f) The Head of Finance requested that all Councillors sign and return the Declaration of Interest form circulated. Agreed.

g) Other Items: The Head of Finance explained that in April 2011 Council had submitted a 4 year claim to HMRC for overpaid VAT on trade waste income. He said that the amount was £100,748.89, however in June 2014 HMRC offered a repayment of £20,149.78 (20%) on the basis that 80% of Council's trade waste customers were VAT registered and able to recover the VAT levied in full. It was recommended that Council accept the HMRC's offer. Agreed.

The Head of Finance informed members that the DoE had indicated that Council would receive £27k additional funding through the General Grant for 2014/15 and that LPS had indicated the Council would receive £185k additional funds from the district rates. Welcomed.

The Head of Finance report was approved on the proposal of Councillor E Scott, seconded by Alderman J Rankin.

**Human Resource Report:** IN COMMITTEE on the proposal of Councillor B Chivers, seconded by Councillor E Scott.

The Head of Finance presented the Human Resources Report for January 2015 which detailed standing items including total number of employees & temporary workers, absenteeism & cause of absence and long term sick details. The items for information were noted and the report was adopted on the proposal of Councillor J McCorkell, seconded by Councillor T McCaul subject to the following:

- It was confirmed that the current cause of absenteeism was not down to stress over job uncertainty in light of RPA. The Chief Executive advised that Limavady Borough Council had commenced a series of robust briefings between management and staff to reassure them and communicate about the change-over process to the new CC&GC.
- *The Chief Executive declared an interest and left the Chamber at 7.35 pm.* Council approved the sponsorship request from Health Safety and Well-being Officer to undertake OHAS Lead Auditor Course at a cost of £550.00. It was noted that 14 staff would undertake a Leadership and Management Development Programme organised by Causeway Coast and Glens which would be at no cost to Council, however the staff would require 7 days release to complete the programme between January and March 2015. A training request from the Chief Executive was discussed and refused. *The Chief Executive returned to the Chamber at 7.55 pm.*
- Correspondence from NJC on 2014-16 pay scales and allowances was approved by Council.

OUT OF COMMITTEE on the proposal of Councillor B Chivers, seconded by Alderman Robinson.

Councillor O Beattie stood down as Chair of the Support Services sub-section of the meeting at 8.00 pm.

**DEVELOPMENT SERVICES SUB-SECTION:**

Alderman J Rankin took the Chair for the Development Services sub-section of the meeting at 8.00 pm.

**Minutes:** The minutes of meeting held 9 December 2014 were approved on the proposal of Alderman Robinson, seconded by Councillor E Scott.

**Matters Arising:** - None.

**Director of Development Monthly Report:** The Director of Development presented her report for the month of January 2015 as follows:

- **Proposed Sponsored 5K & 10K Run at Benone Beach:** Council approved the request from 26 Extreme Ltd to hold a 5K & 10K Run to Remember at Benone Beach on 14 March 2015.
- **Benone Rebranding Project:** Following on from the discussion at the December 2014 Development Committee meeting Council was provided with the list of options which had initially been put forward by the consultants for consideration. The Culture Arts & Tourism Manager responded to a number of questions raised by members. After further discussion Councillor E Scott proposed, seconded by Councillor A Brolly that the rebranding name would be 'Benone, Play and Stay'.
- **Wifi for Limavady Town Centre:** It was agreed that the tender bid submitted by Wifi Spark in the sum of £22,796 + VAT for wifi provision in Limavady Town Centre would be accepted.
- **Dungiven Regeration Plan:** It was agreed that the bid submitted by URS in the sum of £25,230 + VAT would be accepted.
- **Community Services – Grant Awards:** Council approved 21 applications for grant awards under the Community Support Plan totalling £43,450.
- **Benone Tourist Complex Replacement Equipment:** The tender submitted by SELECTA in the sum of £3,170 + VAT for delivery and installation of a snacks vending machine at Benone was accepted by Council. The tender submitted by KH Inflatables for supply and delivery of an inflatable bouncy castle at a total cost of £2,640 + VAT was accepted by Council.
- **Refurbishment of Health Suite at Roe Valley Leisure Centre and Proposed Pricing Structure:** The Director of Development advised that work on the refurbishment of the health suite at Roe Valley Leisure Centre would be completed by the end of February and reopened to the public in March 2015. Members approved the proposed pricing schedule which could come into effect when the health suite re-opened. The Director of Development agreed to bring back a recommendation with regard to joint entry to health suite and the swimming pool.
- **Proposals for Community Legacy Grant Programme:** Council approved proposals for a Community Legacy Grant Programme in which community, cultural or sporting organisations would apply for grant aid up to a maximum

of £3,000 from a small grants programme and up to £15,000 from large grants programme. It was pointed out that applications must be received by 13 March as the funds needed to be spend before the end of March 2015. It was agreed that delegated authority would be given to an assessment panel which would be inclusive of both Council Officers and Elected Members to consider the applications and made the grant awards. Following discussion it was agreed that a total funding pot of £100,000 would be made available (£50,000 per programme).

- **Request for Funding – Feeny Community Association Ltd:** It was agreed that the request for £18,000 funding by Feeny Community Association Ltd would be considered under the Legacy Grant Programme.
- **Request for Funding – Drumsurn Community Association:** It was agreed that the request for funding towards repairs to Drumsurn Community Association prefabricated building would be considered as part of the Legacy Grant Programme.
- **Request from Magilligan Community Association – Lease of Land:** Council approved the request from Magilligan Community Association for an extension to an area of land currently leased from Council. This would be beneficial to both the Community Association and the Playgroup in progressing their application to the Space and Place programme to link the two facilities, develop outside space to incorporate a multi-use games area, sensory garden and seating for community use.
- **Inch Levels/Lough Foyle Project:** Alderman M Coyle proposed, seconded by Councillor R Donaghy that retrospective approval be agreed for the appointment of W & H Alexander as the lowest tender in the sum of £93,007.60 in respect of the Inch Levels & Lough Foyle Wildlife Project Pedestrian Footbridge.
- **Legacy/Celebratory Events:** Members discussed various suggestions put forward for celebrating the last 42 years of Council. The following points were made:
  1. The proposed radio station agreed at the December 2014 meeting might not go ahead. Director of Development to investigate an alternative to this.
  2. Agreed that a musical event for staff, with food and drink would be held and that Council would obtain an occasional licence for the event. It was also agreed that during the event staff with over 20 years' service would be recognised and presented with a certificate.
  3. It was suggested that Radio Foyle broadcast a programme from Drumceatt Square.
  4. Consider given staff a small memento as a keepsake from Council.
  5. Agreed that a firework display would be held on 21 March 2015.
- **Be Safe Be Well - Men's Shed Project:** The Director of Development reported that Be Safe Be Well had requested financial assistance from Council following recent fire damage to the above project. She said that the group's insurance cover was limited to £6k and as the damage amounted to £10k, the group had requested £4k to cover the shortfall. Alderman M Coyle proposed, seconded by Councillor A Brolly that the group apply for funding through the Legacy Grant Programme.

- **Benone Activity Centre:** IN COMMITTEE on the proposal of Councillor E Scott, seconded by Alderman Robinson. The Director of Development presented the Tender Report for the Interreg Iva funded project to upgrade facilities at Benone Beach, improve the boardwalk infrastructure and provide additional signage interpretation. It was noted that approval was required from the Shadow Council. It was agreed to recommend to the Shadow Council that the lowest tender be accepted and that match funding be made available to ensure the project proceeds. OUT OF COMMITTEE on the proposal of Alderman Robinson, seconded by Councillor J McCorkell.

The Development report was approved on the proposal of Councillor J McCorkell, seconded by Councillor E Scott.

Alderman J Rankin stood down as Chair of the Development Services sub-section of the meeting at 9.35 pm.

### **ENVIRONMENTAL SERVICES SUB-SECTION:**

In the absence of Councillor E Stevenson the Mayor Alderman A Robinson Chaired the Environmental Services sub section of the meeting at 9.35 pm.

**Minutes:** The minutes of meeting held 16 December 2014 were approved on the proposal of Councillor E Scott, seconded by Councillor O Beattie.

**Matters Arising:** - None.

**Director of Environmental Services Monthly Report:** The Director of Environmental Services presented his report for the month of January 2015 as follows:

#### *Building Control:*

- **Application for Grant/Renewal of Entertainment Licence:** It was agreed on the proposal of Councillor B Douglas, seconded by Councillor J McCorkell that in light of concerns raised by the PSNI and in the interests of consistency within the Borough, that Council would grant/renew entertainment licences for Granny Annie/s Kitchen & Bar, 23 – 25 Catherine Street, Limavady and Corner Bar & Market Yard Restaurant, 41-45 Main Street, Limavady subject to the following hours of operation - Monday to Saturday between 10.30 am and 1.30 am the following morning and Sunday 12.30 pm to 1.00 am the following morning.

#### *Environmental Health:*

- **Dog Control – Breach of Fixed Penalty Notice [LR.637-2014]:** The recommendation of legal proceedings in respect of this matter was withdrawn.
- **Dog Attack [L.R616-2014]:** The Director of Environmental Services reported that in December 2014 the Department had received a complaint of a dog attack on another dog and a person in Limavady. He said that the dog attacked had to be euthanized due to the injuries sustained and the keeper of the dog attacked had indicated that she wished to see legal proceedings pursued in respect of the matter. He added that officers had considered the circumstances

of the matter against the prosecution criteria and concluded that evidence to prove the case could be demonstrated.

It was noted that the incident had been recorded and two Control Conditions were issued to the keeper of the dog which required the dog to be kept muzzled in a public place and for the dog to be kept under control by means of a lead. It was agreed that the case would be referred to Council's solicitor with the view to legal proceedings being instigated for the attack on a person and on another dog.

- **Complaint of Noise Nuisance:** It was agreed that details of a noise nuisance complaint would be referred to Council's solicitor with the view to legal proceedings being instigated against the occupier of a property for the offence of noise nuisance under the Clean Neighbourhoods & Environment Act (NI) 2011.
- **Occasional Liquor Licence:** Council had no objection to the application for grant of an occasional licence by the licence holder of the Alexander Arms to sell liquor at Big Fight Night being held on 7 March 2015 in Roe Valley Leisure Centre.
- **Fire Safety Conference:** It was agreed that 3 Building Control Officers would attend the Fire Safety Conference being held at the Killyhevlin Hotel on 19-20 February 2015 at a cost of £200.

*Technical Services:*

- **Contract for the Haulage, Recycling and Processing to End Markets of Mixed Dry Recyclable Waste – Regen Waste Ltd:** IN COMMITTEE. The Director of Environmental Services reported details of what had been agreed during arbitration between Council and Regen Waste Ltd which was held on 18 December 2014. OUT OF COMMITTEE.

The Environmental Services Report was adopted on the proposal of Councillor B Chivers, seconded by Councillor B Douglas.

**MONTHLY MEETING SUB-SECTION:**

**Minutes:** The minutes of meeting held 2 December 2014 was approved on the proposal of Councillor B Douglas, seconded by Councillor O Beattie.

**Matters Arising:** - None.

**Minutes of Audit Committee:** The minutes of Audit Committee meeting held on 15 October 2014 was tabled and noted.

**Loan Sanction Approvals:** Council approved the schedule of loans tabled.

**Consultations:** Members reviewed the consultation list for January 2015 and these were noted by Council.

**External Minutes:** The minutes of Western Health & Social Services Trust held on 6 November 2014 were noted.



**Formal Correspondence:** The list of formal correspondence listed on the agenda was noted.

**Seal Legal Documents:** None.

**ANY OTHER BUSINESS:**

**Freedom of the Borough:** It was agreed that a special meeting would be held on Tuesday 27 January 2015 at 7 pm to discuss a notice of motion on bestowing the Freedom of the Borough to the Salvation Army and St Vincent de Paul.

**February Monthly Meeting:** It was agreed on the proposal of Councillor A Brolly, seconded by Alderman J Rankin that the February Monthly meeting would be rescheduled from the 3 to 10 February 2015.

**NEXT MEETING:** - 10 February 2015.

**THE BUSINESS CONCLUDED AT 10:15 PM**

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