

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

ENVIRONMENTAL SERVICES COMMITTEE

20 MARCH 2012

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 7.35 pm on the above date.

PRESENT:

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

IN ATTENDANCE:

Committee Clerk, Chief Executive and the Director of Environmental Services.

APOLOGIES:

Alderman Coyle and Councillor Nicholl.

MINUTES:

The minutes of meeting dated 21 February 2012 were approved on the proposal of Councillor Chivers, seconded by Councillor Mullan.

MATTERS ARISING: -None.

DIRECTOR OF ENVIRONMENTAL SERVICES REPORTS – MARCH 2012:

Building Control Department:

The Director of Environmental Services presented the Building Control Report which detailed applications approved, acknowledged, issued, rejected or withdrawn between 1 – 29 February 2012; New Postal Addresses issues; Entertainment Licences issued; Amusement Permit issues; Property Certificates issued; Licensing of Petroleum Spirit Storage Installations for 2012 and Facilities Management & Energy Management Report. The items for information were noted and the report was adopted on the proposal of Councillor Douglas, seconded by Alderman Robinson subject to the following:

Application for Grant of Entertainment Licence: The Director of Environmental Services explained that an application for the grant of an entertainment licence had been received for the Sportsman Inn, 14-16 Main Street, Feeny. He said that in accordance with statutory requirements, consultations took place with the Northern Ireland Fire & Rescue Service (NIFRS) and with the PSNI. He added that although there were no objections from the NIFRS, an objection had been received from the PSNI following a prosecution of the establishment in December 2011 for breaches of liquor licensing laws and on a pending prosecution for similar offences.

Members discussed the objection by the PSNI to the renewal of the Entertainment Licence. It was acknowledged that the proprietor had breached the law in terms of rules around Liquor Licensing and on a previous Entertainment Licence. It was suggested that the proprietor mend his ways rather than for Council putting him out of business. After discussion it was agreed that Council would afford the proprietor the opportunity to appear before Council and be heard.

Joint Electricity Procurement Exercise Northern Ireland: Retrospective approval was agreed to accept the tender submitted by Airtricity for supply of electricity to Council premises from 1 April 2012 to 31 March 2013.

Environmental Health Department:

The Director of Environmental Services presented the Environmental Health Report which detailed information relating to Environmental Health; Food Control; Health & Safety; Licence & Regulatory and Tobacco & Lighter Fluid Control. The report and recommendations were approved on the proposal of Alderman Rankin, seconded by Alderman Robinson subject to the following:

High Hedge Fees Regulations (NI) 2012: The Director of Environmental Services reminded members that the High Hedges Act (Northern Ireland) 2011 would come into operation on 31 March 2012 and that this gave local councils the power to deal with complaints about high hedges, which were having an adverse impact on a neighbour's property. He said that the Act introduces a scheme which encourages high hedge problems to be resolved through discussion or mediation, but failing that, the persons alleging that they were suffering a loss of reasonable enjoyment of their property could make a formal complaint to their local council. He added that the High Hedge Fees Regulations prescribe the maximum fee that may be charged by a Council for the investigation of a complaint to be £360.00.

In the discussion which followed, points made included:

- it was up to Council to set its own fees and these should be balanced
- it should be the hedge owner who should pay the fees
- if the complainant and the hedge owner were made aware of fees, it could act as an incentive to resolving high hedge problems
- fees should be means tested.

It was agreed on the proposal of Alderman Rankin, seconded by Alderman Robinson that the Director of Environmental Services would consult with other councils in the Causeway Cluster to see what they had set their fees at for the investigation of complaints about high hedges and bring this back to the April 2012 meeting.

Delegation Functions and Environmental Health Legislation: It was agreed to extend the discharge of functions relating to authorisation of staff acting on behalf of Council on legislation administered by Environmental Health to the Environmental Health Manager. It was also agreed to adopt the revised list of legislation for which powers to authorise staff would be delegated by Council to the Chief Executive, Director of Environmental Services and the Environmental Health Manager.

Queries outside of Report:

Street Trading – Lower Main Street, Limavady: It was proposed and agreed that Council would commence the process for designation of a section of lower Main Street (near Tesco) for Street Trading.

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 Alderman Robinson, seconded by Councillor Brolly subject to the following:

Accessibility of Council Play Areas: Members welcomed the update on accessibility of Council's play areas and it was noted that regular inspections on compliance with BS EN 1176 with respect to play areas were carried out.

ANY OTHER BUSINESS:

- A member welcomed that work had commenced on the upgrade of street lighting at Roe Valley Leisure Centre.

NEXT MEETING – 24 April 2012.

THE BUSINESS CONCLUDED AT 8.45 PM

Signed: _____
Chair of Meeting