

LIMAVADY BOROUGH COUNCIL
COMHAIRLE BHUIRG LÉIM AN MHADAIDH

23 MARCH 2005

Minutes of monthly meeting held in the Council Offices, 7 Connell Street, Limavady, which commenced at 7.30 pm on the above date.

PRESENT:

In the Chair: Councillor Rankin

Other Members: Aldermen M Carten, J Dolan and G Robinson. Councillors A. Brolly, B Brown, B Chivers, L. Cubitt, M. Donaghy, B. Douglas, D. Lowry, G. Mullan, M McGuigan and E Stevenson.

In Attendance: Committee Clerk, Chief Finance & Administration Officer, Chief Recreation & Tourism Officer, Chief Environmental Health Officer, Chief Technical Service Officer and the Town Clerk & Chief Executive.

APOLOGIES:

Councillor M Coyle.

MINUTES:

The minutes of monthly meeting dated 23 February 2005 were approved and signed on the proposal of Alderman Dolan, seconded by Councillor Chivers.

ROE VALLEY CHAMBER OF TRADE AND COMMERCE:

The minutes of meeting held 7 March were tabled and noted.

MATTERS ARISING:

Members expressed their sympathy on the recent death of former caretaker Mr William Hutchinson and stood in silence for one minute as a mark of respect.

CHIEF EXECUTIVE APPOINTMENT:

IN COMMITTEE: The Chair welcomed Mr John Hanna, Professional Officer, Local Government Staff Commission to the meeting.

The Interim Human Resource Manager tabled a draft Application Pack for the Appointment of Town Clerk & Chief Executive and enlarged thereon.

Mr Hanna and the Interim Human Resource Manager answered members' questions relating to job description, qualifications and person specification and the application pack as presented, was approved on the proposal of Councillor Cubitt, seconded by Councillor Stevenson.

GORTNAGHEY COMMUNITY GROUP – REQUEST FOR ADDITIONAL FUNDING:

The Town Clerk explained that as determined by members, it has been agreed that the request for additional funding for Gortnaghey Community Association be brought back to the full meeting of Council for further consideration.

The Town Clerk pointed out Council had supported Gortnaghey Community Association by contributing £25,000 in 2003 and that there was a need to be mindful of requests from other associations, as questions could be asked as to why Council supported one group and not others.

In the debate that followed, Councillor A Brolly pointed out that Council had agreed in principle to support the group at meeting held 12 January 2005 and proposed that Council contribute £10,000 to be taken from Council's reserves. This was seconded by Alderman Carten.

Councillor Stevenson put forward an amended proposal that Council would not give financial support to new building of community halls until the relevant criteria had been agreed. Councillor Cubitt seconded the proposal.

The amendment on being put to the meeting was declared carried with 7 voting for and 7 against, with the Mayor used his casting vote in favour of the amendment.

The substantive motion was put to the meeting and declared carried with 7 voting for and 5 against.

COUNCIL'S RESPONSE TO THE DEPARTMENT OF SOCIAL DEVELOPMENT'S CONSULTATION PAPER - 'PROPOSED TRANSFER OF MANAGEMENT OF THE SOCIAL HOUSING DEVELOPMENT PROGRAMME TO THE NORTHERN IRELAND HOUSING EXECUTIVE

The Chief Technical Service Officer detailed a response to the consultation paper on the Proposed Transfer of Management of the Social Housing Development Programme to the Northern Ireland Housing Executive. It was agreed on the proposal of Councillor Douglas, seconded by Councillor Cubitt that Council support the rationalisation process of social housing development.

LICENCES:

Amendments to Council's Conditions of Licence – The Petroleum (Consolidation) Act (NI) 1929: The District Chief Building Control Officer recommended that Council delete any reference to HS (G) 41 Petrol Filling Station Construction and Operation and substitute a reference to "Guidance for the Design, Construction, Modification and Maintenance of Petrol Filling Stations" as part of amendments to Council's Conditions of Licence - Petroleum (Consolidation) Act (NI) 1929. This was agreed on the proposal of Councillor Mullan, seconded by Alderman Dolan.

NATIONAL ASSOCIATION OF COUNCILLORS – NORTHERN IRELAND REGION:

Minutes: Minutes of meeting held 19 January 2005 were tabled and noted.

NILGA MEMBERS BRIEFING:

Minutes: Minutes of joint meeting between NILGA, Minister Angela Smith, Minister John Spellar and DOE held 8 March 2005 were tabled and noted.

FOYLE HEALTH & SOCIAL SERVICES TRUST:

Minutes: Minutes of meeting held 25 February 2005 were tabled and noted.

RESOLUTIONS:

It was agreed on the proposal of Alderman Dolan, seconded by Alderman Robinson that the following resolutions be noted:

Resolution from Down District Council:

“Down District Council calls on the police and all communities to uphold Parades Commission determinations, even if they disagree with them; Condemns the use of violence by those involved in parading disputes; Believes that the best way forward on parades is through face to face dialogue and calls on all those associated with parades disputes to engage in dialogue; But believes that where there has been no dialogue or dialogue has not delivered a resolution, the only way forward is for the Parades Commission to issue a determination; Calls for the Parades Commission to be given clear jurisdiction over supporters; and calls for this motion to be forwarded to the other 25 Councils in Northern Ireland for their endorsement.”

Resolution from Ards Borough Council:

“That the Council writes to the Secretary of State asking for the regional rate to be renamed either the Assembly Rate or the Central Government Rate, as appropriate, and requesting to have future rate bills itemised to differentiate between local and central government rates.

Furthermore, that the Council writes to all Councils asking them to support this action and endorse the request.”

Resolution from Donegal County Council:

“That this Council call on all Mobile Phone Operators to introduce an all Ireland rate as no extra cost to their customers and that this policy be reflected in the County Development Plan.”

Resolution from Strabane District Council:

“Strabane District Council will continue to accept Notices of Motion/Resolutions from other Councils however they will be presented as ‘For Information’ items to all Members of Council. It will be at the discretion of each Member to decide whether they would then like to submit a formal motion to Council on the particular issue. If this does not occur then there will be no discussion in response from Council on the issue.”

Resolution from Castlereagh Borough Council:

“This Council calls upon the South Eastern Education & Library Board to reconsider their decision to close Cabra Towers”

COURSES/CONFERENCES:

Local Authority Members 22nd Annual Conference: It was agreed on the proposal of Councillor Chivers, seconded by Alderman Carten that Councillor A Brolly attend the above conference to be held at Rochestown Park Hotel, Cork on 31 March and 1 April 2005 at a cost of €250.

Annual Chief Environmental Health Conference: It was agreed on the proposal of Alderman Robinson. Seconded by Alderman Dolan that one officer from the Environmental Health Department would attend the Annual Chief Environmental Health Conference to be held at Cardiff International Arena on 6 – 8 September 2005 at a cost of £445 plus accommodation.

POLICY STATEMENT ON COUNCIL’S DISCRETIONARY POWERS ON THE LOCAL GOVERNMENT (EARLY TERMINATION OF EMPLOYMENT) (DISCRETIONARY COMPENSATION) REGULATIONS (NORTHERN IRELAND) 2003:

The Policy Statement on Council’s Discretionary Powers on the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations (Northern Ireland) 2003 was approved on the proposal of Councillor Douglas, seconded by Councillor Lowry

BI-LINGUAL STREET NAMES:

The Chief Finance & Administration Officer tabled a report on the number of residents consulted and percentage of replies received on requests for bi-lingual street names. He advised that Council had agreed to the requests on all previous instances, with the exception of Sheskin Park, Greysteel.

Councillor Cubitt suggested that Council would only agree to requests for bi-lingual street names where 2/3 or 80% of residents respond and that those requesting the signs pay 50% of the cost to Council. The Town Clerk advised caution on making up criteria in such a way.

In the heated debate that followed, Councillor Lowry proposed that Council accept the request put forward by Mr King for bi-lingual street names to be erected at Sheskin Park and that the policy be reviewed accordingly. This was seconded by Councillor Mullan.

Councillor Brown confirmed that when he had asked for the decision regarding Sheskin Park to be postponed at the Finance & General Purposes meeting on 14 March 2004, this had not been an act of discrimination and that after listening to the advice from officers of Council, he would be happy to agree to Councillor Lowry’s proposal.

The proposal on being put to the meeting was declared carried, with 8 voting for and 6 against.

Councillor Brolly voiced her disapproval at what she considered serious allegations, which were made by Councillor Cubitt during the course of the debate and said he had acted out of order.

CARRY OVER OF ANNUAL LEAVE:

The Chief Finance & Administration Officer tabled a report on requests for carry over of Annual Leave and justification for requests exceeding the recommended 5 days.

Councillor Lowry suggested that the carry over of Annual Leave was the direct responsible of staff line managers and Council should only be concerned about the Annual Leave of Chief Officers.

In approved the carry over of the requested Annual Leave, members stressed that line managers should be aware of the danger of overworking some members of staff who had to cover others.

FORMAL ADOPTION OF STREET NAMING POLICY:

Council formally adopted the Street Naming Policy on the proposal of Councillor Cubitt, seconded by Councillor Donaghy.

SEAL LEGAL DOCUMENTS:

It was agreed on the proposal of Councillor Cubitt seconded by Councillor Douglas that the legal Deed of Transfer and conveyance between Limavady Borough Council and Mr Michael James Brolly, in respect of lands adjacent to Dungiven Castle be signed and sealed.

ANY OTHER BUSINESS:

Riding for the Disabled Association: The Town Clerk explained that Riding for the Disabled Association were in the process of preparing applications to the Big Lottery Fund and Sports Lottery fund for grant aid towards their proposed disability facility and had written requesting Council's support for the project.

It was agreed on the proposal of Councillor Cubitt, seconded by Alderman Dolan that the Chief Recreation & Tourism Officer should respond with a letter of support and advise that whilst Council was unable to give a financial commitment at this time, the matter could be raised again when a policy regarding funding for community groups had been endorsed by Council.

Closure of Drumaduff Dump: The Chief Technical Service Officer confirmed to Councillor Chivers that lands at Drumaduff dump had not as yet been vested and that an update would be provided for members' information within his next report to the Environmental Services Committee..

Discussions with Roe Fold Management: The Chief Technical Service Officer informed members that discussions were ongoing with Fold Management to finding a resolution regarding rear access to the new Multi Cultural Civic Centre.

Greysteel Roadworks: Members voiced concern regarding the impact to local businesses at the time taken to complete the road works at Greysteel. Councillor Rankin suggested that the work cease at 4.15 pm to avoid traffic congestion at peak times and Councillor Mullan suggested that a slip road be introduced at Gortgarn Road to provide safe access onto Clooney Road. Councillor Mullan also said that careful consideration be given to the phasing of the proposed traffic lights so not to interrupt the flow of traffic on this arterial route. It was agreed that the Town Clerk write to Roads Service detailing the issues raised.

Traffic Lights at Ballykelly: Councillor Cubitt voiced concern at the phasing of traffic lights in Ballykelly. It was agreed that the Town Clerk would highlight to Road Service that the traffic lights interrupted the flow of traffic at peak times.

Fallen Stock: Councillor Stevenson sought clarification on who was responsible for disposing of fallen stock dumped on private land or Council property. The Chief Environmental Health Officer said that disposing of fallen stock was a problem as the animals could not be buried and that whilst legislation might change, it currently was not Council's responsibility to dispose of animals dumped on private property.

Western Education & Library Board: Councillor Lowry referred to the resignation by members of the Western Education & Library Board and how funding cuts would affect schools in the Limavady area. He said Council would be remiss not to address the appropriate funding with government officials.

Councillor Brolly said that a difficult and fraught discussion had taken place with the Minister on cutbacks and that whilst her resignation had not been an easy decision to make, she could not accept or endorse the recommendations put forward to the Board.

Councillor Stevenson confirmed that his party had voted against the cutbacks and that he had not resigned from the Board as the people from the Borough needed to be represented.

Dernaflaw – Play Area: The Chief Recreation & Tourism Officer informed members that plans for the play area at Dernaflaw were in the process of being completed.

Best Wishes – Councillor Lowry: The Mayor, Councillor Rankin expressed best wishes to Councillor Lowry on his last full meeting of Council. Councillor Lowry said that after servicing three terms in office, it was encouraged to see that things were getting better and that he intended to keep an interest in public life. He said he respected the views of other elected members and wished them every success in the forthcoming elections.

Annual General Meeting: It was agreed that the Annual General Meeting would take place on Monday 23 May 2005 at 7.30 pm.

FORMAL CORRESPONDENCE:

- The Northern Ireland Policing Board and the Police Service of Northern Ireland Policing Plan 2005-2008

- The Irish Academy of Engineering – A Vision of Transport in Ireland in 2050 (Volume No.2 2004)
- Environment & Heritage Service – Annual Report 2003/2004
- Co-Operation and Working Together – Northern Ireland/Republic of Ireland – Annual Report 2004.

NEXT MEETING:

25 May 2005

THIS CONCLUDED THE BUSINESS

(The meeting ended at 10.30 pm)