

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

**ENVIRONMENTAL SERVICES COMMITTEE
24 APRIL 2012**

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 8.00 pm on the above date.

PRESENT:

Aldermen M Coyle, 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, D Nicholl, A Robinson and E Stevenson.

IN ATTENDANCE:

Committee Clerk, Chief Executive, Director of Environmental Services and Building Control Manager.

APOLOGIES: - None.

MINUTES:

The minutes of meeting dated 20 March 2012 were approved on the proposal of Councillor Chivers, seconded by Alderman Robinson.

MATTERS ARISING: -None.

DIRECTOR OF ENVIRONMENTAL SERVICES REPORTS – APRIL 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Services presented the Building Control Report which detailed applications approved, acknowledged, issued, rejected or withdrawn between 1 – 31 March 2012; New Postal Addresses issues; Entertainment Licences issued; Property Certificates issued; Licensing of Petroleum Spirit Storage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 Alderman Rankin, seconded by Councillor Mullan subject to the following:

Application for Grant of Entertainment Licence: The Chair welcomed Mr George Murphy and PSNI Officer Mark France to the meeting. The Director of Environmental Services reminded members that it had been agreed at the previous Environmental Services meeting that Council would afford Mr George Murphy, proprietor of the Sportsmans Inn, Feeny the opportunity to appear before Council and be heard with regard to an application for grant of an Entertainment Licence.

Mr Murphy stated that since becoming the proprietor of the Sportsmans Inn he had worked hard at getting people to come into the premises and that the vast amount of local people felt he was doing good work, in what was tough economic times. He said he was working with the PSNI and following consultation, was taking their advice on issues around the running of the premises. He added that he

had also invited local residents to a meeting to raise issues they were concerned about and that he was taking steps not to annoy people living in the village.

Mr France confirmed that the PSNI had objected to the grant of the Entertainment Licence based on the fact that on two occasions the liquor licensing laws had been breached and local residents had complained of noise & anti-social behaviour. He said that since being approached by Mr Murphy, a number of points had been put forward to rectify the problems, including keeping better bar hours and keeping the front door & blinds closed to minimise noise. He added that the PSNI had recently carried out a number of checks and it appeared that the issues had been resolved.

Mr Murphy and Mr France left the Chamber at 8.15 pm.

Councillor Mullan proposed that Council agree to the renewal of the Entertainment Licence subject to there being no breaches of the conditions set out in the licence. This was seconded by Councillor Brolly and on being put to the meeting was declared carried, 9 for, 0 against and 1 abstention.

Application for the Grant of a Licence Authorising the Sale of Intoxicating Liquor by Retail in an Off-Licence: The Director of Environmental Services reported that the views of Council were sought on application by Lidl for the grant of a Licence authorising the sale of Intoxicating Liquor by retail in an off-licence.

There were no objections put forward, however several members expressed reservations at the application.

Environmental Health Department:

The Director of Environmental Services presented the Environmental Health Report which detailed information relating to Consumer Protection & Tobacco Control; Licence & Regulatory; Pollution Control and Welfare of Animals (Northern Ireland) Act 2011. The report and recommendations were approved on the proposal of Councillor McGlinchey, seconded by Alderman Robinson subject to the following:

Consumer Protection & Tobacco Control: The Director of Environmental Services reported that on 29 February 2012 the Department had carried out a test purchasing exercise to assess compliance with legislation around the sale of butane lighter refills and tobacco to those under the age of 18. He said that nine premises were visited and four of these sold tobacco and one sold a butane gas refill canister to the young person used in the test exercise. He added that officers had assessed the circumstances of each sale against good practice and had concluded that out of the four tobacco sales, three proprietors had demonstrated due diligence and one proprietor could not. In relation to the sale of a butane gas canister, when interviewed under formal caution, evidence was provided of signed & dated training records and a refusal register which demonstrated that the business had put in place measures to try and prevent illegal sales.

It was agreed that legal proceedings would be instigated against the one retailer for the offence of selling tobacco to a person under the age of 18 and that a warning letter would be issued to the other business operators who sold age restricted products to the young person.

On Street Drinking Offence: It was agreed that details of an incident of on street drinking would be referred to Council's solicitor with a view to legal proceedings being taken against the person identified for contravention of the bye-law prohibiting the consumption of intoxicating liquor in a designated place.

Queries outside of Report:

Query – Dog Breeders: In response to a member, the Director of Environmental Services agreed to bring a report to Council on registered Dog Breeders in the Borough.

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 Mullan subject to the following:

Spring Clean Campaign 2012: Members were advised that this years Spring Clean campaign would take place during the weeks commencing Monday 14th and Monday 21st May 2012. Members raised concerns regarding litter, including cigarette butts on Catherine Street. The Director of Environmental Services said that publicity by the local press would help raise awareness of the problem and that work was ongoing between local government and the Public Health Agency on a major media campaign around littering and volunteering to help on clean ups. The Recycling Officer was praised for his work on recycling within the schools.

Dungiven Sports Pavilion: It was agreed that the quotation submitted by RS Carmichael for the manufacture of steel fire escape stairs at Dungiven Sports Pavilion in the sum of £7,107 would be accepted.

Vehicular Access – Market Street: The Director of Environmental Services agreed to clarify with Roads Service if traffic could be limited on Market Street for heavy goods vehicles.

Waste Management: IN COMMITTEE. Council agreed with the recommendation made by the North West Region Waste Management Group within the Tender Evaluation Report to award the tender for Mixed Dry Recyclables to Re-Gen. It was also agreed that Council would participate in a procurement exercise for short term contract for the haulage, treatment and disposal of residual (black bin) waste. **OUT OF COMMITTEE.**

ANY OTHER BUSINESS:

Closure of Magilligan Prison: It was noted that a notice of motion submitted by the DUP delegation would be discussed at the May 2012 Development Services meeting.

NEXT MEETING – 15 May 2012.

THE BUSINESS CONCLUDED AT 9.35 PM

Signed: _____
Chair of Meeting