

LIMAVADY BOROUGH COUNCIL
COMHAIRLE BHUIRG LÉIM AN MHADAIDH

25 FEBRUARY 2004

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

PRESENT:

In the Chair: Councillor A Brolly.

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

In Attendance: Committee Clerk, Chief Environmental Health Officer, Chief Finance and Administration Officer, Chief Recreation/Tourist Officer, Chief Technical Services Officer and the Town Clerk.

APOLOGIES:

Councillor M Coyle, Councillor M Donaghy and Councillor F Brolly.

MINUTES:

The minutes of previous meeting dated 28 January 2004 were approved and signed on the proposal of Councillor Lowry, seconded by Alderman Dolan.

AMALGAMATION OF GLASVEY SCHOOL BALLYKELLY AND LIMEGROVE SCHOOL LIMAVADY:

The Chair welcomed Mr Malachy O'Loane, Special Education Officer, Western Education and Library Board to the meeting.

Mr O'Loane outlined to Council the background on the Western Education and Library Board's decision to build a new school at the Limegrove site. He explained that the Board took over Glasvey School back in 1987, with the intention of building a purpose built school on the large Limegrove site for the following reasons:

1. The Glasvey premises were leased to the Board and
2. facilities in the school were inadequate.

He added that school staff, pupils, parents and the Board of Governess of both schools had been consulted, and all had agreed unanimously with the proposal to amalgamate both schools.

Mr O'Loane responded to Councillor Lowry on the question of job losses, said that as far as possible, all presently employed would still be employed but that staff would be given the choice of voluntary redundancy and that staff levels would be looked at on a yearly basis. He added that the new school would be

situated at the back of the current Limegrove site, with the intention of retaining the trees at the front of the site.

Mr O'Loane highlighted to members that the new school would provide a excellent educational environment for children with different needs, adding that a similar amalgamation of schools had been successful in Omagh.

Mr O'Loane explained that as the recommended 22 days for consultation had passed, the Western Education & Library Board awaited a decision by Ms Jane Kennedy, Minister for Education on the proposed amalgamation.

Councillor A Brolly thanked Mr O'Loane for clarifying issues with regard to the school. It was proposed by Councillor Lowry, seconded by Councillor A Brolly that the Town Clerk write to Ms Jane Kennedy, Minister of Education, endorsing the plans for the school and requesting that the necessary funding be made available as a matter of priority.

CHIEF ENVIRONMENTAL HEALTH OFFICER'S REPORT – JANUARY:

The Chief Environmental Health Officer presented his report and enlarged thereon. The report was adopted on the proposal of Councillor Cubitt, seconded by Alderman Dolan subject to the following:

Children and Young Persons (Protection from Tobacco) (NI) Order 1991: The Chief Environmental Health Officer reminded members that Tuesday 2 March 2004 was 'National No Smoking Day'. He explained that the legislation with regard to selling of cigarettes to children under age of 16 was enforceable by District Councils and that Limavady Borough Council had recently participated in a Westcare Health Promotion initiative, headed "Buy Young, die Young". He added that the initiative involved young persons working under the supervision of environmental health staff, entering shop premises seeking to purchase cigarettes. The Chief Environmental Health Officer reported that 5 premises were visited in Limavady and all that 5 included complied with the legislation.

Dog Attacks, Briar Hill, Greysteel: The Chief Environmental Health Officer reported an incident where 2 people had been bitten by 2 Rottweiler dog's. He explained that the Enforcement Officer had found both dogs straying off their keeper's property and impounded them at Derry City Council kennels. He added, that subsequent interviews with the keeper of the dogs revealed neither were licensed or tagged and on frequent occasions the dogs had escaped from their compound at the rear of the keeper's property. The Chief Environmental Health Officer explained that 6 fixed penalty fines to the value of £90.00 were issued to the keeper and that both dogs had been reclaimed from the kennels at cost of £66.00. He added that both dogs had since been re homed by the owner outside the local area and as neither injured parties wished to take legal proceedings, it was recommended that a formal written warning be issued by Council to the keeper of the dogs in respect of this matter.

Deposit of Waste at Drumachose Park: The Chief Environmental Health Officer reported that 32 bags of waste were dumped amongst shrubbery at Drumachose Park and on inspection of their content revealed information relating back to a resident of Drumachose Park. He added, that the resident admitted some

of the waste material was associated with him but indicated that he had given the waste to a number of young people for disposal. He further added that a fixed penalty fine of £25 had been served on the resident and that Council's Technical Services staff had since removed the waste material from Drumachose Park.

Members indicated that the deposit of such waste indicated a lack of responsibility on the part of the resident and suggested that the penalty of £25 should be increased. Councillor Lowry enquired if it was possible to prosecute the people who dumped such rubbish. In response the Chief Environmental Health Officer stated that it was not possible to identify who had dumped the rubbish in this instance.

CHIEF TECHNICAL SERVICES OFFICER'S REPORT – JANUARY:

The Chief Technical Services Officer presented his report and enlarged thereon. The report was adopted, on the proposal of Councillor Lowry, seconded by Alderman Dolan subject to the following:

A Consultation Paper on Transportation of Articles 5 (Part) and & of The End of Life Directive (2000/53/Ec) - Proposals for Regulations: The Chief Technical Services Officer explained that this Directive was aimed at reducing the amount of waste arising from scrapped vehicles and that comments should be returned by 30 March 2004.

Northern Ireland Waste Management Consultancy Services: Northern Ireland Waste Management Strategy Phase I Review: The Chief Technical Services Officer summarised the main recommendations of the Waste Management Strategy Phase I Review, explaining that the following would be addressed - shortfalls in service delivery plans and lack of composting facilities in Limavady Borough Council. He added that the use of brown bins needed to be commenced as soon as possible in an effort to reach waste management targets.

Councillor Douglas commented that Limavady Borough Council had not 'moved forward' as expected with the Waste Management Policy, adding that the waste management awareness programme had not been taken on board by many. The Chief Technical Services Officer informed members that recycling had increased from 3% to 18% since the awareness programme had commenced and that it was anticipated that this would rise to 25% by year 2005. He added that whilst Council made great efforts to meet directive requirements, consumers had to play their part through selective purchasing. He further added that there was an element of learning and this could be achieved through appointing a Recycling Officer.

Alderman Robinson and Councillor Cubitt expressed their concern at the increasing number of complaints by members of the public regarding the collection of black bins. The Town Clerk advised members of Councils' Complaint Procedure and that the general public was at liberty to address their grievances through this procedure. Councillor Lowry and Councillor Brown voiced their opposition at such complaints being raised at a public meeting.

LICENCES:

Entertainment - The Town Clerk tabled a report from the District Chief Building Control Officer regarding an application by Mrs Kathleen Smyth, 201 Drumrane Road, Limavady for an entertainment licence in respect of Largy Community Hall, opposite 122 Drumrane Road, Limavady. It was agreed on the proposal of Alderman Robinson, seconded by Councillor A Brolly to grant the licence subject to no negative representations in response to public notices and no adverse comments from Police Service of Northern Ireland or the Northern Ireland Fire Service.

MEASURES TO TACKLE ANTI SOCIAL BEHAVIOUR IN Northern Ireland - CONSULTATION DOCUMENT:

The District Policing Partnership Manager, Ms Linda McKee presented an overview of the above consultation document, which sought views on the proposed measures to tackle anti-social behaviour in Northern Ireland.

Ms McKee explained that the 1998 Crime and Disorder Act in England and Wales described anti-social behaviour as "behaviour which causes alarm, distress or harassment to one or more people not in the same household as the individual causing it" and that such behaviour was an increasing cause of anxiety and concern in Northern Ireland. Ms McKee added that the proposals in the document were a response to community concerns about anti-social behaviour in general and a direct response to one of the objectives of the Government's Community Safety Strategy for Northern Ireland which was launched in March 2003.

Ms McKee clarified that these civil orders were aimed at any person age 10 or over, aimed at persistent unruly behaviour and dealt with a range of behaviours rather than a single offence and breach of such orders could involve a prison sentence of up to 5 years.

Ms McKee explained that the orders were already introduced in England and Wales and were applied by either police or by local authority and that in Northern Ireland they would be applied in partnership between the Police Service of Northern Ireland, the Housing Executive and District Councils.

Councillor Lowry welcomed the contents of this consultation document, adding that the introducing of such legislation was a step in the right direction as far as taking young people off the streets. He added that there was a need to educate young people, rather than class them as criminals and this document was about getting the balance right.

Councillor Lowry proposed, seconded by Councillor Rankin that Council welcome the proposals and respond as follows:

- many issues which are classified as anti-social are covered by other aspects of legislation e.g. dropping of litter.
- while any initiative to deal with anti-social behaviour is to be welcomed and encouraged, as it is a growing menace, it will require a change of attitude by those involved. It is hoped that this proposal will offer the opportunity to those who engage in anti-social behaviour an opportunity to reflect on their unacceptable behaviour pattern.
- the costs associated with processing, imposing and monitoring of acceptable behaviour contacts and anti-social behaviour orders needs to be

offset against the cost of dealing with outcomes of those involved in ASB e.g. opportunistic cost of vandalism vs. dealing with offender.

- there was a possible duplication of services and processes, especially with the police youth diversionary scheme, the ongoing Criminal Justice review, and implementation of restorative justice initiatives. It was strongly recommended that current legislation and services should be strengthened, as opposed to setting up a new process.
- recommend strengthening of Council's and Northern Ireland Housing Executive's powers to ensure that the all parties are equal part of a tripartite arrangement - e.g. environmental health legislation on noise to equal powers in England.
- appropriate policies need to be in place prior to implementation, which are non bureaucratic, which ensure the process can be implemented quickly and efficiently, and which will facilitate each of the organisations to assist with the process and to share data.
- resources - staffing implications, training and budget must be considered prior to implementation, as research has indicated that if all parties do not take ownership, understand the processes, commit time and resources to tackle the problem through effective use of the orders, that it results in a deterioration in public confidence of the organisations involved.
- courts should be empowered to impose an ASBO alongside a sentence of conviction.
- police, Council and Northern Ireland Housing Executive are appropriate partners, as would be social landlords and transport and harbour police.
- acceptable behaviour contracts - are one tool and do compliment Anti-social behaviour orders.

THE LOCAL GOVERNMENT STAFF COMMISSION FOR Northern Ireland - CODE OF PROCEDURES ON RECRUITMENT AND SELECTION:

Councillor Lowry welcomed the proposals within the document, suggesting it was an additional reassurance. Councillor Lowry proposed, seconded by Councillor Cubitt, writing back and endorsing amendments within the document.

REVIEW OF PUBLIC ADMINISTRATION - CONSULTATION DOCUMENT:

The Town Clerk tabled a letter dated 9 December 2003 from The Local Government Staff Commission for Northern Ireland, which sought Councils comments on:

- (a) The role of Local Government Staff Commission observers and
- (b) Recruitment and Selection procedures for the post of Chief Executive.

It was agreed on the proposed by Councillor Cubitt, seconded by Alderman Dolan to endorse the Local Government Staff Commissions proposal in this matter.

WESTERN HEALTH & SOCIAL SERVICES BOARD:

Minutes: Minutes of meeting dated 27 November 2003 were tabled and noted.

WESTERN GROUP ENVIRONMENTAL HEALTH COMMITTEE:

Minutes: Minutes of meeting dated 11 December 2003 were tabled and noted.

WESTERN HEALTH AND SOCIAL SERVICES COUNCIL:

Minutes: Minutes of meeting dated 8 January 2004 were tabled and noted.

FOYLE HEALTH AND SOCIAL SERVICES TRUST:

Minutes: Minutes of meeting dated 30 January 2004 were tabled and noted.

NORTHERN IRELAND HOUSING EXECUTIVE REPORT:

Minutes: Minutes of meeting dated 28 January 2004 were tabled and noted.

RESOLUTIONS SUBMITTED BY ABERDEEN CITY COUNCIL, NORTH DOWN BOROUGH COUNCIL AND CLONES TOWN COUNCIL:

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

Resolution submitted by Aberdeen City Council:

"That this Council agree, due to the environmental damage which plastic shopping bags generate in their production and lifetime, to launch and lead a vigorous campaign for the introduction of a tax on plastic shopping bags, similar to that which have been successfully introduced in other countries, and that the revenues generated be used to finance work to protect or enhance the environment."

Resolution submitted by North Down Borough Council:

"That Council calls on Jane Kennedy, Minister with responsibility for Education, seeking the support of all other Councils, to enact a statutory requirement on the Education and Library Boards to provide school crossing patrols".

Resolution submitted by Clones Town Council:

"Article 2 of the Constitution states: "It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish nation. That is also the entitlement of all persons otherwise qualified in accordance with law to be citizens of Ireland.

In the spirit of this article, that Clones Town Council calls on the Government to put in place arrangements, to extend voting rights in the 2004 Presidential Election, to citizens living in the North of Ireland.

That this motion be circulated to all Local Authorities on the island of Ireland."

COURSES/CONFERENCES:

CIWM Conference & Exhibition - Beyond the Horizon: It was agreed on the proposal of Councillor Rankin, seconded by Alderman Robinson that 2 Officers attend this exhibition to be held on 15 - 18 June 2004 in the Paignton Hotel, Torbay at the cost of £590 plus vat for CIWM members.

ANY OTHER BUSINESS:

Road Signs in Dungen: Councillor Lowry proposed that Council write to the Roads Service to indicate its disapproval at the graffiti on road signs in the Dungen area and to request that they be removed from Road Service property. Councillor A Brolly seconded this request.

NEXT MEETING:

24 March 2004

THIS CONCLUDED THE BUSINESS

(The meeting ended at 10.15 pm)