

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

**25 NOVEMBER 2008**

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

**PRESENT:**

**In the Chair:** Councillor Chivers

Aldermen G Mullan, J Rankin and G Robinson. Councillors A Brolly, P Butcher, M Carten, M Coyle, L Cubitt, M Donaghy, B Douglas, Councillor Ó hOisín, J F McElhinney, A Robinson and E Stevenson.

**IN ATTENDANCE:**

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

**APOLOGIES:** - None.

**ROADS SERVICE AUTUMN CONSULTATION**

The chair welcomed Mr Jim Beattie, Divisional Roads Manager and Mr Keith Cradden, Section Engineer, Roads Service to the meeting.

Mr Beattie presented the Northern Division Roads Service Interim Report for the year 2008/09 which detailed work completed, progress on schemes, priorities within the 2009/10 programme, including resurfacing of roads and pathways, surface dressing, drainage, carriageway strengthening, minor works schemes, traffic schemes, traffic management, maintenance of structures, street lighting and strategic road improvements. He said it was disappointing that funding available for maintenance activities was less than in previous years which meant that Roads Service was unable to carry out as much resurfacing and maintenance work as was required in accordance with good practice standards.

The following comments/queries/concerns were highlighted by members in the discussion which followed:

- ◆ Councillor Coyle welcomed that discussions were taking place with WELB regarding park & ride facility in Dungiven. He stressed that enforcement was needed in the area to deter those who parked in disabled parking bays and in bus stop lay-by's.
- ◆ Councillor Carten welcomed scheme to realign and widen Drumacarne bridge and to work completed at Beattie's corner. He reiterated that a footpath was needed from Ballykelly to St Finloughs church.
- ◆ Mr Beattie agreed to liaise with Council regarding the size of the bus shelter in Dungiven.
- ◆ Alderman Rankin indicated that traffic calming measures were needed on Rossaire loop road. He queried if the footpath at Rathbrady Road could be narrowed to ease traffic congestion.

- ◆ Mr Beattie advised that the uneven road surface adjacent to Craig's shop at the bus station loop road would be repaired when Northern Ireland Water upgraded the sewers in the area.
- ◆ In response to a query by Councillor Douglas, Mr Beattie advised that he would continue to lobby for funding for rural roads.
- ◆ Alderman Mullan highlighted that it appeared as if a grove was forming around Aghanloo roundabout. He also highlighted that pathways on some estates should be cleared of weeds and moss.
- ◆ Councillor Brolly stated that it was imperative that the proposed by-pass in Dungiven be de-coupled from the wider A6 dualling scheme. Mr Beattie responded that the scheme was being prioritized.
- ◆ Councillor Cubitt indicated that there was a need to co-ordinate with other utility users to minimise disruption in traffic when roads were being dug up.
- ◆ Councillor Donaghy requested that Roads Service respond to concerns put in writing on the request/enquiry forms.
- ◆ Alderman Robinson pointed out that additional street lights were needed in Protestant Street and Massey Avenue.
- ◆ Mr Beattie confirmed that the Gortcobies scheme was progressing slowly.
- ◆ Councillor Ó hOisín reiterated that a footpath was needed near the pitches at Curragh Road due to usage by local school, football clubs and those going to church.
- ◆ Councillor Robinson requested that Roads Service take into consideration objections to limiting waiting restrictions at 39 – 73 Catherine Street, Limavady. He also queried if the school patrol sign at St Aidens would be lit up and if Roads Service were continuing the footpath along length of Seacoast Road to Benone.
- ◆ Councillor Chivers asked for traffic calming measures to be provided at Ardgarvin.

The Mayor thanked Mr Beattie and Mr Cradden for attending the meeting.

#### **CONDOLENCES:**

It was agreed that a letter of condolence would be forwarded to the families of the four PSNI officers killed in a road traffic accident; to the family of 20 year old Gerard Campbell who tragically died at the scene of a two car smash and to the 3 individuals who had died through traffic accidents in the Irish Republic at the weekend.

#### **MINUTES:**

The minutes of meeting held 28 October 2008 were approved and signed on the proposal of Councillor Coyle, seconded by Councillor Carten.

**MATTERS ARISING:** - None.

#### **CHIEF EXECUTIVE'S REPORT – NOVEMBER 2008:**

**Review of Public Administration Issues:** Council endorsed the proposed template 'A Practical Approach to Implementing a Successful Change in Local Government' prepared by SOLACE NI by Price Waterhouse Coopers.

**Transition Committee Formulation:** The Chief Executive tabled revised DOE Circular LG 16/08, entitled ‘Additional Guidance on the Establishment of Transition Committees’ which gave supplementary guidance to clarify the specific issue of formation of transition committees for the new government area made up of Limavady, Coleraine, Ballymoney and Moyle Councils. He said the Department had become aware that the maximum of 16 members set out in previous guidance meant that each Council could only nominate 4 members, which is less than any of the other amalgamating Councils affected and might pose problems in achieving a representative balance from each of the councils. He added that in this particular case, the maximum number of committee members was now set at 20, that is 5 from each of the 4 Councils. It was agreed on the proposal of Councillor Coyle, seconded by Councillor Cubitt that Council would accept the 20 member model for the Transition Committees.

The Chief Executive advised that the guidance given did not specify any system for nominating members to the Transition Committees. He said that the guidance did state that nominations should reflect the political balance of Council and be representative of current party strength. Members were tabled with two examples which showed nominations arrived at using d’Hondt and by the use of direct proportionality equation. A number of objections were voiced at the use of d’Hondt. Councillor Douglas proposed, seconded by Alderman Rankin that as the make up of Council was split 9 to 6, that the 5 members be 3 nationalist and 2 unionists.

After further debate, Councillor Coyle said he would be reluctant to make a decision without consulting with his party colleagues and requested that the decision be deferred until December 2008. Agreed.

**Committee Meetings Review:** The Chief Executive presented details on how other Councils of a similar size structured their committee meetings. He recommended that Council continue to give full delegated authority to members sitting on Councils’ Standing Committees, however, being mindful of the move to RPA and the additional work this would entail suggested that the meetings be restructured. It was agreed that the committee meetings would be restructured as follows from February 2009 and would be reviewed after the AGM:

*1<sup>st</sup> Tuesday Support Services followed by Monthly  
2<sup>nd</sup> Tuesday Development Services  
3<sup>rd</sup> Tuesday Planning followed by Environmental Services and  
4<sup>th</sup> Tuesday kept free for special meetings.*

It was agreed that all meetings would commence at 7 pm and that the Chief Executive would liaise with Planning Officers regarding change in date for their meetings.

**Community Safety Consultation Event:** It was agreed that Councillor Coyle, Alderman Rankin and the Community Safety Partnership Manager would attend the NILGA Community Safety Consultation Event on 10 December 2008 in the Beechlawn House Hotel, Dunmurray.

**Draft Corporate Plan:** Council approved the draft themes, objectives and core values of the draft Corporate Plan which would be used as a working document to inform the drawing up of next year’s Operational Business Plans and the Integrated Business Plan for 2009/2010.

**Re-schedule of Meetings:** It was agreed that the December Monthly meeting would be held directly after the Environmental Services meeting on 16 December 2008.

**Western Health & Social Care Trust – Strategic Response to the Comprehensive Spending Review 2008/2011:** It was agreed that a deputation from the WH&SCT would present to Council strategic response to spending review directly following the Support Services meeting on 2 December 2008.

**Integrated Business Plan – Progress Report:** The Integrated Business Plan progress report from July – September 2008 was approved by Council.

**EXTERNAL MINUTES - NOTED:**

- Western Group Environmental Health Committee – 9 September 2008
- Rail Discussion Forum – 16 October 2008

**NOTICE OF MOTION SUBMITTED BY COUNCILLOR BROLLY:**

The following notice of motion submitted by Councillor Brolly was withdrawn.

*The Council having ratified the following on 11 December 2007:*

*(that Council exercise their powers under THE LOCAL GOVERNMENT (Miscellaneous Provisions) NORTHERN IRELAND ORDER SECTION 8 to support economic development, and the rejuvenation of Limavady Town Centre by commencing the process to acquire part of the grass area and sheds currently blocking the Retail Development of the lands at Catherine St, Linenhall St/Main St, so that the Retail Development of these lands can successfully go ahead)*

*And Council having obtained legal advice and an independent report testifying to the necessity of the garden/sheds for the proposed development and the necessity of the development to the economic well being of the town on which Council can rely in order to proceed,*

*I now propose that:*

*‘In accordance with the ratified proposal of 11 December 2007, that Council do forthwith submit an application to the Minister of the relevant Governmental Department to directly take on the vesting of said lands.*

*And that all parts of the process move forward together and without delay.’*

It was agreed that the Mayor would pay a courtesy call to Miss Hunt, the owner of the lands in question.

**RESOLUTIONS SUBMITTED BY CLONES TOWN COUNCIL:**

The following resolutions submitted by Clones Town Council were noted:

Number 1:

*“That Clones Town Council supports the two objectives of the Irish Lobby for Immigration Reform in the U.S. :1. a path to legal status for the undocumented Irish in the U.S., and 2. a path to legal status for future Irish immigrants.*

*That we write to the Minister for Foreign Affairs, Mr Micheál Martin and the Irish Ambassador to the U.S. asking them to expedite a bi-lateral agreement with the U.S. Administration to address these issues.*

*That this motion be circulated to all Local Authorities North and South, seeking their support for this motion and asking them to write to Mr. Martin. The undocumented Irish Community in the U.S.A. is in deep difficulty. Young Irish men and women cannot return to Ireland for normal family and social events, like marriages, christenings, anniversaries, funerals, etc. or to visit parents or siblings, because of the fear of not getting back into the country. Many have set up home, families and businesses. They contribute to the economic and social life of their communities.*

*A two-tier structure has emerged in Irish neighbourhoods over legal status. Organisations such as GAA are unable to play games in Ireland because of visa issues, while Irish Immigration centres across the U.S. are reporting a surge in new arrivals.”*

Number 2:

*“Clones Town Council calls on the Minister for Social and Family Affairs to relax the ‘Habitual Residency conditions’, for Irish citizens returning from the USA and other countries. These conditions can cause hardship for returning Immigrants some of whom can be sick or injured or even deported, these people can not avail of social welfare until they are back for two years.”*

#### **CONSULTATIONS:**

It was agreed that the Corporate Policy Officer would respond on Council’s behalf to the following consultation documents:

- ◆ DARD (Food Standards Agency) – Changes to BSE Testing – 3 December 2008.
- ◆ Department of the Environment – Draft Fluorinated Greenhouse Gases Regulations (NI) 2009 – 21 January 2009
- ◆ DEFRA – Codes of Practice for Control of Salmonella in Animal Feeds – 30 January 2009
- ◆ NI Authority for Utility Regulation – Firmus Energy Gas Distribution Price Control (2009-2013)

**COURSES/CONFERENCES:** - None

**SEAL LEGAL DOCUMENTS:** - None.

#### **ANY OTHER BUSINESS:**

- ◆ The Director of Support Services tabled breakdown of Councillors Allowances as at 1 December 2008 which was noted by members.
- ◆ Members were tabled letter from DETI on provision of remote broadband services in Northern Ireland.

- ◆ Council endorsed NILGA letter to Sammy Wilson, Minister of Environment asking for the government to urgently agree a funding package to support the transition process due to RPA, which was estimated to be in the region of £60M.
- ◆ Members was tabled copy of public consultation document draft Planning Policy Statement 21 – Sustainable Development in the Countryside.
- ◆ It was agreed that Councillor Ó hOisín would replace Councillor Butcher on PEACE 3 programme.
- ◆ The Mayor requested that all Councillors attend ‘A time of Reflection’ event on 12 December 2008 to remember all those who had died through conflict.

#### **FORMAL CORRESPONDENCE:**

- ◆ Equality Commission – Eliminating Sexual Orientation Discrimination in Northern Ireland: A Guide on the Provision of Goods, Facilities, Services and Premises.
- ◆ CIH NI – Developer Contributions in Social and Affordable Housing – Key Principles (October 2008)
- ◆ The Nurture Group Network – Annual Report 2006/07
- ◆ BMA Northern Ireland – Improving the Care of Older People in NI (October 2008)
- ◆ Advice Matters – Progress Towards Equality (Autumn 08)
- ◆ Extra Care – Annual Report 2007/08
- ◆ Help the Aged – Senior Line Benchmark Report 2008
- ◆ TV Licensing Annual Review 2007/08
- ◆ NIHE – The NI House Condition Survey 2006
- ◆ NIHE – Second Homes in NI – Growth, Impact & Policy Implications
- ◆ NI Fire & Rescue Service – Road Safety Strategy 2008/13
- ◆ Energy Saving Trust – Low Carbon Leadership – a workbook for decision making
- ◆ North West Region Cross Border Group - European Union Success in the North West – A celebration of the INTERREG IIIA Programme 2003/08
- ◆ Driver & Vehicle Agency – New Powers for Wheel Clamping Unlicensed Vehicles
- ◆ The Baywatch Campaign (NI) Providing Accessible Parking – A good practice guide
- ◆ Help the Aged – Impact Report 2008
- ◆ CEA – Employability FEST 08
- ◆ Northern Ireland Housing Council – Members Report to Local Councils (August – October 2008)
- ◆ Connections Newsletter – Autumn/Winter 2008
- ◆ WEA - Annual Report – 2007/08

**NEXT MEETING:** - 16 December 2008.

**THIS CONCLUDED THE BUSINESS**  
(The meeting ended at 9.45 pm)

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