

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

MONTHLY COUNCIL MEETING

27 MARCH 2007

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

PRESENT:

In the Chair: Councillor J F McElhinney

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

IN ATTENDANCE:

Personal Assistant and the Chief Executive.

APOLOGIES:

MINUTES:

The minutes of meeting held 27 February 2007 were approved and signed on the proposal of Councillor Coyle, seconded by Councillor Brolly.

MATTERS ARISING:

Councillor Cubitt stated that he believed that last month's meeting should not have been reconvened after he had adjourned it and referred to page 4 of Standing Orders which stated that "So long as the Chairman acts bona fide (in good faith) and remains in the Chair he/she has virtually absolute rule". A discussion took place around this point. Members argued that Council had a right to continue with the meeting as it had not been adjourned in a proper fashion. One member questioned if the Chair had been acting in good faith.

The Sinn Féin party leader wished to record that his party distanced itself from the wording of the proposed amendment as it could be the subject of litigation. Similarly, the SDLP party leader pointed out that his party took no part in the discussion on the Notice of Motion or the proposed amendment.

The Chief Executive reiterated that he and the Mayor had reviewed the contents of the motion and deemed it to satisfy the requirements of Standing Orders. With regard to the adjournment of the previous meeting, he stated that he had referred members to paragraph 17(b) of Standing Orders which required that a vote take place on a motion 'that the Council do now adjourn' and that the remaining members had voted to continue the meeting.

CHIEF EXECUTIVES REPORT – MARCH 2007:

Right of Way – Lands at 145 Main Street, Dungiven: Councillor Butcher declared an interest in this matter and took no part in the discussion that followed.

The Chief Executive referred to discussions at the previous meeting regarding the above and reported that Council's solicitor had advised that there would therefore be no entitlement to a payment in lieu of agreeing to the realignment of the Right of Way as correspondence from Council officers at the time of the original grant indicated that Council was prepared to agree that the Right of Way could be varied provided that its ability to benefit from the Right of Way remained unimpaired. This being the case, Councillor Coyle proposed and Councillor Chivers seconded that Council agree to the realignment subject to the conditions outlined in the Chief Executive's report.

Councillor Cubitt expressed concern at the recommendation to agree to the realignment without financial recompense and requested a recorded vote. On being put to the meeting, the proposal was declared carried, 8, Alderman Mullan, Councillors Brolly, Carten, Chivers, Coyle, Donaghy, Ó hOisín and McElhinney voting for and 6, Aldermen Rankin, Robinson, Councillors Cubitt, Douglas, Robinson and Stevenson voting against and 1, Councillor Butcher abstention.

NILGA Consultation: The Chief Executive referred to the members' workshop held on 15 March 2007 to formulate Council's response to the above consultation and submitted a draft response covering the questions in a general manner. The response was agreed on the proposal of Councillor Butcher, seconded by Councillor Chivers on the basis that an emphasis was placed on NILGA strengthening relationships with Councils (as opposed to parties) and the fact that Council was not at this time prepared to give any firm commitments to budgetary percentages or quantifying amounts of officer time.

EXTERNAL MINUTES NOTED:

- Western Health & Social Services Council - 7 December 2006

NOTICE OF MOTION SUBMITTED BY COUNCILLOR BUTCHER:

Councillor Butcher proposed and Councillor Chivers seconded the following Notice of Motion:

'That this Council expresses deep concern at the revelations contained in the report published by the Police Ombudsman Nuala O'Loan into the murder of Raymond McCord for highlighting collusion between Special Branch and Loyalist paramilitaries and further calls on the British government to acknowledge its' role in employing this policy during its 'Dirty War' in Ireland.' In proposing the motion, Councillor Butcher stated that there was an ethos of human rights and not party politics behind the motion.

A discussion took place on the motion and some members felt that it was selective and had little relevance to the Borough if it did not include the investigation of all murders during the troubles.

Other members, while questioning the timing of the motion close to the election, expressed their support for the motion and the plight for justice of the families of the victims.

In his closing statement, Councillor Butcher stated that his party did not have a hierarchy of victims and that families deserved to know the truth. The motion was then put to the meeting and declared carried, 9 voting for and 6 against.

CONSULTATIONS:

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

- A Consultation on Schools for the Future: A Policy for Sustainable Schools (response to include a request for a deputation from Council to meet with the Minister for Education (when known) to express Council's concern at the negative impact on viable rural schools)
- International Co-Operation on Driving Disqualifications
- Increasing the Holiday Entitlement

SEAL LEGAL DOCUMENTS:

Lease – Lands at Magilligan Strand: The above lease with the Crown Estate Commissioners was signed and sealed on the proposal of Councillor Cubitt, seconded by Councillor Coyle.

ANY OTHER BUSINESS:

Corporate Plan: The Chief Executive circulated a draft Corporate Plan for members' comments and it was agreed that arrangements be made for this to be printed and distributed to public bodies/statutory agencies.

NEXT MEETING:

24 April 2007

THIS CONCLUDED THE BUSINESS

(The meeting ended at 8.40 pm

Chair: _____