

LIMAVADY BOROUGH COUNCIL
COMHAIRLE BHUIRG LÉIM AN MHADAIDH

28 JANUARY 2004

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

PRESENT:

In the Chair: Councillor A Brolly.

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

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

MINUTES:

The minutes of previous meeting dated 17 December 2003 were approved and signed on the proposal of Alderman Carten, seconded by Councillor Coyle.

MATTERS ARISING:

Glasvey Primary School: The Town Clerk referred to letter dated 27 January 2004 from Iris Barker, Development Officer, Western Education and Library Board, which gave a detailed explanation on the amalgamation of Glasvey and Limegrove Primary Schools at the large 10-acre site at Limegrove. He said a development proposal for the new school had been published with a two-month period for consultation. Members noted that whilst the consultation period had ended, if members wanted further clarification representatives from Western Education & Library Board would attend the Council meeting of 25 February 2004. This was agreed on the proposal of Councillor Lowry, seconded by Councillor Cubitt. It was further agreed on the proposal of Councillor Brown, seconded by Councillor McGuigan that the meeting commence at 7.00 pm.

**MINUTES OF ROE VALLEY CHAMBER OF TRADE & COMMERCE
LIAISON COMMITTEE:**

Minutes of meeting held on 1 December 2003 were tabled and noted.

**WESTERN GROUP ENVIRONMENTAL HEALTH ANNUAL REPORT
2002/2003**

The Chair welcomed Mr Barney Heywood, Western Group Chief Environmental Health Officer to the meeting.

Mr Heywood presented the Annual Report of the Western Group Environmental Health Committee 2003/2003 and highlighted that the Groups duties included being responsible for the day to day co-ordination and monitoring of the

environmental health function between Councils and between groups; for the provision of services to public bodies as agreed by Group Committee and for the review of district Environmental Health Plans. He highlighted that the group liaised with Environmental Health staff within Councils and others responsible for environmental health to ensure consistency of interpretation, application and enforcement of regulations.

Following a query by Councillor Rankin it was explained that it was likely that Water Quality Unit staff, currently based within Council, would be relocated by late 2004.

Mr. Heywood answered a number of questions put to him by members and left the meeting.

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:

Pollution Control & Local Government (Northern Ireland) Order 1078: Unlicensed Disposal of Waste at Foreshore, Magilligan: The Chief Environmental Health Officer reported that an investigation had commenced into the illegal unlicensed disposal of waste arising from the demolition of buildings at Magilligan Point and recommended that if the waste had not been removed and correctly disposed of to the satisfaction of Council by 31 January 2004 the following action be taken:

- Serve Notice on the occupier of the land where the waste has been deposited, under Article 28 Waste & Contaminated Land (Northern Ireland) Order 1997, requiring the removal and disposal of the waste to a licensed landfill site within 21 days of service of the Notice.
- Refer the details of the matter to Council's solicitor with a view to legal proceedings being taken against those persons involved in the unlawful deposit of the waste under Article 5 Pollution Control & Local Government (Northern Ireland) Order 1978 subject to affirmative legal action.

It was further agreed that in view of the transfer of the waste regulatory function to the Environment Heritage Service, should it not be possible for Council to proceed as recommended under the Pollution Control & Local Government (Northern Ireland) Order 1978, the matter be referred to DOE, Environment & Heritage Service for attention.

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 F Brolly, seconded by Councillor Cubitt subject to the following:

Regional Landfill Procurement: The Chief Technical Services Officer tabled report which detailed the cost of entire procurement at £79,000, with Council's share of this being £8,176 plus an additional cost of £5,000 for digital mapping information. The Chief Technical Services Officer recommended that Council move forward with the North West Group on the selection and procurement of a regional landfill and accept the proposals from Kirk McClure & Morton. This was agreed on the proposal of Councillor F Brolly, seconded by Councillor Cubitt.

The Green Shed Project: The Chief Technical Services Officer briefed Council on the success of LCDI in securing funding of £100k from New Opportunities Fund for this project to promote recycling at a local and community level. To further this project, the Chief Technical Services Officer reported that LCDI had requested a grant of £20,000 from Council and enlarged on the benefits to Council in granting this payment which included education and awareness about home composting; collection of old furniture for refurbishment and reuse; local collection of glass; job opportunities and the projected additional recycling within Borough. Accordingly, it was agreed on the proposal of Councillor Coyle, seconded by Councillor McGuigan to make a one off grant of £20,000 towards the Green Shed Project.

Cultural Resource Centre: The Chief Technical Services Officer tabled report on the 6 competitive interviews held in relation to the appointment of the design team for the Town Hall and recommended that Consarc Design Group be accepted to manage the project. This was agreed on the proposal of Councillor Rankin, seconded by Councillor Lowry.

Drumaduff Landfill - Restoration and Closure Plan: The Chief Technical Services Officer stated that limited progress had been made on the purchase of lands by Council. In the absence of agreement by the end of February 2004, it was agreed on the proposal of Councillor Brown, seconded by Councillor F Brolly that Council move forward with the implementation of the Compulsory Purchase Procedure in relation to the lands required.

Tree Works at River Roe Embankment at Roemill road and Dungiven Sports Pavillion: Members noted that four contractors had tendered for this contract. It was agreed, on the proposal of Councillor Coyle, seconded by Councillor F Brolly to accept the tender from John Gray & Son in the sum of £7,890.

RATES ESTIMATES 2004/2005:

Councillor Lowry, joint Chair of Council's Finance & General Purposes Committee, referred to the recommendation of his Committee at its meeting on 21 January 2004 in respect of the Rates Estimates and proposed the adoption of:

- (a) Projected expenditure for 2004/05
- (b) The authorisation of the expenditure as set out in the estimates and
- (c) The adoption of a domestic rate of 134.32 pence and a non domestic rate of 18.54 pence for the year 2004/05.

He stated that Council is presently finalising its corporate plan for the period 2004 - 2007 with the overall mission of serving the community of Limavady Borough in a way that met its needs for service provisions, economic prosperity,

sustainable development and quality of life. He added that in so doing, Council was most conscious of the need to maintain tight and effective budgetary control and to strike a reasonable rate for the incoming year.

Councillor Lowry stressed that Council would continue with the implementation of waste management plan to reduce waste, reuse and recycle. He explained that Drumaduff Landfill site had closed in November 2003, prior to the requirements of the landfill directive which would have led to substantial additional costs on Council and that residual waste was now transported to Coleraine Borough Council's Landfill site. He informed Council that the restoration and closure plans for the landfill site would be implemented over a 3-year period to meet strict environment standards and that £567k had been set aside in this year's estimates for this work, with a expected total cost to be in the region of £1.7 million.

Councillor Lowry pointed out that Council's household and dry recyclable wastes were collected in black and blue bins respectively and taken to a transfer station at Aghanloo before delivery to final destinations at Coleraine Landfill Site and Glassdon Waste. He added that 3 civic amenity sites would be upgraded, three new recycling points would be provided and Council would begin central composting with the introduction of brown bins.

Councillor Lowry explained that Council's recreation and open space strategy was adopted in June 2003 and £500k had been set aside for first phase of the associated action plan.

Councillor Lowry stressed that Council was continuing with the design and construction of a new community resource facility to replace the town hall and that this facility would enable cultural and community development in the Borough, whilst at same time regenerating Limavady town centre as a dynamic attraction for visitors and local people.

The success of the Lough Foyle Car Ferry was reiterated and revenue generated in the first year of business was €54,737 greater than anticipated.

Councillor Lowry commented that Council would continue to promote the Danny Boy theme by the recruitment of an Events Officer and the launch of a new Danny Boy International Festival. He added that Council would continue with the implementation of the equality and good relations duties under section 75 of the Northern Ireland Act 1998 by carrying out equality impact assessments on new policies and those identified in the approved equality scheme. He further added that in accordance with the Corporate Plan Council would continue to work towards achieving Investors In People with a target date for completion of March 2006.

Councillor Lowry explained that the rate estimates for 2004/05 consisted of loan charges of £817k - a decrease of £67k or 7.54% on the previous year due to phase one costs of £883k for the purchase and restoration of Council's landfill site being funded by the net sale proceeds of the market yard of £2,032k (with the balance of £1,133k being reserved for phases two and three. Outstanding loans of £15k on the market yard would be paid out of the net proceeds.

Councillor Lowry reported that salaries and wages were projected at £3,374k, an increase of £127k or 3.93%, which was due to cost of living increases of £83k and

new posts which cost £42k; labour regarding waste management totalled £33k and sundry costs of £8k. These costs were offset by a reduction in National Insurance (1%) £32k and security costs at Lough Foyle car ferry terminal of £7k.

Councillor Lowry explained that other expenses totalled £3,663k, an increase of £329k or 9.88%. He added that main items of additional expenditure were waste management costs £607k; an increase in members' allowances of £50k; additional insurance costs of £26k; a provision of £20k towards Danny Boy festival; costs associated with District Policing Partnership and community safety of £34k (for which there would be grant aid of approximately 75%) and sundry costs of £42k. He further added that these increases were offset by a reduction in contributions to voluntary bodies of £400k provided last year and a planned reduction in Economic Development spend of £50k.

Councillor Lowry pointed out that waste management costs were £607k due to transportation and gate fees for 12,328 tonnes of waste going to Coleraine landfill site. The balance of £139k was the cost associated with the provision of 2 amenity sites, 3 recycling points, a dry recyclable transfer station and provision of central composting. He added that the Capital expenditure associated with the above facilities was being funded by a grant of £200k from central government.

Councillor Lowry explained that income was £1,671k and had increased by 22% with the main sources of income coming from a waste management grant of £200k; £45k bank interest from the investment of part of sale proceeds from market yard; £35k additional income from Roe Valley Leisure Centre and Benone tourist complex and £24k from additional fees raised by Building Control. This results in net expenditure of £86k or 1.42%.

After allowing for a general grant of £1,454k and applying a balance of £177k the amount to be raised by the rates was £4,552 which is equivalent to a domestic rate of 134.32 pence in the pound - an increase of 7.39 pence or 5.82% and a non-domestic rate of 18.54 pence in the pound - a increase of 1.02 pence or 5.82%.

Councillor F Brolly seconded Councillor Lowry proposal.

Several Councillors voiced their concern at the proposed domestic and non-domestic rates, Councillor Douglas further questioned the need for employment of additional suggested that that Councillor Lowry statement was misleading to the public.

After discussion the motion was seconded by Alderman Carten and put to the meeting was declared carried, 11 for and 4 against.

LICENCES:

Entertainment: The transfer of a entertainment licence for The Cosy Inn, 84 Main Street, Dungiven from Mr Cyril Irvine, 18 Gleneagles, Culmore Road, Londonderry to Ciaran & Fiona Devine, 170 Altinure Road, Park Village, subject to no adverse comments being received from Police Service of Northern Ireland, was agreed by members.

NOTICE OF MOTION SUBMITTED BY COUNCILLOR L CUBITT

Councillor Cubitt proposed that "The monthly Finance & General Purposes meeting should be made open to the public and press similar to Council's other monthly meetings" Councillor Lowry seconded this proposal and suggested that the motion be carried and implemented after the Council's summer recess. After a brief discussion on Councillor Cubitt proposal, it was unanimously agreed by members to have the Finance & General Purposes meeting open to both public and press as with effect from 1st August 2004.

NOTICE OF MOTION SUBMITTED BY COUNCILLOR B DOUGLAS

Councillor Douglas proposed that "The current split in collection of refuse, between black and blue bin services was inadequate and that a review of the split in frequencies of collections should take place forthwith, with the due consideration to increased frequency of black bin collection". Councillor Cubitt seconded this motion. Councillor Douglas explained many residents through out the Borough had complained to him regarding their black bins being full by end of one week and added that the service provided by Council was inadequate for large families.

Councillor Rankin commented that people who recycle conscientiously were able to make their grey bin last for two weeks and pointed out the exceptions being those with medical conditions or disabilities who were currently given extra capacity. Councillor Rankin added that although Council had no powers to compel people to reduce, reuse or recycle, ultimately it was responsible and would be held accountable for delivering targets and avoiding fines. He further added that reinstating weekly collections would be a disservice to Borough and urged all members to reject the motion.

The motion was put to the meeting and declared lost, 3 voting for, 11 against and 1 abstention.

FOYLE HEALTH & SOCIAL SERVICES TRUST:

Minutes: Minutes of meeting held on Friday 12 December 2003 were tabled and noted.

NORTHERN GROUP BUILDING CONTROL COMMITTEE:

Minutes: Minutes of meeting held on Thursday 25 September were tabled and noted.

WESTERN HEALTH & SOCIAL SERVICES COUNCIL:

Minutes: Minutes of meeting held on Thursday 4 December were tabled and noted.

CONFERENCE:

The Organised Crime Task Force - Awareness Evening: It was agreed on the proposal of Councillor Coyle, seconded by Alderman Robinson that attendance by members at this event be considered an approved duty.

Northern Ireland Human Rights Commission: "Protecting Human Rights through Bills of Rights: Learning the Experience": It was agreed on the proposal of Councillor Coyle, seconded by Alderman Dolan that Councillor A Brolly attend the above conference to be held on 20 February 2004 in the Europa Hotel, Belfast.

SEAL LEGAL DOCUMENTS:

The following legal documents were signed and sealed on the proposal of Councillor Coyle, seconded by Councillor Cubitt.

- (a) Boundary Adjustment - Pearson & Thompson, 7 Drummond Park, Ballykelly
- (b) The Council with John Kearns - Transfer and exchange lands at Dungiven Castle.

ANY OTHER BUSINESS:

Ambulance Service: Alderman Robinson commented on the new ambulance service opened in Limavady and encouraged all members to visit the station facility.

Congratulations: Councillor Cubitt congratulated Councillor Lowry on his recent appointment as the Deputy Chairman of Health and Safety Executive for Northern Ireland.

FORMAL CORRESPONDENCE:

Western Education & Library Board Annual Report 2002 - 2003
Northern Ireland Electricity - Customer Energy Efficiency Programme 2002 - 2003

NEXT MEETING:

29 February 2004

THIS CONCLUDED THE BUSINESS

(The meeting ended at 11 pm)