**DUNDALK TOWN COUNCIL**

**MINUTES OF MONTHLY MEETING OF DUNDALK TOWN COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL, DUNDALK ON TUESDAY 23rd JULY 2013**

**PRESENT**

Cathaoirleach, Councillor E O’Boyle, presided.

**ALSO PRESENT**

Councillor M Bellew, Councillor S Bellew, , Councillor M Dearey, Councillor M Doyle, Councillor J Green, Councillor C Keelan, Councillor K Meenan, Councillor O Morgan, and Councillor H Todd

**APOLOGIES**

Councillor M Butler and Councillor J Ryan

**IN ATTENDANCE**

J Martin, County Manager

F Pentony, Director of Services and Town Clerk

D Storey, Senior Executive Officer,

C Duff, Town Engineer

John Lawrence, Administrative Officer

Brian Harten, County Arts Officer

E O’Callaghan, Senior Executive Planner

S Roche, Tourism Officer

**ALSO IN ATTENDANCE**

B O’Neill, Chairman, Dundalk Bids Company

The Meeting commenced with Prayers at 7pm

**171/13 VOTE OF SYMPATHY**

On the proposition of Cathaoirleach E O’Boyle and seconded by Councillor M Dearey the members agreed to extend a vote of sympathy to the family of the late Gerard Dunne, brother of David Dunne, Plumber, Dundalk Town Council.

**172/13 VOTE OF CONGRATULATIONS**

On the proposition of Cathaoirleach E O’Boyle and seconded by Councillor M Dearey, the Members agreed to extend congratulations to Councillor M Butler and husband Brendan on the birth of their baby boy William Francis.

On the proposition of Councillor M Dearey and seconded by Councillor E O’Boyle the Members agreed to extend their congratulations to the Seatown Football Club’s Under-16’s on being runner-up in the Gothia Cup in Sweden.

On the proposition of Cathaoirleach E O’Boyle and seconded by Councillor M Dearey the Members agreed to extend their congratulations to Amy Broadhurst on retaining her European Junior Featherweight Title at the EU Women’s Championships in Hungary.

**173/13** **PLANNING AND RELATED MATTERS**

13/66 Town Clerks Office Dundalk Permission for Cox’s Demesne

Town Council Regeneration Scheme: Phase II

Ashling Park Pilot Project and all

associated site development works at Ashling Park, Cox’s Demesne, Dundalk, Co Louth

The Members were advised that the closing date for receipt of submissions was 31st July 2013

13/67 Brookwood Taverns Ltd Permission for alterations to rear of

Premises including provision of roof

terrace, enclosing walls and a store at Ridley’s, 91 Park Street, Dundalk, Co Louth

The Members were informed that a Grant had issued on this application.

13/68 Gibson Bros (Ireland) Ltd Permission for the disposal of inert

clay waste arisings. The waste material will be used as infill to improve the level and grade of lands at Dundalk Horse Racing Stadium, Racecourse Road, Dundalk, Co Louth

The Members were advised that Further Information had been requested.

13/69 Keel Properties Extension of Duration of planning

permission ref 07/156 and all associated site works at Upper Point Road, Dundalk, Co Louth

There was no comment from the Members on this application.

13/70 Martin Treacy Retention of extension to side and

Rear of existing dwellinghouse and

all associated site works at 14

Oakvale Park, Bay Estate, Dundalk, Co Louth

There was no comment from the Members on this application.

13/71 Dermot O’Brien Permission for the construction of a

first storey extension and ancillary site works at 30 St Patrick’s Terrace, Dundalk, Co Louth

The Members were advised that this application was invalid.

13/72 Health Service Executive Permission for alterations to the front

entrance of the main hospital building including gently sloped access, replacement entrance doors and a new lobby and all associated site works at Louth County Hospital, Dublin Road, Dundalk, Co Louth

There was no comment from the Members on this application.

13/73 Russell Coburn Permission for a single storey

extension to accommodate garage/storage etc at 70 Ard Easmuinn, Dundalk, Co Louth

There was no comment from the Members on this application.

13/74 Damien Donegan Permission for development will

consist of a change of use of part of the first floor and the entire second floor etc at 61/62 Clanbrassil Street, Dundalk, Co Louth

Councillor M Dearey remarked that he welcomed the type of development proposed in this application. F Pentony advised that the Living over a Shop Grant Scheme was no longer available.

13/75 Paul and Rachael McGivern Permission for a development that will

consist of demolition of existing conservatory, proposed new ground floor extension etc at 20 Ard Easmuinn, Dundalk, Co Louth

There was no comment from the Members on this application.

13/76 Joe Mulholland Permission for new sign on side of

units 13, 14 and 15, Block A, North Link Retail Park, Coe’s Road, Dundalk, Co Louth

There was no comment from the Members on this application.

13/77 Dermot O’Brien Permission for the construction of a

first storey extension to the side of existing house over laneway with ancillary site works at 30 St Patrick’s Terrace, Dundalk, Co Louth

There was no comment from the Members on this application.

**174/13** **PLANNING PROGRESS REPORT**

The report was noted by the Members

**175/13** **CONSIDERATION OF MINUTES**

On the proposition of Councillor M Doyle and seconded by Councillor O Morgan the Members agreed to adopt the Minutes of the AGM Meeting of the 25th June 2013.

On the proposition of Councillor M Bellew and seconded by Councillor C Keelan the Members agreed to adopt the Minutes of the Monthly Meeting of the 25th June 2013 with the following amendment.

Minute No 165/13 insert the following wording in the final paragraph *“Councillor M Bellew also requested that the Members be informed of who is heading up the services now transferred”*

CPG Minutes of 17th June 2013 were noted by the Members.

**176/13** **MATTERS ARISING**

Councillor K Meenan referred to Minute No 155/13 – Dangerous Dogs – and

requested that the briefing be arranged as soon as possible.

Councillor M Bellew referred to Minute No 165/13 – services restructuring and

was advised by F Pentony that the listing has not been completed.

Councillor J Green referred to Minute No 162/13 and F Pentony confirmed that

the land is unregistered but CIE own the roadway. F Pentony will confirm for

the Members in an email communication.

**177/13** **HOUSING PROGRESS REPORT**

The report was presented by D Storey. Councillor H Todd expressed his appreciation for the work of the Council team who visited tenants regarding the new heating systems.

Councillor K Meenan queried the Council’s involvement with Banks / Lending Institutions with regard to derelict private properties owned by them in Council estates. D Storey advised that there was no involvement with Banks and that owner’s of the properties were responsible for condition of same.

Councillor C Keelan queried what the Council could do with regard to an unauthorised Travellers’ encampment on private lands on the Racecourse Road, Dundalk. Councillor C Keelan expressed his and nearby residents concerns with regard to the lack of sanitary facilities with resultant potential environmental and pollution issues. D Storey advised that Travellers on private land were a matter for the landowner. Councillor C Keelan responded that in his view there was a lack of joined up thinking on such matters.

Councillor M Bellew referred to the 41 approved HAG’s and queried whether any further funding would be available for the remaining applications and if not that the Council should seek additional funding from the Department because the grants would save the State costs in the long term by assisting people to remain in their own dwellings. D Storey advised that the scheme is administered by Louth County Council and additional funding has been sought and he will come back to the Members with an update.

Councillor O Morgan queried the proposals for appealing the decision to remove applicants from the waiting lists for non return of HNA assessment forms. D Storey advised that the onus to ensure that the Council have up to date details on Housing Applicants rests with the Applicant. He further advised that applicants have until September 2013 to keep open their applications otherwise applicants will be treated as making a new application with consequential loss of previous period on list.

Councillor M Doyle queried what constituted an ASB complaint being determined as trivial and D Storey responded that although certain behaviour may following investigation be deemed trivial, the record remained on file and any repeated or intensification of such behaviour would be investigated.

**178/13 CAPITAL PROGRESS REPORT**

The report was noted by the Members

**179/13 PLANNING & DEVELOPMENT ACTS 2000 (AS AMENDED) PART VIII – PLANNING AND DEVELOPMENT REGULATIONS 2001 (AS AMENDED) – PROPOSED DEVELOPMENT POBALCHOLÁISTE CHÚ CHULAINN, NEW 1000 PUPIL POST-PRIMARY SCHOOL, AT THE MARSHES, DUNDALK, CO LOUTH AND ASSOCIATED PUBLIC PARK**

On the proposition of Councillor M Bellew and seconded by Councillor M Dearey the Members agreed that the development proceed as outlined in the Manager’s Report.

**180/13 REPORT ON THE ORAL HEARING – INTENTION TO EXTINGUISH PUBLIC RIGHT OF WAY – LYNCH’S LANE OFF ARD EASMUINN, DUNDALK, CO LOUTH**

Councillor M Dearey remarked that in his view the Hearing was conducted very well. Councillor S Bellew agreed and remarked that the report did justice to what occurred and was said on the day.

The Members agreed to vote on the proposal.

Three Members voted in favour of extinguishing the Public Right of Way

Six Members voted against extinguishment of Public Right of Way

One Member abstained and two Members were absent

Accordingly the decision was made by the Members not to extinguish the Public Right of Way as proposed.

**181/13 BIDS 2014**

Brian O’Neill, Chairman of Dundalk BIDS Company outlined the work which had been done to promote the Town since the scheme began. He advised the Members on challenges facing the retail sector in Dundalk and requested that the Members consider favourably on extending the BIDS Scheme for the period 2014-2017.

Councillor S Bellew queried who the Directors of the company were and where he could view the Audited Accounts of the Company. He further remarked that at the last plebiscite of ratepayers very few voted.

D Storey responded that the plebiscite was carried out in accordance with the BIDS Act 2006 and that the Accounts for 2010/2011 had just been audited and those for 2012 when audited would be lodged in the Company’s Office.

F Pentony clarified that if a new BIDS scheme for the period 2014-2017 was commenced it was probable that the responsibility for same would divert to Louth County Council if Dundalk Town Council is disbanded. F Pentony also advised on the recent setting up of a small sub-committee of the Louth Economic Forum with the specific task of examining retail in Dundalk, Drogheda and Ardee and looking at strategies for the next 3 / 5 years with some ‘quick wins’.

Councillor M Dearey remarked that as a ratepayer himself he found the BIDS as a useful instrument.

The Members were informed that the ratepayers surcharge of 1.5% would not apply if BIDS was discontinued.

The Members agreed on the proposition of Councillor M Bellew and seconded by Councillor E O’Boyle to commence the process for the proposed continuance of the Dundalk BIDS Scheme for the period 2014-2017.

**182/13 AN TAIN ARTS CENTRE**

D Storey advised the Members that the report as presented was a follow-up on the earlier report presented to Members. There was no requirement from the Members tonight to nominate the two representatives to the Board. D Storey confirmed that the Council would financially assist the Company for the costs of running same and B Harten advised that it was proposed to run the Company on similar lines to Droichead Arts Centre

**183/13 DECLARATION OF ROADS TO BE PUBLIC ROADS IN DEVELOPMENT KNOWN AS GLENWOOD ESTATE, DUBLIN ROAD, DUNDALK – SECTION 11 ROADS ACT 1993, SECTION 183 PLANNING & DEVELOPMENT ACT 2000, AS AMENDED**

The roads to be taken in charge were proposed by Councillor M Doyle and seconded by Councillor E O’Boyle as outlined in the report circulated and agreed by the Members.

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**184/13** **LOCAL GOVERNMENT ACT 1991 (REGIONAL AUTHORITIES) (ESTABLISHMENT) ORDER 1993 – OPERATIONAL COMMITTEE – ELECTION OF 2 MEMBERS – CHAIRMAN AND ONE OTHER MEMBER**

The Members agreed to defer this item until the September meeting.

**185/13 REQUEST FOR DEPUTATION – ANITA McCANN, PEER ADVOCACY IN THE AREA OF MENTAL HEALTH**

On the proposition of Councillor O Morgan and seconded by Councillor K Meenan the Members agreed to receive a deputation from Anita McCann, Peer Advocacy in Mental Health at the September meeting.

**186/13 REPORT ON NORTH END OF CLANBRASSIL STREET (COUNCILLOR M BELLEW)**

The report was noted by the Members. Councillor M Bellew remarked that the sooner we do something the better as the footpath from Costcutter to former PJ Carroll’s building was in a deplorable state. Councillor M Bellew queried how many reports of trips were reported at this location in the past 2 years and it was agreed to furnish this information at the next meeting. Councillor C Keelan and Councillor E O’Boyle remarked on representations received by them in relation to the footpath.

C Duff advised that a plan was in place with construction to start in 2014. Councillor M Bellew remarked that he was well aware of the plan that was in place. C Duff advised that the roads section will have a look at it again.

**187/13** **CONFERENCES / EVENTS – TO APPROVE MEMBERS’ ATTENDANCE AT THE ENCLOSED CONFERENCES**

On the proposition of Councillor M Doyle and seconded by Councillor M Bellew the Members attendance at Conferences listed with the Agenda and recorded in the Conference Register was approved.

**188/13 NOTICES OF MOTION – COUNCILLOR O MORGAN**

**1**. That this Council, in view of the number of "near-misses" which have

occurred at the junction of Rampart Lane with Park Street, two of which I have

witnessed myself and which have happened because of drivers who are unfamiliar with the fact that Rampart Lane is one-way only because of insufficient signage, proceed to erect proper signage to clearly indicate that the lane is one-way and thereby mitigate the danger to motorists and pedestrians.

*This motion was proposed by Councillor O Morgan and seconded by Councillor M Doyle*

2. That this Council robustly endorse, by adoption, the motion which was

unanimously adopted by our local authority colleagues on the Skibbereen Town Council, which stated "That Skibbereen Town Council calls for the immediate cessation of the practice of fluoridation of the public water supply. Only 2% of Europe continues this practice and that is made up of the Republic of Ireland and a few cities in the UK. The `benefits` given for continuing the

process carry no weight when considered against the wide variety of major

health concerns validated by research, studies and data to the contrary. The

risks involved to public health by this mass medication of the population are

proven and are too great to continue to ignore. We need to immediate action!

This motion is to be circulated to all councils in the country and also to the

Ministers of Health, Environment, Heritage & Local Government and also to An

Taoiseach".

*Councillor Morgan’s motion did not receive a seconder. Councillor M Dearey*

*advised that he would like to see a debate on the issue*

*County Manager, J Martin advised that Dundalk Town Council is not a Water*

*Authority and that the level of fluoridation of water supplies was not a mater*

*either for Louth County Council as it had no discretion on this issue.*

**189/13 NOTICE OF MOTION – COUNCILLOR K MEENAN**

“That this Council in conjunction with Louth Co Co put a team in place to start going door to door in our council estates touching base with our tenants on a range of issues from anti social behavior to rent arrears and general estate management”.

*The motion was seconded by Councillor J Green. Councillor K Meenan*

*spoke of his desire to see Local Authority staff on the ground interacting with*

*residents for the benefit of both residents and Council. Councillor Meenan is*

*desirous of a Pilot Project being initiated in some selected locality. Councillor*

*C Keelan stated that the proposal had some merit and Councillor M Dearey*

*remarked that Councillor Meenan’s impassioned plea was giving voice to*

*communities that he represented. Councillor M Doyle also expressed her*

*support for the proposal.*

**190/13 NOTICE OF MOTION – COUNCILLOR E O’BOYLE**

“That this Council take whatever action is necessary to secure our land at Maxwell’s Row, St. Nicholas Avenue and Boyle O’Reilly Terrace, Dundalk and also the public walkway along the town centre Section of the Castletown Riverside from the Newry Road Bridge to the Castletown River-Railway Bridge, which is a specific objective of our *Dundalk and Environs Development Plan 2009 – 2015* and which must consequently, under the provisions of Section 15 of the *Planning & Development Act 2000* (as amended), be secured by this Council by use of any means which are lawfully at our disposal, in order to facilitate the concerns of the members of St. Nicholas Avenue Residents’ Association”.

Councillor C Keelan proposed that Dundalk Town Council fix the wall at Maxwell’s Row and provision for the cost of same to be made in the Budget. In relation to the walkway issue at this location, Councillor Keelan suggested that Councillors could act as a mediator between residents and the landowner and that the Council Executive engage with local residents at the same time.

*This motion was seconded by Councillor H Todd. F Pentony advised that the Council owns little of the land in question and is in dispute with adjoining landowners going back to 1985. It was agreed that F Pentony will meet with representatives of the Resident Association. County Manager, J Martin advised Members on the legal complexities surrounding Rights of Way.*

**191/13 NOTICES OF QUESTION – COUNCILLOR O MORGAN**

1. Will the Town Clerk initiate the preparation of a report on the various

pedestrian crossings in Dundalk and list all our crossings with a view to

standardising the specification of each crossing to ensure that:- (a) it meets

the requirements of the RSA and the relevant laws and regulations (b) it

mitigates the dangerous confusion which is currently being experienced by

pedestrians and motorists with the operation of these crossings (c) it

facilitates, to the maximum extent possible within the funding available and

relevant laws and regulations the safety and "user-friendliness" of all our

crossings particularly for people of impaired sight, hearing and other

impairments (d) it reduces or completely eliminates the situation whereby

motorists have to sit and wait, often for a minute at a time, at pedestrian

crossings, with no traffic movement permitted, while there are absoloutely NO

pedestrians to be seen anywhere in the vicinity of the crossings?

**REPLY:** *There would be no issue in listing all the pedestrian crossings in town. Standardising the design could give rise to significant costs as many controllers are old and inflexible. In addition, they were installed for traffic conditions substantially different from those found today. The design of pedestrian crossings must take into account the variety of circumstances which arise at each location such as junction complexity, geography, traffic volumes, and pedestrian demand. Accordingly, there is no “one size fits all” solution. The crossings would have been designed in accordance with the guidelines and specification current at the time of installation. However, I should point out that there is no funding provision for this work in the current revenue Budget. If the Councillor is aware of any particular junctions where there appears to be an issue, he should raise it with the Roads Engineer. In regard to the dangerous confusion arising perhaps the Councillor could forward details of such instances so that the matter may be investigated.*

*Councillor O Morgan noted the response.*

*Councillor Morgan asked a supplementary question regarding the availability or otherwise to the Members receiving a list of specifications for pedestrian crossings in the town. F Pentony advised that the list could be provided but not the specifications.*

2. Will the Town Clerk initiate the preparation of a report on the various

traffic-management situations at junctions in our town-centre area and list

all our junctions where two lanes of traffic merge, with a view to

implementing a safer, more effective and more convenient system, with

hopefully, the complete elimination of traffic lights from the Crowe

Street/Roden Place/Francis Street Junctions and the Park

Street/Riverlane/Demense Junctions?

**REPLY:** *There is no problem in listing all the junctions where this arises. The redesign of these junctions would undoubtedly involve a substantial amount of work, as pedestrians will likely have already developed desire line paths across these junctions which will have to be accommodated. It might be necessary to employ consultants to look at the issues to derive appropriate solutions. However, the solutions may not be acceptable to all. However, I should point out that there is no funding provision for this work in the current revenue Budget.*

*Councillor O Morgan expressed his satisfaction with the reply and asked a supplementary question requesting that the Members receive a listing of these junctions.*

3. Will the Town Clerk initiate the preparation of a report on the Laurels/Mc

Swiney Street crossroads with a view to designing and implementing a traffic

management system for this Junction which will significantly reduce the danger and inconvenience which is presently being experienced by motorists and pedestrians and which has caused many serious traffic accidents there?

**REPLY:** *A petition has already been received from the local Residents in the area regarding this issue and the Roads Engineer is investigating the matter at present.*

Councillor O Morgan noted the reply and asked a supplementary question

requesting that the Members receive a copy of the report when available.

**192/13** **RESOLUTIONS**

The Resolutions were noted by the Members.

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**193/13** **CORRESPONDENCE**

The correspondence was noted by the Members.

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**194/13** **COX’S DEMESNE REGENERATION SCHEME PHASE II – ASHLING PARK PILOT PROJECT**

The Members agreed to consider the Manager’s Report on the above Part VIII at a Special Meeting to be held on Tuesday 6th August 2013.

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**195/13 BIDS UPDATE**

Councillor S Bellew advised An Cathaoirleach and the Members that the Dundalk Bids Company had been struck off the Companies Register in May 2013. Councillor S Bellew remarked that he had reservations when the Members had taken the decision earlier in the night regarding BIDS and that this had increased those reservations.

Councillor M Doyle advised the Members that she was not aware of the dissolution of the company. Councillor J Green advised the members that she was not aware of the dissolution of the company.

Councillor M Butler proposed that the Minutes of the Bids Company meetings be made available to the DTC Members. The proposal was seconded by Councillor C Keelan.

D Storey advised that he had no knowledge of this situation and would get information for the Members without delay.

**The meeting concluded with prayers at 9.00pm**

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Minutes confirmed at Meeting

Held on the \_\_\_\_\_\_\_\_\_ day of September 2013

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**CATHAOIRLEACH**

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**CLEIREACH AN BHAILE**