**DUNDALK TOWN COUNCIL**

**MINUTES OF MONTHLY MEETING OF DUNDALK TOWN COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL, DUNDALK ON TUESDAY 26th NOVEMBER 2013**

**Attendance**

**Cathaoirleach**, Councillor E O’Boyle, presided.

**Councillors:** M. Bellew, S. Bellew, M. Butler, M. Dearey, M. Doyle, J. Green,

C. Keelan, K. Meenan, O. Morgan, J. Ryan, H. Todd

**Officials:** P. Poole, County Manager

F. Pentony, Director of Services and Town Clerk

D. Storey, Senior Executive Officer,

C. Duff, Town Engineer

U. Conlon, Executive Planner

P. McVeigh, Senior Executive Engineer

P. Donnelly, Senior Executive Officer

The Meeting commenced with Prayers at 7pm

**266/13 VOTES OF SMYPATHY**

On the proposal of the Cathaoirleach, Cllr. E. O’Boyle and seconded by Cllr. M. Bellew a vote of sympathy was extended to the wife and family of the late Mr. Jim Cousins former member of Dundalk Town Council and Chairman of Louth County Council. His extensive work on behalf of the people of Dundalk and his role in regard to the Age Friendly in particular was noted.

On the proposal of the Cathaoirleach, Cllr. E. O’Boyle and seconded by Cllr. C. Keelan a vote of sympathy was recorded in respect of the late Mr. Willie Manning who was in his 99th year. He had served as a water treatment plan caretaker and was the original caretaker at the Castletown Mount facility.

On the proposal of the Cathaoirleach, Cllr. E. O’Boyle and seconded by Cllr. M. Bellew a vote of sympathy was recorded in respect of the late Mr. Sean McEneaney of Marian Park, Father of Mr. Brian McEneaney , Firefighter.

On the proposal of the Cathaoirleach, Councillor E O’Boyle, and seconded by Councillor M Bellew a vote of sympathy was recorded in respect of the late Kathleen Currid of Cork, Mother of Anne McDonnell, Senior Staff Officer.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**267/13** **PLANNING AND RELATED MATTERS**

13/112 Quay Celtic FC Retention of a storage container

located to the Northwest of the soccer pitch, Clancy Park, Point Road, Dundalk

There was no comment from the Members of this application.

13/113 Michael Murphy Outline Permission for a

dwellinghouse, a new vehicular entrance and all associated site development works Carrick Road, Dundalk, Co Louth

There was no comment from the Members of this application.

13/114 John & Kelly O’Brien Permission for the construction of a

single storey extension to the side of a dwellinghouse, etc at 68 Ath Lethan, Racecourse Road, Dundalk, Co Louth

There was no comment from the Members of this application.

13/115 Marshes Shopping Centre Ltd Extension of Duration of Planning

Permission Ref 09/20 which consists of a mixed use development and all associated site works at Marshes Shopping Centre, Ramparts Road, Dundalk

There was no comment from the Members of this application.

13/116 The Board of Management Permission for proposed development

St Mary’s College within the curtilage of Protected

Structures, St Mary’s College and all associated site works at St Mary’s College Grounds, St Mary’s Road, Townparks, Dundalk.

There was no comment from the Members of this application.

13/117 Kathy Duffy Permission for a 3m x 5m portacabin

structure to accommodate a hairdressing room within the boundaries of existing dwellinghouse at 51 Lennonstown Manor, Red Barns Road, Dundalk

There was no comment from the Members of this application.

13/118 Dundalk Sportsbowl Ltd Retention of development consisting

of signage Let’s Bingo at Racecourse Road, Dundalk

There was no comment from the Members of this application.

13/119 Kinler Developments Ltd Extension of Duration of Planning

C/o Jon Anderson & William Permission Ref No 07/214 and An

Kennedy Colliers International Bord Pleanala Reference PL

55.229070 and all associated site works at Site at Priorland, Area P1, Dundalk

There was no comment from the Members of this application.

13/120 The Society of St Vincent De Paul Retention and completion of a two Area Council storey day care centre and all

associated site works at Hoey’s Lane / Inner Relief Road Roundabout, Inner Relief Road, Dundalk

There was no comment from the Members of this application.

**268/13** **PLANNING PROGRESS REPORT**

The Planning progress report dated October 2013 was noted by the Members.

**269/13** **CONSIDERATION OF MINUTES**

On the proposition of Councillor M Bellew and seconded by Councillor M Doyle the Members agreed to adopt the Minutes of the Monthly Meeting of the 22nd October 2013 and note the minutes of the CPG of 14th October 2013.

**270/13** **MATTERS ARISING**

Minute No 242/13 Cllr. M Bellew sought an update in the matter in the matter of the Oxygen site at the Coes Road. The Town Clerk advised that an adjournment had been given until the 5th December in the case by the EPA. He also advised that processing had terminated on the site. A planning report on the matter is awaited.

Minute No 244/13 Cllr. Green. Was there any development re the speed limit on the N52. Town Engineer advised that matter had been referred to LCC who are the Roads authority in regard to speed limits.

Minute No 258/13 Cllr. C. Keelan seeking a copy of correspondence from the EPA together with details of who carried out survey on former landfill site at the Newry Road.

Minute No. 244/13 Cllr. C. Keelan sought update on progress on prohibition order re minute 212/13

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**271/13** **HOUSING PROGRESS REPORT**

Mr. D. Storey, Senior Executive Officer presented the monthly housing progress report dated 13th November 2013 and he responded to members queries as follows:

Cllr. M. Doyle welcomed the reduction by €35,000 in rent arrears.

Cllr. M. Butler queried if any problems had been in regard to the energy efficiency works and were public aware of change is housing office location. Mr. Storey advised that offers to some private dwellings had been turned down. Issues re location of office have been resolved.

Cllr. Green sough a list of staff dealing with various service elements . This is to be made available.

Cllr. Dearey absence of housing office in Town Hall does affect town centre footfall and he hoped to see some deployment to the Town Hall under the new single authority structure.

Cllr. Bellew expressed the view that in general members of the public are not aware of who is dealing with the various issues. He said it was important that an individual could be identified to ease the burden when having to contact the council with a query. This had been raised by a number of members of the Public at the Public JPC meeting.

Cllr. Dearey sought for the Customer charter to be circulated.

**272/13 CAPITAL PROGRESS REPORT**

The Capital Progress report as circulated with the agenda was noted by the Members. Cllr. Green sought the erection of two way traffic signage in Crowe Street.

**273/13 BIDS UPDATE**

Mr. David Storey, Senior Executive Officer advised the members that following the public consultation in the matter of the BIDS Company no comments or observation were received. He was now proposing to members to proceed with the plebiscite in regard to same. This was agreed on the proposal of Cllr. M. Bellew seconded by Cllr. E. O’Boyle

**274/13 ALTERATION TO TRAFFIC MANAGEMENT AT CHAPEL STREET**

Mr. Peter McVeigh, Senior Executive Engineer presented proposals and options to the Members in regard to alterations to traffic management at Chapel Street. Following a lengthy discussion on the matter members welcomed the proposals to proceed to public consultation even though there was no statutory requirement to do so. Members requested that specific efforts be made to engage with the local residents and schools in the area.

**275/13** **TO FIX A DATE FOR THE DECEMBER ORDINARY MEETING**

**Proposed by Cllr. M. Butler**

**Seconded by Cllr. M. Bellew**

**And Resolved:-**

That the ordinary meeting of Council for December be held on Tuesday 10th December at the Offices of Dundalk Town Council at 6pm.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**276/13** **TO FIX A DATE FOR THE ANNUAL BUDGET MEETING**

**Proposed by Cllr. M. Butler**

**Seconded by Cllr. M. Bellew**

**And Resolved:-**

That the Annual Budget meeting be held on Tuesday 17th December at the Offices of Dundalk Town Council at 6.00 pm

**277/13 TRAFFIC COUNT AT BARRACK STREET**

Response noted.

**278/13** **CONFERENCES / EVENTS – TO APPROVE MEMBERS’ ATTENDANCE AT THE ENCLOSED CONFERENCES**

**Proposed by Cllr. M. Bellew**

**Seconded by Cllr. E. O’Boyle**

**And Resolved:-**

To confirm the Members attendance at Conferences listed with the Agenda and recorded in the Conference Register.

**279/13 NOTICE OF MOTION – COUNCILLOR J GREEN**

**Proposed by Cllr. J. Green**

**Seconded by Cllr. H. Todd**

That this Council prepare a report on Ard Dealgan building in relation to dangerous structures and / or derelict buildings

**REPLY:**

*A report on the matter will be presented in January 2014 at the earliest*

**280/13 NOTICE OF MOTION – COUNCILLOR J GREEN**

**Proposed by Cllr. J. Green**

**Seconded by Cllr. C. Keelan**

That this Council extend the island on the Newry Road Bridge due to vehicles still driving on the wrong side of the road to shorten their route to Maxwell’s Row.

**REPLY:**

*A report on the matter will be prepared for the members*.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**281/13 NOTICE OF MOTION – COUNCILLOR O MORGAN**

**Proposed by Cllr. O. Morgan**

**Seconded by Cllr. M. Doyle**

That the Council allocate in our forthcoming estimates for providing a pedestrian crossing on Hoey’s Lane in proximity to the Mace store at the entrance to the College Heights estate, to a specification which includes a minimum of:- 1 raised crossing in “flattened ramp” form. 2. Black and white “zebra” markings 3. Dimpled access to assist the visually impaired. 4. Audio-Warning provision to assist the visually impaired. 5. Standard spherical flashing amber lights. 6. Enhanced circular flashing amber lights. 7. Adjustable timing “push-button” red traffic stop lights at location marked No.1. on the attached plan/map, in order to mitigate the serious motor vehicle traffic danger to pedestrians in general and students in particular, who are obliged to cross this busy thoroughfare in pursuit of their daily business; this proposed crossing to be the first of three crossings which should, be provided as and when finances permit.

**REPLY:**

*The Town Engineer advised that another crossing point and speed ramps were provided this year in the area.*

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**282/13 NOTICE OF MOTION – COUNCILLOR M DEAREY**

**Proposed by Cllr. M. Bellew**

**Seconded by Cllr. J. Ryan**

That as a civic gesture of support for the solidarity with the families of the Disappeared of the Troubles in Northern Ireland, this Council invites WAVE Trauma, the support organisation for the families, to bring their Exhibition on the Disappeared to Dundalk for display in the County Museum

**REPLY:**

Mr. Brian Walsh, Museum Curator will explore the options to see if the Museum can accommodate such an exhibition and revert to Council with a report on same. And also to investigate if the exhibition could be accommodated in the Town Hall if the Museum is not suitable.

**283/13 NOTICE OF MOTION – COUNCILLOR M BELLEW**

**Proposed by Cllr. M. Bellew**

**Seconded by Cllr. J. Ryan**

That this Council explore the possibility of extending the right hand turning lane at the Dublin Road entrance at DkIT in order to elevate the unnecessary traffic congestion at peak times i.e. vehicles travelling south into Dundalk. And that similar investigation is carried out in regard to the right tuning lane off the Rampart Road into the Marshes Shopping Centre.

**REPLY:**

The matter will be investigated and report submitted to Council at a later date.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**284/13 NOTICE OF QUESTION – COUNCILLOR J GREEN**

**Cllr. J. Green**

When can this Council release the document that states the Dundalk Town Council owns the Market Rights to the Market Square?

**REPLY:**

The Market square was purchased from Dun Dealgan Prosperities in 1983 and so all of the Market Square is in the ownership of the Council. A Copy of the deed will be made available to the member.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**285/13 NOTICE OF QUESTIONS - COUNCILLOR O MORGAN**

1. In view of:-

* The recent startling revelations in our local and national press which brought our Louth Local Authorities such negative and damaging publicity;
* The fact that the Real Estate Alliance Gunne agency have recently sold the comfortable, spacious, well-appointed three-bedroomed residence at no. 15, Castleross, Castletown Road, for €22,000 (twenty-two thousand euro),

and in order to show the public, particularly our ratepayers and taxpayers, that our officials are spending our scarce resources frugally, carefully and to maximum effect, could the Town Clerk prepare and bring to the Members a report dealing with our living-accommodation acquisition programme, detailing what housing stock we have acquired, both by way of outright purchase and by way of long-term lease, to include the terms of all the deals which we have made in this regard during the last decade?

***REPLY****: The collation of this information over a 10 year period will require the use of significant resources of the Council, but will be completed in due course.*

2. In light of the self-contradictory behaviour of the Town Clerk in preventing this Council from initiating the statutory process for varying our Dundalk and Environs Development Plan 2009 – 2015 in respect of at least five areas of land at Lower Point Road which we have currently mis-zoned as being suitable for residential development by, on the one hand, advising us that it was too near the commencement date of the statutory review period while – on the other hand – well over a year later – recommending to us that we should operate the statutory process for varying our Development Plan to permit the building of an estate of houses on Recreational Amenity Open Space zoned (RAO) land at Cox’s Demesne, would the Town Clerk now make the necessary newspaper press advertisements to permit us to undertake the process of correcting these mis-zonings in the Lower Point Road area?

**REPLY:** *The Director of Services and Town Clerk disputed the statement that any land had been ‘mis-zoned’ and advised that this matter had been previously dealt with by way of Notice of Question in August 2011 and Notice of Motion in May 2013 when there was no seconder for the motion. He requested Councillor Morgan to submit details of the 5 areas of land referred to in his Motion, and Councillor Morgan undertook to do so*

3. Would the Town Clerk ascertain and bring to Council an estimate of how much it will cost our ratepayers and household property tax payers, on top of the €174,000 of scarce public money which he has already paid out to lawyers in the matter, to oppose the appeal by the Louth Environmental Group to the Supreme Court against the decision in the High Court by Mr. Justice Hanna to refuse to allow that ENGO to be joined in the High Court Judicial Review case which was taken by McCaughey Developments Ltd. against this Council and was lost by us because we did not satisfy Mr. Justice Hedigan’s Court that we had prudently and judiciously considered all relevant matters when making our decision in respect of DD&E 33?

***REPLY:*** *The question was replied at both the May 2012 and April 2013 meetings. The €174,000 mentioned covers all legal costs.*

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**286/13 RESOLUTIONS FROM OTHER COUNCILS**

Resolutions as listed and included with the November Agenda were noted.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**287/13 CORRESPONDENCE**

The correspondence was noted by the Members.

Cllr. Bellew raised the matter of correspondence received by the members from Mr. John Morgan in regard to access challenges in the town for wheelchair users. Members were advised that a meeting is to be facilitated with the County Access Officer and town engineering staff to discuss the findings of the correspondence.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**The meeting concluded with prayers @ 8.40pm**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Minutes confirmed at Meeting

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CATHAOIRLEACH**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CLEIREACH AN BHAILE**