**DUNDALK TOWN COUNCIL**

**MINUTES OF MONTHLY MEETING OF DUNDALK TOWN COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL, DUNDALK ON TUESDAY 24th SEPTEMBER 2013**

**PRESENT**

Cathaoirleach, Councillor E O’Boyle, presided.

**ALSO PRESENT**

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

**IN ATTENDANCE**

P Poole, County Manager

F Pentony, Director of Services and Town Clerk

D Storey, Senior Executive Officer,

C Duff, Town Engineer

John Lawrence, Administrative Officer

G Shine, County Veterinary Officer

T Savage, Senior Executive Planner

B Lynch, Financial Accountant

**ALSO PRESENT**

Maria McCum, Let’s Talk

Anita McCann, Let’s Talk

Paddy Malone, Dundalk Bids Company

Brian O’Neill, Dundalk Bids Company

P Donnelly, Senior Executive Officer LCC

The Meeting commenced with Prayers at 7pm

**209/13** **PLANNING AND RELATED MATTERS**

13/78 Satir Europe (Ireland) Permission for alterations to

previously granted permission Ref 09/45 to provide residential facilities at IDA Business & Technology Park, Finnabair, Marshes Upper, Dundalk

The Members were informed that a Grant of permission has issued on this application.

13/79 Niall Wiseman Permission for alterations to previous

Planning ref No 09/127 at Villa Park, Avenue Road, Dundalk

The Members were advised that Further Information had been requested.

13/80 Horseware Products Ltd Retention permission of retail use in

existing showroom and all associated site works at Horseware Products Ltd, Finnabair Industrial Estate, Dundalk, Co Louth

The Members were advised that Further Information had been requested.

13/81 Nuala Meehan Retention permission for front porch

to existing semi-detached house at 41 Avondale, Avenue Road, Dundalk, Co Louth

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

13/82 Chevron (Ireland) Atlantic Permission for demolition, planning

Limited Ltd permission, and outline planning

permission for 4 No Residential houses at Maxwell Terrace & Coogans Shop, Newry Road, Dundalk, Co Louth

The Members were advised that Further Information has been requested.

13/83 Board of Management Permission for change of use from Grasta Christian School office to educational at Robin House

The Ramparts, Dundalk, Co Louth

The Members were advised that Further Information had been requested.

13/84 Peaken Development Ltd Extension of Duration of Planning

Permission 06/80 which consists of construction of a new multi-storey at Francis Street and Crowe Street, Dundalk, Co Louth

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

13/85 Freddie Johnston Permission for development

consisting of demolition of existing dwellinghouse and erection of one replacement dwellinghouse and all associated site works at Armagh Road, Dundalk Co Louth

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

13/86 Gilbert Regan Permission for development at 166

Lower Point Road, Dundalk, Co Louth

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

13/87 Colin McManus Permission for development

consisting of alterations and partial demolition of existing shed, etc and all associated site works at former Rice’s Builders Merchants Ltd., Seatown Place, Dundalk, Co Louth

The Members were advised that Further Information had been requested.

13/88 Ann & Padraig McMahon The development consists of

construction of vehicular entrance etc and all associated site works at 2 Philip Street, Dundalk, Co Louth

The Members were advised that Further Information had been requested.

13/89 Paul Duffy Permission for development

consisting of alterations etc at 84 Clanbrassil Street, Dundalk, Co Louth

The Members were informed that a Grant of permission had issued on this

application.

13/90 Padhraic Staunton Permission for extension and

alterations to the front side and rear of 28 Willow Grove, Dundalk, Co Louth

There was no comment from the Members on this application.

13/91 Tom Mulligan Permission for development will

consists of part demolition of an existing dwellinghouse and construction of new single storey extension etc at 15 Brook Street, Dundalk, Co Louth

There was no comment from the Members on this application.

13/92 Michael Staunton and Eileen Pollock Permission to extend the existing

kitchen on the northeast side and associated site works at 191 Bothair Blinne, Ard Easmuinn, Dundalk, Co Louth

The Members were advised that this application was invalid.

13/93 ESB Telecom Ltd Permission for the insertion of a 1m

wide x 2.4m high pedestrian only access etc to existing Dundalk Area Office, The Long Avenue, Marshes Lower, Dundalk, Co Louth

There was no comment from the Members on this application.

13/94 Grainne Boyle Permission for development that will

consist of change of use from bookmakers to take away etc at 4 Crowe Street, Dundalk, Co Louth

There was no comment from the Members on this application.

13/95 Rui Abreu Permission for alterations to the

existing dwellinghouse etc at 19 Mary Street South, Dundalk, Co Louth

The Members were advised that this was an incomplete application.

13/96 Thomas Lennon Retention and change of use of

existing cottage and associated site works at Shore Road, Dundalk, Co Louth

There was no comment from the Members on this application.

13/97 Patrick Rooney Permission for development works

and all associated site works at 3 The Demesne, Dundalk, Co Louth

There was no comment from the Members on this application.

**210/13** **PLANNING PROGRESS REPORT**

The report was noted by the Members

**211/13** **CONSIDERATION OF MINUTES**

On the proposition of Councillor M Doyle and seconded by Councillor H Todd the Members agreed to adopt the Minutes of the Monthly Meeting of the 23rd July 2013 with the following amendment. Insert the following wording in Minute No 190/13:-

*“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.”*

On the proposition of Councillor M Butler and seconded by Councillor M Dearey the Members agreed to adopt the Minutes of the Special Meeting held on 6th August 2013 with the following amendment. Insert the following wording in Minute No 195/13:-

*“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.”*

CPG Minutes of 23rd July 2013, and Infrastructure MPC of 28th May 2013 were noted by the Members.

**212/13** **MATTERS ARISING**

Councillor M Bellew referred to Minute No 165/13 and 176/13 and queried when the information regarding restructuring would be provided to the Members. Councillor M Bellew remarked that he was experiencing difficulties in finding out information from Louth County Council.

Councillor M Dearey referred to Minute No 180/13 (Lynch’s Lane). J Lawrence advised that as this was not a roll call vote, the individual voting record of each Member was not required.

Councillor O Morgan referred to Minute No 191/13 (junctions) and queried when the update will be provided. C Duff responded that she will get back to Councillor Morgan on this.

Councillor E O’Boyle referred to Minute No 177/13 (traveller encampment) and sought an update on the issue. D Storey advised that site ownership had not been established and that the Environment section was dealing with public health issues

Councillor M Butler referred to Minute No 172/13 (Vote of Congratulations) and thanked the Members for same.

**213/13 DEPUTATION FROM PEER ADVOCACY**

Maria McCum, PRO and Anita McCann, Chairperson of Let’s Talk addressed the Members on the aims of the organisation and how they a) provide a listening service enabling people and their families to make informed choices in mental health recovery and b) provide early intervention in the area of suicide.

Councillor M Bellew suggested that Anita McCann meet with the Director of Services and Town Clerk in relation to securing temporary accommodation in the Dundalk Area for their organisation.

Councillor E O’Boyle thanked Maria McCum and Anita McCann for attending.

**214/13** **PRESENTION BY GARRETT SHINE ON CONTROL OF DOGS AND HORSES**

Garrett Shine gave the Members an informed presentation on the services provided by his department in the area of Dogs and Horses control.

It was noted that the number of horses abandoned in the year to date was considerably in excess of previous years.

G Shine answered questions posed by the Members. It was noted that the number of enforcement actions taken by Louth County Council compared very favourably with national figures.

**215/13** **HOUSING PROGRESS REPORT**

D Storey, on reply to a question from Councillor K Meenan advised the Members that there was no funding for a remedial works scheme in Muirhevnamor. However, quick wins initiatives continued to be funded. D Storey agreed to come back to the members on allocations made by Approved Housing Bodies.

It was confirmed for the Members following a question by Councillor M Bellew that every case is assessed on an individual basis in regard to reinstatement on the list following the Housing Needs Assessment.

D Storey confirmed that DTC will talk to An Garda Síochána in relation to Anti-Social Behaviour matters.

**216/13** **DRAFT NORTH EAST REGIONAL HOMELESS ACTION PLAN**

Councillor M Dearey welcomed the Draft plan and remarked that the plan seemed to be addressing the causes of homelessness as well as dealing with the issue of homeless persons.

**217/13** **APPROVAL TO ADVANCE A LOAN OF UP €219,830 TO SIMON COMMUNITY FOR THE PROVISION OF 3 UNITS ACCOMMODATION AT SIMON COMMUNITIES, BARRACK STREET, DUNDALK, CO LOUTH, UNDER THE CAPITAL ASSISTANCE SCHEME**

On the proposition of Councillor J Green and seconded by Councillor O Morgan, the Members agreed to the advance of a loan of up to €219,830 to Simon Community for the provision of 3 units accommodation at Simon Communities, Barrack Street, Dundalk, Co Louth, under the Capital Assistance Scheme.

**218/13 CAPITAL PROGRESS REPORT**

The report was noted by the Members.

Councillor M Doyle referred to the resurfacing contract and it was confirmed that reinstatement of the yellow box at the Garda Station would occur.

The Members were advised that there were no immediate plans for the former landfill site.

Councillor M Bellew requested that the Council make contact again with the owner of the Windmill site.

**219/13 APPROVAL FOR MUSEUM POLICIES ON EDUCATION, EXHIBITION AND LOAN**

On the proposition of Councillor M Bellew and seconded by Councillor J Ryan the Members agreed to the approval of the Museum Policies on Education, Exhibition and Loan.

**220/13 BIDS DUNDALK LTD**

Councillor S Bellew queried the justification of a five year lifespan of the BIDS Company and expressed his reservations about putting it to ratepayers.

Councillor M Dearey supported the BID proposal provided that all corporate governance issues were rigorously adhered to and that the Council is better informed. He remarked that lessons have been learned and that the traders will decide on whether the BIDS proposal goes ahead. Councillor M Butler urged the committee to ensure that robust procedures be in place for the replacement of the new vacant TCCM position and wished the previous office holder well. D Storey clarified for Councillor Butler how the integration of the Tourist Office had resulted in increased salary costings

Councillor C Keelan raised a number of accounting queries and P Malone agreed to revert to Councillor Keelan within forthcoming days to answer all his queries.

Councillor C Keelan remarked that the Finance Committee should be altered to include one elected member and that finance reports should be brought to the Council every quarter.

P Malone advised the Members that the BID’s Company accounts are open to scrutiny and published on their website. Audit opinions he remarked were classified as approved by Companies Office for publication.

B O’Neill highlighted all the activities undertaken since the formation of BID’s Company.

On the proposition of Councillor M Bellew and seconded by Councillor E O’Boyle the Members agreed to proceed to hold a plebiscite of ratepayers to determine their views.

**221/13** **REVISED AFS 2012 (UNAUDITED)**

On the proposition of Councillor J Ryan and seconded by Councillor M Bellew, the Members agreed to approve the revised AFS 2012 (Unaudited), as presented.

**222/13** **REVISED SECTION 104 OF THE LOCAL GOVERNMENT ACT 2001 – AUTHORISING OVER EXPENDITURE IN YEAR ENDING 2012**

On the proposition of Councillor J Ryan and seconded by Councillor M Bellew, the Members agreed to approve the revised over expenditure in year ending 2012, as presented.

**223/13** **SECTION 183 NOTICE – DISPOSAL OF APPROXIMATELY 0.055 HECTARES (0.136 ACRES) OF LAND AT MARSHES UPPER, BLACKROCK ROAD, DUNDALK TO PATRICK MARTIN**

On the proposition of Councillor M Dearey and seconded by Councillor M Butler, the Members agreed to dispose of 0.055 hectares (0.136 acres) of land at Marshes Upper, Blackrock Road, Dundalk to Patrick Martin.

**224/13** **SECTION 183 NOTICE – DISPOSAL OF APPROXIMATELY 2.718 HECTARES (6.72 ACRES) OF LAND AT MARSHES LOWER, DUNDALK TO MINISTER FOR EDUCATION AND SKILLS**

On the proposition of Councillor M Bellew and seconded by Councillor M Butler, the Members agreed to dispose of approximately 2.718 hectares (6.72 acres) of land at Marshes Lower, Dundalk to Minister for Education and Skills.

**225/13** **NOMINATION TO AN TÁIN ARTS CENTRE (2 NO.)**

On the proposition of Councillor K Meenan and seconded by Councillor H Todd the Members agreed to nominate ***Councillor J Green*** to the position.

On the proposition of Councillor S Bellew and seconded by Councillor M Dearey the Members agreed to nominate ***Councillor C Keelan*** to the position.

**226/13 TIDY TOWN RESULTS 2013**

On the proposition of Councillor M Butler and seconded by Councillor E O’Boyle the Members agreed to send congratulations to all involved in retaining the coveted gold medal status for Dundalk.

Councillor M Bellew proposed that the Council write to businesses that were complimented and not complimented. He remarked that we were losing the litter battle. C Duff responded that there was disappointment that points were dropped for litter control; however, the Council will review and reaffirm their efforts.

**227/13** **IBAL**

Report was noted by the Members.

**228/13** **LOCAL GOVERNMENT ACT 1991 (REGIONAL AUTHORITIES) (ESTABLISHMENT) ORDER 1993 – OPERATIONAL COMMITTEE - ELECTION OF 2 MEMBERS – CHAIRMAN AND ONE OTHER MEMBER (DEFERRED FROM JULY MEETING 2013)**

The Members agreed to defer this item.

**229/13 DRAFT CASUAL TRADING BYE-LAWS REVISION 2013**

On the proposition of Councillor M Doyle and seconded by Councillor E O’Boyle, the Members agreed to adopt the Dundalk Town Council (Casual Trading) Bye-Laws 2013. Director of Services and Town Clerk advised that the next stage was to extinguish the Market Rights at the Market Square, he also advised that all future markets would be organised under the Casual Trading Act.

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**230/13** **SUSPENSION OF STANDING ORDERS**

On the proposition of Councillor E O’Boyle and seconded by Councillor M Bellew, the Members agreed to suspend Standing Orders to extend the meeting time until 9.45pm.

**231/13 REPORT ON NUMBER OF PL CLAIMS ON FOOTPATH AT CLANBRASSIL STREET FROM COSTCUTTER PREMISES TO PJ CARROLL’S BUILDING**

The report was noted by the Members.

**232/13** **CONFERENCES / EVENTS – TO APPROVE MEMBERS’ ATTENDANCE AT THE ENCLOSED CONFERENCES**

It was agreed by the Members to add the LAMA Conference to the list.

On the proposition of Councillor Jim Ryan and seconded by Councillor Martin Bellew, the Members attendance at Conferences listed with the Agenda and recorded in the Conference Register was approved.

**233/13 NOTICES OF MOTION – COUNCILLOR O MORGAN**

1. That this council proceed forthwith to comply with our statutory duty to properly supervise and maintain our publicly owned public open spaces, more particularly, the public open space which is bounded by the rear walls of our houses at house Nos 90-114 inclusive Doolargy Avenue (25 Houses).

**REPLY:**

*Dundalk Town Council has cleaned the aforementioned area on several occasions within the last few years and erected lockable gates with locks and keys provided to the residents who required rear access to their properties, thus reducing the risk of people gaining access to the area who did not live in the adjacent houses. This approach by Dundalk Town Council has proved unsuccessful as there has been continuous illegal dumping at this area since the last clean up. The rubbish mainly being illegally dumped is house hold waste i.e. beer cans, vegetable cuttings as well as old mattresses and timber flooring.*

*In regard to meeting set up with Cllr Kevin Meenan and local Doolargy Avenue residents Dundalk Town Council has agreed to clean up the area and turn it into a mutli-use play area for local children, of which local residents will look after the tidying up. The proposed works will be to have the area resurfaced with new drainage installed and line marking used to mark out new play areas.*

*It is hoped that these tender documents will be received from the contractors in mid-October, with works commencing towards the end of the month.*

*In the meantime Dundalk Town Council Housing Section has engaged with a contractor to tidy up the area, with works expected to commence week starting Monday 16th September. Once the area has been cleaned up, Dundalk Town Council will be installing CCTV cameras in the area to monitor the illegal dumping that is taking place at this particular location.*

The motion was seconded by Councillor M Bellew. Councillor O Morgan

welcomed the reply from the Executive. Councillor K Meenan suggested that

Councillor Morgan liaise with the Council Executive before submitting Notices

of Motion such as this and in advance of media intervention.

Councillor M Doyle queried why a reply had been presented to the Members

as Councillor Doyle understood that motions did not receive responses prior to

getting a seconder and Council discussion on a matter.

2. That this Council endorse the recent resolution by our Local

Government colleagues in Skibbereen in respect of our National

Government`s policy and practice of lacing our drinking water with the

chemical poison known as Fluoride and call on our Government to

carry out a stringent, robust and urgent Audit into the perceived

benefits of this practice as against its potential dangers to our people

and that this motion, whether adopted or not, be circulated to all Local

Authorities in the Republic but particularly the Skibbereen Town

Council.

**REPLY:**

*This is a matter for the Members.*

Councillor M Bellew seconded the motion to allow for debate on the issue.

Councillor M Dearey proposed an amendment to the motion that Dundalk

Town Council seek information from Louth County Council on fluoridation

levels to enable an agreed Notice of Motion of the Council to be underpinned

with factual information.

Councillor S Bellew seconded the notice amendment, Cathaoirleach E O’Boyle

called for a vote on whether to accept the amendment

**6 in favour**

**1 against**

**3 abstentions**

**2 absent from Chamber**

The amendment was carried, it was then clarified that the original motion

would not be forwarded to other Local Authorities.

**234/13 NOTICE OF MOTION – COUNCILLOR J GREEN**

1. Due to the high volume and speed of traffic on the N52 I’m asking this council to reduce the speed limit of 100km and also look into implementing traffic lights so that pedestrians can cross the road safely.

**REPLY:**

*While the actual location proposed is not clear from the submitted notice of motion, it might be advised that works in the vicinity of the Racecourse Road, designed by Louth County Councils Road Support Unit and undertaken (in agreement with the Department of Transport’s Low Cost Safety measures programme), provided a footpath and safe crossing points in this area at a cost in excess of €110,000, only last year.*

*I am given to understand that this funding source is not available for National roads this coming year.*

*In addition, the County Council has advised that the question of reducing speed limits on this road have previously been taken up with the NRA (the authority responsible for National Roads) and that this was largely unsuccessful. The County Council has advised, however, that the NRA is undertaking a safety audit of National Roads for the purpose of identifying issues and as a result, the Town Council will forward the Councillors request to them, for review.*

The motion was seconded by Councillor H Todd and Councillor J Green clarified that the motion related to Inner Relief Road adjacent to Racecourse Road area. C Duff responded that traffic lights were not warranted at this location.

1. I’m calling on this council to look into implementing CCTV cameras in the Defender’s Row area due to the high level of rubbish being dumped in this area.

**REPLY:**

*This site (known as the Old Coal Yard on Defenders Row, Dundalk) is a private site which was the subject of a complaint several years ago. At that time the site owner was identified and issued with a Notice in accordance with Section 9 of the Litter Pollution Act, 1997. That notice required that the owner undertake specified measures to remediate and secure the site and which was complied with. That resolved the issues at that time.*

*The site remains secure but littering and dumping at the site continued. The site again came to the attention of the Council in July 2013 when further*

*complaints were made about that site. In particular the site was not properly maintained and litter and waste were dumped at the site.*

*The Council contacted the site owner directly and asked him to remediate the site, which he did. We have inspected the site and it remains secure and a small amount of litter and dumping have again arisen at the site. The Council now proposes to send a warning letter to the owner of the site seeking a litter management plan for regular maintenance of the site. We are satisfied that the owner has complied with the requirements of the Council but a plan for litter management at the site is warranted and the Council intends to request that.*

*Maintenance of private sites is a matter for landowners and the Council has powers of enforcement in relation to such matters. The Council reserves the employment of measures such as CCTV for litter and dumping in public areas which present as ‘blackspot’ areas around the town. However, such measure is expensive and resource demanding and the Council explores all other options before implementing that measure.*

*The Council would like to appeal to all landowners to regularly inspect their lands and to remediate and litter or waste arising to improve the presentation of the Town.*

The motion was seconded by Councillor H Todd.

Councillor J Green advised Members that the motion was for the whole area of Defender’s Row and not just the site of the Old Coal Yard. Councillor J Green advised of ongoing dumping of rubbish in elderly person’s gardens and that the introduction of mobile CCTV may assist in ending this problem. Councillor J Ryan agreed with the suggestion of CCTV installation.

**235/13** On the proposition of Councillor E O’Boyle and seconded by Councillor M

Butler the Members agreed to carry over motions and questions not reached to the next meeting.

**The meeting concluded with prayers @ 9.50pm**

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Minutes confirmed at Meeting

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

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**CATHAOIRLEACH**

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**CLEIREACH AN BHAILE**