

Borough District of Drogheda – May 2016

Minutes of the Meeting of the Borough District of Drogheda held in Barlow House, West Street, Drogheda, on Monday, 9th May, 2016 at 6.00 p.m.

In attendance:

- Mayor:** Cllr. P. Bell
- Members:** Cllrs: J. Byrne, T. Byrne, K. Callan, R. Culhane, K. Flood, F. Godfrey, P. Smith, O. Tully
- Officials:** Paddy Donnelly, Director of Services
Gerry Kelly, Senior Engineer
Pat Finn, Senior Engineer
John Lawrence, A / Senior Executive Officer
Emer O'Callaghan, Senior Executive Planner
Therese McArdle, Administrative Officer
Fiona Downes, Meetings Administrator

Apologies:

- Absent:** Cllr. A. Cassidy

Minute No. 48/16

Minutes

The minutes of the meeting held on 4th April, 2016, were confirmed on the proposal of Cllr. F. Godfrey and seconded by Cllr. O. Tully.

Minute No. 49/16

Matters arising

- Minute No. 44/16 – P. Donnelly, Director of Services advised that Irish Water were due to sign contract on 18th May for works on North Quay and that Irish Water will be in attendance at June meeting to discuss schedules etc. He also advised that the preferred bidder is a matter for Irish Water who are subject to public procurement regulations and selection of contractors is not a matter for Louth County Council. Gerry Kelly, Senior Engineer to check on timescale for works on Stockwell Street.

Cllr. P. Bell advised that due to the nature of concerns re impact on the business community and North Quay access to Port that a special meeting would be in order to meet with Irish Water.

Minute No. 50/16

Part 8 Housing Development at Bóthar Brugha, Drogheda

Proposed by Cllr. P. Bell

Seconded by Cllr. O. Tully

Members welcomed the report which had been circulated to members. E. O'Callaghan, Senior Executive Planner advised that the square footage on the units were based on the existing dwellings and were increased slightly to meet with modern standards and were designed to meet the confines of the site. The development of the houses will tie in with the existing houses.

John Lawrence, A/ Senior Executive Officer advised that the new houses were going to be underpinned to avoid any subsidence issues.

Minute No. 51/16

Peace IV Partnership

T. McArdle, Administrative Officer, updated members, by way of a briefing document on the current status of the Peace IV Programme and the requirements to establish a Peace Partnership Committee to make recommendations to the LCDC on project submissions.

T. McArdle advised members that a tendering process was almost complete to appoint consultants to prepare the Local Peace IV Action Plan under the specific themes of children and young people, shared spaces and services and building positive relations. Members were advised that the allocation under the programme for Louth was the second highest for the six councils in the Border Region at just over €3.5 million.

Nominations were taken for a representative from the Drogheda Municipal District to sit on Peace IV Partnership:

Cllr. R. Culhane – proposed by Cllr. O. Tully and seconded by Cllr. P. Smith.

Cllr. J. Byrne – proposed by Cllr. K. Flood and seconded by Cllr. J. Byrne.

A vote was taken, the result of which was as follows:

Cllr. R. Culhane – 5 votes

Cllr. J. Byrne – 3 votes

Cllr. R. Culhane was elected to represent the Drogheda Municipal District on the Peace IV Partnership.

A question was raised as whether the Joint Policing Committee could avail of Peace IV funding to implement teams such as Integrated Communities.

P. Donnelly, Director of Services advised that the JPC entity may not be eligible to obtain Peace IV funding. T. McArdle, Administrative Officer to check whether the JPC would meet with the terms and conditions of the programme.

Minute No. 52/16

Louth Family Carers Support Group

P. Donnelly, Director of Services advised that the Louth Family Carers Group were before the Corporate Policy Group last Friday and advised they would be facilitated to give a presentation at the June or July Council meeting instead of going to each municipal district meeting.

Minute No. 53/16

Housing and Communities Progress Report

During discussion on the Report issued with the Agenda the following matters were raised:

- J. Lawrence, A/ Senior Executive Officer advised the Boice Court Phase 3 should be 31 social units and not 20 units as outlined in the report and that no units were designated for incremental purchase in phase III. The scheme is awaiting approval from the Department.
- Query in relation to HAP. J. Lawrence, A/Senior Executive Officer advised that the HAP figures are presented at the monthly council meeting and with HAP tenants can approach any landlord. He noted that the monies available are not sufficiently high especially for renting in the Drogheda area and that he is still hopeful that Louth can catch up with the level of payment available in County Meath.
- Current status of Rathmullan Road housing scheme. J. Lawrence, A/Senior Executive Officer advised that 35 of the 105 units are for incremental purchase. No submissions were received to date and when the Part 8 process is complete and approved by the members it then can go to the Department for approval.

Minute No. 54/16

Operations, Marine and Infrastructure Report

During discussion on the Report issued with the Agenda the following matters were raised:

- G. Kelly, Senior Engineer advised that they are currently getting ready for surface dressing. Tenders have been received and works will be carried out in

the month of June. Road overlays are 90% prepared and contractors should be on site late July / August.

- P. Finn, Senior Engineer distributed a report on the Old Abbey and Cycling Strategy. Thanks were given for the speed of response re the Old Abbey and also the fact that works would be carried out over the Summer period.
- Request for markings around the school at Sundays Gate. G. Kelly, Senior Engineer to come back with a date for works.
- Query re recurring dip in the road in front of the Lourdes Church. G. Kelly, Senior Engineer advised that it is the contractor's responsibility to repair same and will check with the area engineer re same.
- Request for proposed traffic plan re closure of St. Lawrence's Gate. G. Kelly, Senior Engineer advised that the staff resources are not available at present to prepare a major traffic plan and costing of same. Request to contact the OPW re same. G. Kelly, Senior Engineer to follow up on same.
- Thanks were given for resolution of the flooding issue at Stameen and also for the ramps for wheelchair access at Yellowbatter.
- Funding for Baltray sea wall was welcomed.
- G. Kelly, Senior Engineer advised that there was no list published for replacing road markings due to wear and tear in general around the town and said that he would raise the issue with the local engineer.

Minute No. 55/16

Votes of Sympathy

Votes of sympathy were extended to the family and friends of the following:

Mr. Jim Fuller

Mr. Patrick (Sonny) Murphy

Ms. Joan McDonagh

Ms. Niamh Gradwell

Members, lead by the Mayor, observed a minute's silence in respect of those listed.

Minute No. 56/16

Notices of Motion

**Proposed by Cllr. P. Smith
Seconded by Cllr. F. Godfrey**

'That this Council introduce a litter fine system which allows for repeat littering offenders to be fined a higher amount for each subsequent offence. The introduction of such a system would assist in deterring litter offenders such as the main grocery retailers in our town who are refusing to address the litter issue caused by the non collection of shopping trolleys which are left in public areas'.

REPLY:

The Litter Pollution Act 1997 governs the control of littering by County Councils, and, as amended by SI No. 558/2007 - Litter Pollution (Increased Notice Payment) Order 2007, specifies the level of fines applicable for littering offences.

Section 28(1) provides authorised persons (litter wardens or Garda Síochána) with the power to issue 'a notice in prescribed form' (a) imposing a fine of €150 which may be paid 'during a period of 21 days beginning on the date of the notice' and (b) providing that, if payment is made in the prescribed period, 'no prosecution in respect of the alleged offence will be instituted'.

Section 24 (1) provides for a maximum fine of €1,500 on summary conviction and S.24 (2) provides for ongoing fines of €100 per day for persons so convicted but who remain non-compliant.

The legislation does not provide Local Authorities with the power to vary the level of fines prescribed under the Act.

Members fully supported the motion and raised concerns re damage to vehicles and injury to persons. P. Donnelly, Director of Services advised that the level of fines are statutory and cannot be varied. He advised that the matter would be raised with the shops following this evening's meeting and the policy on returning trolleys will be reviewed.

Minute No. 57/16

Notices of Motion

**Proposed by Cllr. P. Smith
Seconded by Cllr. K. Callan**

"Calling on Drogheda Borough Municipal District to outline the results of speed tests that were due to be carried out in Forest Park housing estate Drogheda. At the March 2014 meeting of Drogheda Borough Council it was agreed that the council would carry out a survey to determine if traffic calming measures were warranted in the estate"

REPLY:

A speed survey was carried out in 2014 on Flax Mill Lane, on the approach to Forest Park, but not within Forest Park itself. The survey results indicated that the 85 percentile speed was 65kph, with 73% of vehicles travelling at more than 15kph higher than the posted speed limit.

The emphasis currently is on carrying out speed surveys in those estates which have sought the introduction of the 30kph limit. The preliminary surveys on the first tranche of estates has been completed and draft bylaws are currently being prepared in order to introduce the new speed limit of 30 kph. Forest Park is not one of the estates that applied for inclusion in the scheme.

Members fully supported the motion but were dissatisfied with the response and enquired was there any follow up to ensure that agreed actions are done. P. Donnelly, Director of Services advised that Louth County Council take motions seriously and where there is an undertaking given this is subject to resources being available. He will check with developer regarding previous commitment to install speed ramps and will revert back. G. Kelly, Senior Engineer advised that there is a huge list of works to be done in carrying out speed testing, forty six housing estates have requested 30kms signage. Each test takes at least one week. He advised that Forest Park will be addressed.

Minute No. 58/16

Proposed by Cllr. K. Flood

Seconded by Cllr. J. Byrne

"This council will review and report on the materials and procedures for road resurfacing in the county as roads resurfaced less than two years ago are again pot-holed and unsafe. The North Strand and Greenhills area of Drogheda being an example of this."

REPLY:

Road surfacing contracts have a 12 month defects liability period during which any issues are brought to the attention of contractors. The contractor is then responsible for carrying out any remedial works and the supervisory staff engage with the contractors to resolve matters. We are currently following-up a number of snagging items with one contractor.

The materials and procedures used in road surfacing contracts are in accordance with Department of Transport, Tourism and Sport and Transport Infrastructure Ireland specifications for such works

Members discussed the standard of works not being up to scratch and what responsibility the contractor has when problems arise and requested a report on the materials used. G. Kelly, Senior Engineer advised that a report would be unnecessary

and that the materials used are in accordance with TII specifications and CE marking scheme which is an external approved scheme. However this only applies to materials and not to workmanship. He advised that the quality of some work was very poor and that it is being followed up with due diligence.

Minute No. 59/16

Proposed by Cllr. T. Byrne

Seconded by Cllr. K. Flood

"That Louth County Council construct a footpath and provide a safety railing at Calvary Bridge, Drogheda, in the interest of public safety."

REPLY:

There is no financial provision within the Roadworks' Programme 2016 for construction of a footpath at Calvary, Blackbush Lane. It is premature to assign staff to investigate the feasibility of design and construction of a footpath here and until a potential funding has been identified. This may be considered in the 2017 Roadworks Programme subject to funding.

Members supported the motion and enquired what costs would be involved. G. Kelly, Senior Engineer advised that resources are not available to cost up the scheme when no funding is available for such works.

Notices of Question

The following Notices of question were noted by the members:

Minute No. 60/16

Cllr. P. Bell

"Can this Council confirm when the project to save the Thatched Cottage on Crushrod Avenue and Donore Road will commence?"

REPLY:

Positive contacts between the owners of both properties and the Council are continuing and both have also been submitted for funding under the Structures at Risk Scheme in the past week or so. We remain optimistic that repair work will commence at both locations in the current year.

Minute No. 61/16

Votes of best wishes were expressed for Mary Murtagh, Senior Executive Officer on her upcoming retirement after 41 years of service to Louth County Council. They expressed their thanks, in particular for her work in Environment with the Tidy Towns Groups and the fact that she worked tirelessly outside of normal hours of work. They wished her a long and happy retirement.

There being no other business, the meeting concluded.

The Minutes were confirmed at a meeting of the Council held on:

Date: _____

Mayor: _____

Meeting Administrator: _____