

Borough District of Drogheda – February 2015

Minutes of the Meeting of the Borough District of Drogheda held in Barlow House, West Street, Drogheda, on Monday, 2nd February, 2015 at 6.00 p.m.

In attendance:

Mayor: Cllr. K. Callan

Members: Cllrs: P. Bell, T. Byrne, A. Cassidy, R. Culhane, K. Flood, F. Godfrey, I. Munster, P. Smith, O. Tully.

Officials: Mary T. Daly, A/Director of Services
Gerry Kelly, Senior Engineer
David Storey, Senior Executive Officer
Paddy Donnelly, Meetings Administrator / A/Director of Services

Apologies: none

Minute No. 17/15

Minutes

The minutes of the meeting held on 12th January, 2015, were confirmed on the proposal of Cllr. P. Smith and seconded by Cllr. R. Culhane.

Arising from the minutes, Cllr. Munster raised the matter of Mell Junction (Leonards Cross) and sought clarification as to when the works would be costed, and why the project was not included in the Road Works Programme. The Director of Services, Ms. Mary T. Daly advised the members that the design had not been finalised for this project, and therefore it cannot be costed as there was a land acquisition element to the project. Until all these issues were finalised the project could not be costed.

Cllr. Byrne raised the matter of Minute 14/15 in relation to public lights, and sought that public lights be repaired immediately regardless of whether or not the estate was in charge. The member was advised of the responsibility of the local authority in regard to this, and that there was a responsibility on developers to ensure that the lighting was to standard and that all outstanding accounts in relation to the public light were paid to the electricity supplier before transfer to the local authority.

Minute No. 18/15

Housing & Community Progress Report

Mr. David Storey, Senior Executive Officer presented to the members the Report dated 21st January 2015. Mr. Storey addressed the members' queries in regard to same, which included issues surrounding the HAP Scheme, Rent Supplement levels in Drogheda, House Insulation Programmes, and Tenancy Sustainable Packages.

Mr. Storey in addressing the members' queries advised that in relation to HAP there would be new reporting presentation on this at a District level from the March meeting.

Minute No. 19/15

Operations, Infrastructure & Marine Progress Report

Mr. Gerry Kelly presented the Operations Report dated 23rd January 2015 and Mrs. Mary T. Daly, Director of Services presented the Infrastructure Report for the same period.

Members raised a number of queries including, the closure of the Rampart Walk due to land slippage. Ms. Daly advised the members she would revert in regard to same.

In response to members' queries regarding the Road Works Programme, the Senior Engineer advised the members that the funding in the programme comes from two sources. In relation to Regional and Local roads this is from the Department of Transport and the Councils own resources, and in relation to National Primary and National Secondary roads funding is from the National Roads Authority. Funding from the NRA is project specific, and is with the approval of the NRA on the basis that it will be directed towards the programmes and projects identified by them for the coming year. The Council do not have discretion on this but work with the NRA officials when making claim for the funding.

Some clarification was sought in regard to the Borough District of Drogheda area. Mr. Kelly agreed to re-examine the listings and revert to the members if there is a change required.

In response to a query about the Rathgory Road, the Senior Engineer advised the members that this road was eligible for funding under the Community Involvement Scheme in 2014, and there had been initial discussions with the residents in regard to works for this road. However, there was a change of heart by a number of residents and only a small number contributed to the scheme. This resulted in only a portion of the work being carried out. Should the scheme be offered again, Mr. Kelly would be happy to accept an application from the residents based on the terms of the Community Involvement Scheme. It would be unfair to proceed in any manner other than the CIS, considering that some of the work has already been carried out under that scheme.

Minute No. 20/15

Notice of Motion

Proposed by: Cllr. O. Tully

Seconded by: Cllr. P. Bell

"That this local authority, Louth County Council / Borough District of Drogheda, make a Tree Preservation Order (TPO) at the following locations, as per The Planning and Development Act 2000 (as amended),

Newtown Demesne, Newtownstalaban, Drogheda

Stameen Housing Estate/Demesne, Dublin Road, Drogheda

Trees in Termonfeckin Village / Newtown House, An Grianan Termonfeckin"

REPLY:

Tree Preservation Orders are made under section 205 of the Planning and Development Act, 2000. The making of the Order is a reserved function of the Council and can be considered if the local authority considers it necessary in the interests of amenity or the environment to protect specific trees or woodland. While acknowledging the amenity value of the trees at each location listed, the Council needs to evaluate the appropriateness of applying TPOs to them, in terms of the following:-

1. The level of threat posed to them and
2. The availability of the resources necessary to
 - Properly survey them,
 - implement the protection orders and
 - Then manage them once protected.

Requirement for Detailed Tree Survey:

In order to justify the reasons for a TPO application, the council needs to carry out a detailed tree survey i.e. existing condition of trees, species Value, age (life expectancy) etc. Funding for such a survey would need to be provided as Louth County Council does not have the resources in-house to conduct this survey.

Compensation:

It should be noted that the amenity value of the trees could be counter balanced by factors such as a compelling need by the landowner to remove the tree (e.g. where trees have reached their potential maximum life expectancy and the owner needs to realise the timber value; if there is a change of land use; impact on wildlife etc.). In such cases, the council may be liable for compensation for loss of income.

Ongoing management:

In addition, where a TPO is applied, the owner and occupier of the land affected by the order may be required to enter an agreement with the planning authority to ensure the proper management of the trees (including replanting) subject to the planning authority providing assistance, including financial assistance, towards such management as may be agreed (P&D Act 2000 S205 (2)(b)).

- Newtown Demesne, Newtownstalaban, Drogheda - A tree survey was conducted on 20th November last on these trees and a decision with regard to the need for a preservation order can be made once the survey report has been received by the planning section.

- **Stameen Housing Estate / Demesne, Dublin Road Drogheda - As they are on public land, there does not appear to be any imminent threat to these trees.**
- **Trees in Termonfeckin Village / Newtown House, An Grianan Termonfeckin - There is no immediately identifiable threat to these trees.**

The Director of Services confirmed that the survey had been carried out in regard to the Newtown Demesne, Newtownstalaban and she would be arranging for assessments to be carried out in Stameen Housing Estate Demesne, Dublin Road and for trees in Termonfeckin Village. The members were also advised there was a process required under the Section 205 of the Planning and Development Act and this would be presented in due course.

Minutes No. 21/15

Notice of Motion

Proposed by: Cllr. A. Cassidy

Seconded by: Cllr. K. Callan

"That this council call on the Senior Engineer to investigate a serious instance of denudation/soil creep at Killineer on the side of the old Dundalk Road; with a view to providing a written report. Given the recent adverse weather the embankment appears to be sliding towards the road. Given the proximity of a nearby underground reservoir if this problem is not rectified it could lead to a much more serious problem."

REPLY:

The road at this location is in cut. There is evidence of material slippage here going back many years, possibly to when the road was constructed. The Council for example carried out work here in early 1980's removing material that had encroached on the roadway. The Council will continue to monitor the situation and will take any action considered necessary.

The Senior Engineer advised there was no immediate risk, but the site will be revisited again and if there was any change the members will be kept advised.

Minute No. 22/15

Notice of Motion

Proposed by: Cllr. F. Godfrey

Seconded by: Cllr. T. Byrne

"That the Borough District of Drogheda calls on the Minister for Health to improve patient care at Our Lady of Lourdes hospital, Drogheda in the interest of Public

Health & Safety. Also to endeavour to reduce the number of patients on trolleys in the hospital."

REPLY:

This is a matter for the members.

It was agreed that a letter would issue to the Minister for Health.

Minute No. 23/15

Notice of Question

Cllr. P. Bell

"Can this Council confirm the taking in charge date for the Riverbank Estate, Rathmullen Road, Drogheda?"

REPLY:

It is expected that the taking in charge process will be completed by April 2015

This was noted by the members.

Minute No. 24/15

Halpin & Moran Memorial, Marsh Road

The Mayor advised the members of his intention to mark the annual memorial at the Halpin & Moran Memorial at the Marsh Road at 10:00 a.m. on Sunday 8th February.

Minute No. 25/15

Suspension of Standing Orders

The Mayor proposed the suspension of Standing Orders in accordance with Standing Order No. 69, for the purpose of considering a request that the Mayor had in relation to the holding of a Special Meeting in regard to Drogheda Port, this was seconded by Cllr. F. Godfrey.

The Mayor, Cllr. K. Callan proposed as per Standing Order No. 4 to hold a Special Meeting for the purpose of considering the matter of Drogheda Port, and that this meeting be held in committee, in accordance with Standing Order No. 50. This was seconded by Cllr. P. Smyth.

There followed a roll call vote in the matter, the result of which is as follows:

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For: Cllrs. Bell, Callan, Culhane, Godfrey, Smith and Tully. **Total Six (6)**
Against: Cllrs. Byrne, Cassidy, Flood, Munster. **Total four (4)**

The Mayor confirmed that the proposal had been carried, and the Meetings Administrator would notify the members in accordance with Standing Orders, the date and venue of the meeting in due course.

There being no other business the meeting concluded.

The minutes were confirmed at a meeting of Council held on

Date: _____

Mayor: _____

Meetings Administrator: _____