

Borough District of Drogheda – September 2015

Minutes of the Meeting of the Borough District of Drogheda held in Barlow House, West Street, Drogheda, on Monday, 7th September, 2015 at 6.00 p.m.

In attendance:

- Mayor:** Cllr. P. Bell
- Members:** Cllrs: Byrne, K. Callan, R. Culhane, K. Flood,
F. Godfrey, I. Munster, O. Tully
- Officials:** Mary T. Daly, Acting Director of Services
Gerry Kelly, Senior Engineer
Mary Murtagh, Senior Executive Officer
Liz Duff, Meetings Administrator
- Apologies:** Cllrs: A Cassidy and P. Smith
Paddy Donnelly, Meeting Administrator

Minute No. 92/2015

Minutes

The minutes of the meeting held on 6th July, 2015, were confirmed on the proposal of Cllr. F. Godfrey and seconded by Cllr. O. Tully.

Minute No. 93/2015

Suspension of Standing Orders

It was proposed by Cllr. P. Bell and seconded by Cllr. K. Callan that in accordance with Standing Order No. 69, Standing Orders be suspended to allow the emergency motion proposed by Cllr. Bell in relation to the refugee crisis to be discussed before the Notices of Motions/Questions.

Minute No. 94/2015

Matters arising

Minute No. 86/15 – Housing allocations

Cllr. Flood advised that he had not received a response from the Housing SEO in relation to his query regarding housing allocations. The Acting Director of Services advised that she would ask the Housing SEO to revert.

Minute No. 85/15 – Boundary Committee

Cllr. Callan sought clarification on when the Boundary Review meeting was taking place. The Acting Director of Services advised that the meeting was scheduled to take place on 25th September, 2015, and that it was proposed to meet all Councillors in the Crowne Plaza, Dundalk. Following a query from Cllr. T. Byrne, the Acting Director of Services clarified that there would be public consultation in the matter.

Minute No. 95/2015

Municipal Budget Allocation 2015

The Acting Director of Services reminded members that under the Local Government Reform Act 2014 that discretionary funding was available to Municipal Districts and that €50,000 had been allocated to Drogheda Municipal District. She recommended that a separate meeting in committee be held to consider the allocation.

On the proposal of the Mayor, Cllr. P. Bell, seconded by Cllr. O. Tully, as per Standing Order 50, a vote was taken on whether the meeting should be held in Committee.

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

For: Cllrs: Bell, Callan, Culhane, Godfrey and Tully. **Total five (5)**
Against: Cllrs: Byrne, Flood and Munster. **Total three (3)**
Absent: Cllrs: Cassidy and Smith. **Total two (2)**
Abstain: None **(0)**

The proposal was therefore carried and the meeting is to be held in Committee on Wednesday 16th September, 2015, in Boyne Centre, Drogheda, at 5.00 p.m. – 5.30 p.m.

Minute No. 96/2015

Housing and Communities Progress Report

The Housing and Communities Progress Report dated 24th August, 2015, was presented by Mary T. Daly, Acting Director of Services. Issues relating to the report were addressed by her which included the HAP Scheme, housing waiting list, stagnation in rental market and energy upgrades.

Cllr. Munster expressed concern that HAP inspections being carried out retrospectively were causing problems but the Acting Director of Services clarified that any change in this procedure would cause delays in allocating housing.

Cllr. Byrne stated that there was stagnation in the rented sector, that there were no three or four bedroom semis and no building taking place.

Cllr. Tully stated that he welcomed the 244 energy upgrades for Drogheda on top of the 2,200 upgraded last year and queried if the target completion date would be met.

In response to a query from Cllr. Munster, the Acting Director of Services requested that details of cases where landlords would not bring accommodation up to living standard be forwarded to SEO Housing for information and attention. She also advised that she would be confident that we would meet the target completion date.

Minute No. 97/2015

Maritime Festival

On the proposal of Cllr. Callan members congratulated all those involved with the organisation of the Drogheda Maritime Festival, which was a huge success.

Minute No. 98/2015

Operations, Marine and Infrastructure Report

Mr. Gerry Kelly, Senior Engineer, presented the report on Operations, Marine and Infrastructure dated 24th August, 2015. Mr. Kelly addressed issues in relation to Operations and Marine and Ms. Daly, Acting Director of Services, addressed the issues in regard to Infrastructure.

Cllr. Tully queried when we might expect the CFRAM report. The Acting Director of Services advised that no report had been submitted as yet, but that she would revert when same is received.

Cllr. Godfrey stated that in some cases bins had been taken away from the footpaths and the base left and there were also cases of where water meters were installed and the footpaths were left uneven, which was dangerous especially for wheelchair users. The Senior Engineer asked that he be provided with details of these areas and he would investigate.

Cllr. Byrne advised that Rathgorey Road was in a poor state of repair and that the school bus could not get down and that parents would be holding the Council personally responsible. The Senior Engineer advised that there would hopefully be funds available for tertiary roads towards the end of the year and he would consider this road in the programme.

Following a query from Cllr. Culhane in relation to provision of road markings in the town, the Senior Engineer advised that these works would be carried out this year. Cllr. Tully asked that outlying areas also be addressed.

Minute No. 99/2015

Votes of Sympathy

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

Paddy Garvey, Mornington, Co. Meath.

John (Cheetah) Dawe, Cherrybrook Driver, Drogheda (former footballer)

Ann Carolan, Brookville, Drogheda.

Bridie McCullough, Maple Drive, Drogheda.

Minute No. 100/2015

Emergency Motion

Proposed by Cllr. P. Bell

Seconded by Cllr. K. Callan

“In response to the deteriorating humanitarian refugee crisis in the Middle East with over 10 million Syrian citizens now displaced from their communities, 4 million of which have fled to Jordan, Greece, Lebanon and Turkey. This Council calls on the Irish Government to work within the terms and spirit of the UN Convention on Refugees and to substantially increase the number of refugees from Syria by offering safe passage to our shores and the protection afforded to all citizens under threat of death or persecution.

Council also call for Government to make available the necessary resources to Drogheda and Municipal area so as to be in a position to accept the relocation of Syrian families already registered as refugee in UNHCR Camps in Jordan, Greece, Lebanon and Turkey to our town in the knowledge that our citizens have played a vital role in times past in supporting victims fleeing persecution and violence across international borders”.

All the members present supported the motion, but Cllr. Godfrey expressed the view that we also had a duty to our own people and these requirements would have to be balanced.

Minute No. 101/2015

Notice of Motion

Proposed by Cllr. P. Bell

Seconded by Cllr. K. Callan

"That this Council by way of resolution commit to prohibit the construction, opening and or licensing of businesses which conduct or promote gambling e.g. Casinos, bookmakers etc."

REPLY:

Planning and Development Legislation - Planning permission is granted in accordance with the Drogheda Borough Council Development Plan 2011 – 2017.

4.3.1 Retailing: General Principals

*Throughout the core retail area, applications for retail service outlets such as internet cafes, call centres, bookmakers, take-aways, off-licences, **amusement arcades**, car rentals, financial institutions, pubs, cafes and restaurants at ground floor level will be assessed on their merits and may only be permitted where such development would not result in a predominance of similar non-retail frontages on the street, in order to protect and safeguard the retail uses and street frontages in the core shopping area.*

Gaming and Lotteries Act 1956 – 2003. The legislation gives a role to the local authority in relation to the legality of gaming within the area. It provides for lawful gaming to be confined to areas within the town on foot of a resolution of the Council. A resolution under Part III of the Gaming and Lotteries Act 1956 – 2003 was adopted by Drogheda Corporation at its Council meeting held on the 6th July, 1982. On foot of a report to the Council at that time it was outlined that there were four premises in the town holding licenses under the Act. On the 6th July, 1982 it was agreed by resolution of the Council that no further premises be licensed. The Council is unaware of any resolutions by the Council since that date.

Any proposed resolution by the Council must be in accordance with the above.

During a discussion on the motion the Acting Director of Services clarified that there was a difference between gambling and gaming and that bookmakers are not included. She advised that the 1982 resolution had to be revisited and advised that details of such outlets would be submitted at a further meeting.

Minute No. 102/2015

Notice of Motion

Proposed by Cllr. K. Callan

Seconded by Cllr. P. Bell

"That Louth County Council initiate the relevant legal proceedings to fulfill its legal obligations as required as per legislation to retain and keep open a public right of way within its functional area at the 'footpath' as defined in legislation which is known locally as the Ramparts and where a landslide has occurred adjacent to the Riverbank Estate where the right of way has been caused to be closed to the public by unauthorised entry of materials onto the footpath. This closure is causing the general public to be deprived of their right of way and there is a legal duty upon the Council to act for and on behalf of the users of rights of way within County Louth."

REPLY:

The Council has issued a warning letter to the developer on whose land the landslide took place requiring him to act to resolve the problem or face legal proceedings. It should be noted that the developer has advised that he is about to commence work and a meeting on site took place with the developer's nominated contractor and his geotechnical consultant to discuss.

During a discussion on the motion, the Acting Director of Services clarified that the works were due to commence on 14th September, 2015, and that the developer has indicated that the works would take approximately 4-6 weeks. She further indicated that if works did not commence as agreed on 14th legal proceedings would then be considered.

Minute No. 103/2015

Notice of Motion

Proposed by Cllr. T. Byrne

Seconded by Cllr. P. Bell

"That Louth County Council implement a clear plan of action to clean out gullies and drains throughout the town of Drogheda in order to curb, in so far as possible, the annual recurring winter threat of flooding."

REPLY:

Louth County Council are currently in the closing stages of the procurement process to appoint a contractor to carry out the work requested above. The contract will be awarded in the next few weeks subject to the submission of an approved waste management plan.

Notices of Question

The following Notices of question were noted by the members:

Minute No. 104/2015

Cllr. P. Bell

"Can this Council confirm that requests by Grove Rangers to have the soccer playing field which they use in Rathmullan Park fenced off for the purpose of protecting this amenity from anti social behaviour has been considered, and if so what action is proposed?"

REPLY:

The Council have had no current requests on this matter.

Minute No. 105/2015

Cllr. A. Cassidy

"When will the grass along the pedestrian path which connects Rathmullen to Marleys land be cut?"

REPLY:

The grass will be cut during the week ending 28th August.

Minute No. 106/2015

Cllr. I. Munster

"Can the Council confirm whether LCC have funding for emergency accommodation for families or individuals who present themselves as homeless?"

REPLY:

Louth County Council has provided €1,100,000 for the provision of Homeless Services in County Louth for 2015. This provides support to the three hostels operating in the county who provide Temporary Emergency Accommodation for those who present homeless. This also includes instances where other accommodation such as Bed and Breakfast or lodging facilities are utilised.

Minute No. 107/2015

Cllr. T. Byrne

"Has Louth County Council applied for funding to the Office of Public Works for flood abatement measures on the Merchant's Quay / North Quay area of Drogheda, and what is the outcome?"

REPLY:

The Merchant's Quay/North Quay form part of the CFRAMS study and are AFA's, i.e., Areas for Further Assessment. Work has been ongoing for a number of years on this CFRAMS and public consultation days have been held in 2015 to keep elected members and members of the public updated on progress. The studies are getting close to the point where they will be recommending engineering solutions to areas that are liable to flooding and putting costs against these measures. It will be then a matter for the OPW to release funding on a prioritised basis to have the works carried out.

As the area in question is an AFA, there is no point in applying for funding as no funding will be released until the study is complete.

There being no other business, the meeting concluded.

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

Date: _____

Mayor: _____

Meeting Administrator: _____