

*Minutes of February Ordinary Council Meeting 2014*

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Minutes of Ordinary Meeting of Louth County Council held in County Hall, Dundalk on Monday 17<sup>th</sup> February 2014

**In attendance:**

<b>Cathaoirleach:</b>	Cllr. D. Breathnach.
<b>Members:</b>	Councillors: P. Bell, M. Bellew, M. Butler, T. Byrne, E. Corrigan, A. Donohoe, L. English, J. Lennon, J. Loughran, F. Maher, C. Markey, F. McCoy, P. McGeough, , M. Murnaghan, M. O' Dowd, J. Ryan, P. Savage, T. Sharkey, P. Smith, O. Tully
<b>Officials:</b>	P. Poole, County Manager F. Pentony, Director of Services B. Woods, Head of Finance J. Martin, Director of Services J. McGuinness, Director of Services G. Kelly, Senior Engineer D. Storey, Senior Executive Officer E. Woulfe, Chief Fire Officer B. McArdle, Executive Engineer P. Donnelly, Meetings Administrator
<b>Others:</b>	Dr. Philip Byrne
<b>Apologies:</b>	Cllrs. I. Munster, P. McQuillan, L. Reilly

**Minute No. 17/14**

**Confirmation of Minutes**

**Proposed by Cllr. F. McCoy**  
**Seconded by Cllr. P. Savage**  
**And resolved:-**

That the minutes of the Ordinary Meeting held on 20<sup>th</sup> January 2014 be confirmed.

**Minute No. 18/14**

**Minutes – For Information**

The minutes of the following meetings were noted.

- Housing, Social & Community Planning SPC 16/09/2013
- Traveller Accommodation Consultative Committee 17/10/2013
- South Louth Area Meeting 06/01/2014
- North Louth Area Meeting 08/01/2014
- Mid Louth Area Meeting 09/01/2014
- CPG 10/01/2014

**Minute No. 19/14**

**Committee Reports**

- Corporate Policy Group – An Cathaoirleach Cllr. D. Breathnach reported on the meeting of 7<sup>th</sup> February 2014
- Housing SPC – Cllr. Jim Ryan, Chair, reported on the meeting of 27<sup>th</sup> January 2014.

**Minute No. 20/14**

**Meeting Schedule**

**Proposed by Cllr. P. Savage**

**Seconded by Cllr. O. Tully**

**And Resolved:-**

That the March and April ordinary meetings of Council be rescheduled to 24<sup>th</sup> March and 28<sup>th</sup> April respectively, and further that a special meeting be convened on Monday 14<sup>th</sup> April at 1700 hrs to consider the County Managers report in respect of matters pertaining to the County Development Plan.

**Minute No. 21/14**

**S183 Notice –Disposal of Lands at Ardee**

Cllr. T. Byrne declared an interest in the matter and withdrew from the Chamber.

**Proposed by Cllr. F. McCoy**

**Seconded by Cllr. J. Lennon**

**And resolved:-**

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That having considered the matter as per the report dated 4<sup>th</sup> February 2014 that the lands equating to 271 sq. metres adjacent to Sliabh Breagh, Ardee, Co. Louth be transferred to John Clarke & Sons Ltd. for the sum of €100 as this is the rectification of a mapping error, originating in 1951

### **Minute No. 22/14**

#### **Audit Committee Report**

Dr. Philip Byrne, Chairman of the Audit Committee presented his report on the activity of the Audit Committee for 2013. The Chairman addressed the member's queries in regard to same.

### **Minute No. 23/14**

#### **Community Fire Safety Strategy**

**Proposed by Cllr. P. Bell**  
**Seconded by Cllr. J. Ryan**  
**And resolved:-**

To adopt the Community Fire Safety Strategy as presented by the Chief Fire Officer at the January Meeting and amended at the Housing and Emergency Services SPC meeting on 27<sup>th</sup> January 2014.

### **Minute No. 24/14**

#### **Ardee Pay Parking Bye-laws**

**Proposed by Cllr. F. McCoy**  
**Seconded by Cllr. C. Markey**  
**And resolved:-**

That having considered the Director of Services report dated 23<sup>rd</sup> January 2014 to adopt The Louth County Council, Ardee Town, Car Parking Bye-Laws 2014, and The Ardee Town Parking Control (On Street) Bye-Laws 2014.

The Chairman called for a show on hands in the matter which resulted as follows:

**For: 9 / Against: 4 / Abstain: 7 / Absent: 6**

The motion was carried.

**Minute No. 25/14**

**Traveller Accommodation Programme 2013- 2018**

The Traveller Accommodation Programme 2014 – 2018 as presented under cover of 10<sup>th</sup> February 2014 was noted by the members.

**Minute No. 26/14**

**Changes to the Building Control Regulations**

The members noted the presentation delivered by Ms. Bernadette McArdle, Executive Engineer in regard to the changes to the Building Control regulations which would take effect from 1<sup>st</sup> March 2014

**Minute No. 27/14**

**Votes of Sympathy**

The following votes of Sympathy were recorded.

- Cllr. Paul Bell on the Death of his Mother Mrs. Cepta Bell, Drogheda
- Grainne Cumiskey, Peace Programme, on the death of her mother Brigid McStravick.
- Brendan Baxter, IT, on the death of his father Murtagh Baxter.
- Henry Deery, Overseer Louth County Council, on the death of his wife Briege Deery. Mother of Susan Deery, HR.
- Karen Owens, Corporate Services, on the death of her father-in-law Johnny Owens. Father of Paul Owens, Dundalk Town Council.
- The family of Canice O'Manony former Town Engineer.

**Minute No. 28/14**

**Votes of Congratulations**

Congratulations were extended to all involved in achieving recognition at the recent LAMA awards ceremony, including

- Louth County Council for the best Local Authority.
- Dundalk Town Council for their regeneration programme
- County Development Board for the success of the Economic Forum
- Blackrock Tidy Towns Group for the success as the best Public Park development.

**Minute No. 29/14**

**Suspension of Standing Orders**

**Proposed by Cllr. M. O'Dowd**

**Seconded by Cllr. L. English**

**And resolve:-**

To suspend standing orders in accordance with Standing Order no. 24 to consider the recent news that the County Manager Ms. Philomena Poole has been recommended by the Public Appointments Commission (PAS) for the post of County Manager with Dun Laoghaire Rathdown County Council.

There followed a discussion on the matter in which the County Manager advised that the filling of a County Manager position is a matter for the Public Appointments Service. She stated that she had been recommended to Dun Laoghaire Rathdown County Council for the County Manager position and it was a matter for that Council to ratify that position. She further stated it was due to go to the March Meeting of DLR and that once that happened she would engage with PAS on the process of filling the Manager post. In the meantime she will continue carry out her duties as Manager, to conclude a number of matters including driving the transition agenda.

The Cathaoirleach agreed that correspondence would be entered into with the PAS to ensure that the post in Louth when vacant is filled as quickly as possible.

**Minute No. 30/14**

**Transportation & Marine Progress Report**

The Transportation & Marine Progress Report dated 7<sup>th</sup> February 2014 was discussed and noted by the members and upon which queries were addressed by the Director of Services. These matters included flood defences and the construction of same, Bellurgan Embankment, the role of the Forestry and Wildlife services. Noting Narrow Water Bridge funding from EU had now been directed toward Irish Rail projects, funding for the local contribution scheme and Giro d'Italia route and traffic management arrangements.

**Minute No. 31/14**

**Planning Progress Report**

The Planning Progress Report dated 6<sup>th</sup> February 2014 was noted by the members.

**Minute No. 32/14**

**Housing Progress Report**

The Housing Progress Report dated 11<sup>th</sup> February 2014 was presented by the Director of Services who addressed the Member's queries which included regeneration scheme in Coxes Demesne, choice based letting options, inclusion of voluntary housing allocations in the report and discussion re record of refusal and availability of same to the members.

**Minute No. 33/14**

**Environmental Progress Report**

The Environmental Progress Report dated 6<sup>th</sup> February 2014 was presented by the Director of Services who addressed the Member's queries which included dump at South Commons Carlingford and Cavan Hill site restoration

**Minute No. 34/14**

**Libraries and Archives Quarterly Report**

The Libraries and Archives Quarterly Report dated 6<sup>th</sup> February 2014 was noted by the members. The recent improvement works at Drogheda Library was welcomed.

**Minute No. 35/14**

**Allocation of Members Community Grants**

**Proposed by Cllr. F. McCoy**  
**Seconded by Cllr. M. Murnaghan**  
**And Resolve:-**

To approve the allocation of Members Community Grants numbering seven, as circulated with the agenda.

**Minute No. 36/14**

**Conference & Events**

**Proposed by Cllr. M. Murnaghan**

**Seconded by Cllr. F. McCoy**

**And Resolved:-**

To approve the attendance of Members at conferences considered by the Corporate Policy Group at their meeting of on 7<sup>th</sup> February 2014 and recorded in the Conference and Events register.

**NOTICES OF MOTION**

**Minute No. 37/14**

**Proposed by Cllr. T. Byrne**

**Seconded by Cllr. F. Maher**

**And Resolved:-**

'That the Minister for the Environment and Local Government Mr. Phil Hogan T.D. bring forward proposals for Management Companies in Residential Housing Estates, in light of the introduction of the Local Property Tax'.

**Minute No. 38/14**

**Proposed by Cllr. P. Smith**

**Seconded by Cllr. D. Breathnach**

**And Resolved:-**

**To move the motion without debate**

"That LCC implement a system similar to the one in Dublin City Council, your Dublin your voice. LCC want to hear from anyone over 18 that lives, works, visits or studies in the Louth region to tell us what you really think about the County region and to shape its future direction."

**Reply**

***Louth County Council will, as resources permit, investigate the Dublin City Council system of public engagement with a view to encouraging and facilitating such consultation with those who work, visit and study in the County. The Council have piloted with Newry & Mourne District Council the Peoples Panel Project which is similar to the Dublin Voice initiative.***

**<http://www.dublincity.ie/press/dccpresspacks/ydyv/Pages/YourDublinYourVoice.aspx>**

**Minute No. 39/14**

**Proposed by Cllr. M. Murnaghan**

**Seconded by Cllr. P. Savage**

**And Resolved:-**

"I am calling on Louth County Council to install public lighting and speed ramps at St. Laurences national school in Omeath. I am making this call on foot of an NRA report that recommends the installation of public lighting before installing speed ramps."

**Reply**

***As part of the Greenway project traffic calming measures are being implemented including signage, line marking and solar powered vehicle actuated speed warning signs on the approaches to the road section of the Greenway in Omeath. This will also benefit the school as it is located on this route. A speed survey will be carried post construction to determine how effective these measures have been. Additional measures will then be considered including the possibility of solar powered lighting and speed ramps if necessary.***

**Minute No. 40/14**

**Proposed by Cllr. C. Markey**

**Seconded by Cllr. D. Breathnach**

**And Resolved:-**

**To move the motion without debate**

That this council support the IFA campaign for 50/50 national exchequer co-funding for pillar two of the Common Agricultural Policy, and call on the government to provide the necessary funding in order to sustain the Agricultural Industry and Rural Communities

**Minute No. 41/14**

**Proposed by Cllr. P. Savage**

**Seconded by Cllr. M. Butler**

**And Resolved:-**

That the Minister for Transport in consultation with the Airline / Shipping lines introduces a scheme whereby the remains of deceased persons can be repatriated free of charge or at a nominal rate

**Minute No. 42/14**

**Proposed by Cllr. P. Savage**

**Seconded by Cllr. F. McCoy**

**And Resolved:-**

That the Minister for Health consult with the H.S.E. and Consultant Bodies to eliminate the extraordinary delays in fixing appointments and more specifically to eliminate long delays in actually dealing with patients when appointments have been made. Seriously ill patients can be waiting for periods in excess of six hours.

**Minute No. 43/14**

**Proposed by Cllr. E. Corrigan**

**Seconded by Cllr. P. McGeough**

**And Resolved:-**

That Louth County Council mark International Women's Day (March 8th) each year. International Women's Day celebrates the social, political and economic achievements of women while focusing attention on areas requiring further action.

The theme of International Women's day in 2014 is "Inspiring Change", however, a number of groups select their own International Women's Day theme, specific to their local context, and I propose that in the Louth Local authorities select a theme relevant to Local Community on an annual basis.

**Reply**

***Louth County Council do intend to mark International Women's Day as set out below. We will also explore the option to mark the day through the Age Friendly Initiative.***

***International Women's Day – March 8<sup>th</sup> 2014 – Celebrating the Social, Political and Economic achievements of women.***

**Dundalk Branch Library**

***Feb 27<sup>th</sup> 'The EU and You' – Lifestyle, Equal Opportunities, Education and Women in the EU. – Keynote Speaker – Mary O' Rourke with a panel of speakers to be confirmed***

***March 8<sup>th</sup> 'Women Celebrating Diversity ( event to be confirmed in co-operation with the Polish community and / or African community in Dundalk)***

***March 11<sup>th</sup> “Women in Business in County Louth” – Recognising the Achievement of Women in County Louth – a lively panel discussion with women from a broad range of business backgrounds (speakers to be confirmed)***

***We may also look at a daytime event for Secondary Schools on local women as role Models***

**Ardee Branch Library**

***March 8<sup>th</sup> “Women & Health” – A talk with expert advice on all aspect of women’s health.***

***All branches will also have relevant book displays highlighting different themes to coincide with the day including women’s authors, influential women over the last century, women’s health issues etc.***

**Minute No. 44/14**

**Proposed by Cllr. E. Corrigan**

**Seconded by Cllr. P. Savage**

**And Resolved:-**

With the knowledge that Anaphylaxis is on rise following a W.H.O. (World Health Organisation) survey in 2010, and considering the preventable death of 14 year old Emma Sloan, in Dublin from Anaphylaxis, on O Connell Street Dublin after her mother was refused an EpiPen by a pharmacist as she didn't have Emma's prescription with her.

I call on this Council to request that HSE and Minister for Health James Reilly, ensure legislation and codes of practices be put in place to ease the restrictions on the availability of Epinephrine auto injectors (commonly known as EpiPens) and other Anaphylaxis medicines and make them available in public areas, and that the Council explore the possibility of having staff training in the administering of EpiPen applications.

**Minute No. 45/14**

**Proposed by Cllr. T. Sharkey**

**Seconded by Cllr. D. Breathnach**

**And Resolved:-**

**To move the motion without debate**

"Noting that upgrading works have taken place on a section of the N53, Louth County Council resolves to make it a priority to upgrade the remaining 3.2 miles of this road from Hackballscross to the County Armagh border. This Council will bring the proposed project to the NRA as a matter of urgency."

**Reply**

The upgrading of the N53 is a priority of Louth County Council and improvement of the N53 is continuously being pursued with the NRA. An allocation has been secured from the NRA to acquire the lands required from Barronstown to Hackballscross this year subject to CPO approval by An Bord Pleanála.

**Notice of Questions**

*The following questions and responses were noted by the members.*

**Minute No. 46/14**

**Cllr. P. McGeough**

What efforts have Louth County Council made to force the Developer to provide proper fencing at the so called 2nd Phase of Oriel Heights in Collon in order to prevent this dangerous site from being used for Anti Social Activities

There are a number of unresolved issues in Phase 1 of the Oriel Heights Development could an update on progress to date to resolve these matters be provided.

**Reply**

Oriel Heights is listed as an unfinished housing development on the Department of Environment, Community and Local Governments National Housing Survey. It has been assessed as a category 3 unfinished development by Louth Co Council. The unfinished part of the development is fenced off with light weld-mesh steel fencing which is designed for and only suitable to short-term use. The developer has been requested to submit a site resolution plan and to date has not done so. No legislative powers have been given to the Councils to enforce the submission of a site resolution. The developer has responded to 3 requests to date, to repair breaches in the fencing, but has not improved the quality or standard of fencing to one suited for long term use.

In relation to the occupied part of the development, the Council has received a request for taking in charge on behalf of the house owners. Roads Section are currently organising a plebiscite under the provisions of Section 180 (2) of the Planning & Development Act 2000 (as amended) in order to proceed with the taking in charge process. Provision is made under Section 180 (2) of the Planning & Development Act 2000 (as amended) to permit the Council to utilise any cash security or bond to

bring the development up to a condition suitable for taking in charge. Roads Section has been advised of the requirement to implement satisfactory long term security measures to isolate the unfinished part of the development from the occupied part in the interests of public safety. It is anticipated that such works will be included in the scheme of works that will be carried out to render the development suitable for taking in charge in a similar manner to those works currently being carried out by Planning Enforcement Section to the Woodlands / Rivervale Estate in Dunleer.

**Cllr. M. O'Dowd**

What strategy and plans are in place to ensure that Burton Hall Tullyallen does not have a repeat flooding incident as happened earlier this year and in particular what plans are in place to deal with the run off from the main road into the estate?

**Reply:**

*The flooding incident that occurred at Burton Hall housing estate was caused by a blockage at the mouth of the culverted section of the stream that flows through the estate. Runoff from the estate itself and from the adjoining local primary road was not a significant contributory factor. As well as draining the developed areas of Tullyallen the stream drains a significant rural catchment resulting in vegetation and other debris being washed down in flood conditions. The strategy adopted to deal with this is to carry out regular checks on the culvert so as not to allow the build up of debris. The feasibility of providing an emergency overland flood route to bypass the section of culvert in the event of it becoming blocked will also be investigated. A level survey will need to be carried out to assess this.*

**Cllr. M. Murnaghan**

"What is the annual rate that Louth Local Authority raises from the harbours located throughout the county, and what is the annual cost of maintaining these facilities "

I am looking for a breakdown, harbour by harbour.

**Reply**

**Income from Harbour Dues 2013:**

Port Oriel (Clogherhead) and Annagassan Harbours: **€49,818.00**

**Expenditure 2013:**

Loan Repayments for Port Oriel:	134,175.00
Annagassan:	10,552.00
Code 71506 (Port Oriel Pier):	35,300.45
Code 71509(Pier & Harbours Service Support Costs):	18,775.43
Code 7001 (Harbour Dues Legal Costs, Water Charge):	<u>6,710.38</u>
<b>Total:</b>	<b>€205,513.26</b>

**Cllr. T. Sharkey**

"Will the manager outline the criteria used for the different inspections which are carried out on houses for RAS, Long Term Leasing, and Acquisition, detailing the template documents which are used for all 3?"

**Reply**

**"There are currently 288 number of properties in either the Rental Accommodation Scheme (RAS) or Leasing. Any property, that is being considered for RAS or Leasing is inspected utilising a template that was created against each Article that is detailed in the Rented Dwelling Standards, Regulations, 2009 Document and the Smoke/Heat/CO Alarm Policy Document adopted by Louth County Council. A similar process is utilised for any Acquisition among other considerations**

**(vi) Cllr. M. O'Dowd**

Will Louth County Council conduct a review of the traffic management at Tullyallen NS and in so doing consult with the School Authorities, the parents Association and the Gardai?

**Reply**

**The County Council implemented traffic control measures at Tullyallen School last summer. The measures were agreed in advance with the School Management, the Parent's Association and the Gardai. It was also agreed to review the measures after they were in place for a period of time. In this regard the Council will contact the Board of Management requesting that they convene a meeting with the relevant stakeholders to carry out this review.**

**Cllr. M. Butler**

In relation to the awarding of the tender for the operation and management of two civic amenity sites for Louth County Council (JAN300975), were the services of any external consultants, advisors or experts sought? If so, at what cost?

**Reply**

**Services of an external consultant was obtained at a cost of €2959.69**

**Notices of Motion from Other Councils**

Notices of motion circulated with the agenda of the September, October, November, December and January meetings were noted.

**Minute No. 47/14**

**Proposed by Cllr. E. Corrigan  
Seconded by Cllr. P. McGeough  
And Resolved:-**

That the motion from Ennis Town Council in the following matter be adopted by this Council

*“That this Council request the Minister for Health to revise the scheme for chronic illnesses and that people suffering from Crohn’s disease, Alzheimer’s, and Coronary Heart disease be recognised as suffering from lifelong conditions and be included in the Long Term Illness scheme, and that the fee for these people attending A & E be immediately eliminated”*

**Minute No. 48/14**

**Proposed by Cllr. E. Corrigan  
Seconded by Cllr. T. Sharkey  
And Resolved:-**

That the motion from Waterford City Council in the following matter be adopted by this Council

*“That Louth County Council urgently requests the Government to have a total review of legislation in the area of Anti-Social Behaviour with the objective of strengthening the powers of the Gardai and Local Authorities to tackle this issue in an effective manner”*

**Minute No. 49/14**

**Correspondence**

The Correspondence circulated with the agenda of the September, October November and January was noted.

That concluded the business of the meeting.

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

Date: \_\_\_\_\_

Cathaoirleach: \_\_\_\_\_

Meetings Administrator: \_\_\_\_\_