

Minutes of Ordinary Meeting of Louth County Council held in County Hall, Dundalk on Monday 21st December 2015

In attendance:

Cathaoirleach: Cllr. P. Savage

Members: Councillors: P. Bell, D. Breathnach M. Butler, T. Byrne, K. Callan, E. Corrigan, R. Culhane, T. Cunningham, M. Dearey, M. Doyle, K. Flood, F. Godfrey, J. Green, C. Keelan, J. Loughran, C. Markey, J. McGahon, P. McGeough, I. Munster, T. Sharkey, P. Smith, J. Tenanty, O. Tully, M. Yore

Officials: J. Martin, Chief Executive
B. Woods, Head of Finance
J. McGuinness Director of Services
F. Pentony, Director of Services
E. O’Gorman, Director of Services
P. Finn, Senior Engineer
D. Storey, Senior Executive Officer
T. McEvoy, Head of LEO
M. Murtagh, Meetings Administrator

Apologies: Councillors A. Cassidy, L. Reilly

Minute No. 308/15

Confirmation of Minutes

Proposed by: Cllr. J. Tenanty

Seconded by: Cllr. P. Bell

And resolved:

That the minutes of the Meeting held on Monday 16th November 2015 be confirmed.

Proposed by: Cllr. D. Breathnach

Seconded by: Cllr. P. Bell

And resolved:

That the minutes of the Statutory Budget Meeting held on Monday 16th November 2015 be confirmed.

Proposed by: Cllr. T. Byrne

Seconded by: Cllr. M. Yore

And resolved:

That the minutes of the Reconvened Budget Meeting held on Monday 23rd November 2015 be confirmed

Minute No. 309/15

Matters Arising

- Standing order No. 11 (iii) not yet amended on approval of members. Listed on Agenda and agreed to take item immediately after Matters Arising.
- Invitation to Louth Agricultural Show Committee to make presentation to Council to be discussed at January CPG Meeting.

Minute No. 310/15

Amendment of Standing Order No. 11 (iii) – To remove reference to Presentation of Report from Chairperson of Strategic Policy Committee as adopted by Council on 6th June 2014

Proposed by: Cllr. P. Bell

Seconded by: Cllr. M. Yore

A number of members expressed concern at the impact of the amendment and the fact that it could be four or five months before minutes of an SPC meeting were provided for information. The Chief Executive clarified that the purpose of the amendment was to give legal effect to the decision taken by Council and that Members could accept or reject the proposal. No written report was presented in the matter.

There followed a roll call vote on the matter:

For: Cllrs: P. Bell, D. Breathnach, T. Byrne, K. Callan, R. Culhane, M. Doyle, C. Keelan, C. Markey, J. McGahon, P. Savage, J. Tenanty, O. Tully, M. Yore

Total: Thirteen (13)

Against: Cllrs. M. Butler, T. Cunningham, M. Dearey, K. Flood, F. Godfrey, J. Green, J. Loughran, P. McGeough, I. Munster, T. Sharkey.

Total: Ten (10)

Absent: Cllrs. A. Cassidy, E. Corrigan, K. Meenan, D. Minogue, L. Reilly, T. Sharkey

Total: Six (6)

The proposal to amend Standing Order Number 11 (iii) to remove the reference to the Presentation of Report from Chairperson of Strategic Policy Committees as adopted by Council on 6th June 2014 was carried

Minute No. 311/15

Minutes for noting

The following minutes were noted by the members.

Borough District of Drogheda 2nd November 2015

Corporate Policy Group 6th November 2015

Housing, Community Planning & Emergency Services SPC 22nd Sept 2015

Infrastructure, European & Cross Border Affairs & Sustainable Energy

SPC 24th Sept 2015

Municipal District of Ardee 5th November 2015

Municipal District of Dundalk 3rd November 2015

Minute No. 312/15

Chairman's Report – Corporate Policy Group Meeting held on 11th December 2015

The Cathaoirleach, Cllr. P. Savage presented the report. Following discussion on the Narrow Water Bridge Project it was resolved on the proposal of Cllr. T. Sharkey, seconded by Cllr. K. Flood to write to both Governments highlighting the need to identify and agree an alternative funding source given that the new INTERREG programme doesn't include provision for this type of project. Members further agreed to write to the Department highlighting the need for additional financial support for repairs to listed buildings.

Minute No. 313/15

Monthly Management Report

Members considered the Management Report dated 7th December 2015. Queries in regard to the report were addressed by the Chief Executive, Members of the Management Team, and Senior Staff. Issues addressed included:-

- Leasing Progress Report – Units not approved as suitable by local authority
- Local Development Strategy (Leader Plan) being progressed for approval by LCDC in January 2016
- Agreed that energy policy must be developed by local authority particularly following the Paris Declaration
- Collection of Rates improving – high write-off relates to high vacancy level
- Choice Based Lettings – agreed contract with Open Sky with roll out anticipated in first quarter of 2016
- PPN Representatives to JPC's to be progressed as a matter of urgency
- Loss of outdoor staff having an impact on routine maintenance – members were advised that approval to recruit staff was required from the Department of the Environment, Community and Local Government and Department of Public Reform. Currently no money in Roads Budget to recruit but matter will be kept under review.
- Plan for Christmas Lights and/or support for Christmas festivals needs to be put in place for next year.

- Conditions in Development Plan that proposed name for Housing Developments must be agreed with the Placenames Committee. Condition not included in grants under approval by An Bord Pleanála. On the proposal of Cllr. T. Sharkey, seconded by Cllr. J. Loughran it was resolved to write to An Bord Pleanála asking for consideration of Placenames Policy in any future decisions.
- Agreed that update on remaining 1.5 miles on N53 would be included in future Management Reports
- CPO for Colaiste Cuchulainn – Director of Services to confirm details

Minute No. 314/15

Votes of Sympathy

Votes of sympathy were recorded in respect of the following.

Paddy Donnelly, Director of Services and Michael Donnelly, Station Officer, Fire Services on the death of their father Mr. Paddy Donnelly

Family of the late Dermot McElroy

Family of the late Councillor Willie Crawley

Minute No. 315/15

Votes of Congratulations

Mr. David Storey, Senior Executive Officer was congratulated on his appointment to Fingal County Council and thanked for his work in the Housing Department in Louth

Minute No. 316/15

Comhairle Na Nóg

Caoimhe Kerley, Lianne McGuinness and Katie Mc Guinness presented the annual report to Council which highlighted projects undertaken in 2015 and plans for 2016. In 2015 this included project on youth issues including, Relationships, Intergenerational and Healthy Eating as well as the Annual Conference, “Lets go Mental” Video, and visit to Aras an Uachtarain. Plans for 2016 include continuation of Healthy Eating Project and Alcohol / Drugs project in Drogheda. Members congratulated Comhairle Na Nóg and pledged continued support for their initiatives.

Minute No. 317/15

Section 183 Notice

Proposed renewal of lease and Service Level Agreement on housing units 40 to 51 inclusive at Cluan Fada, Lis na Dara, Dundalk to Cluid Housing Association

Proposed by: Cllr. P. Bell

Seconded by: Cllr. F. Godfrey

And resolved:

A number of members expressed concern at the low cost applied to the lease and the fact that the market hadn't been tested. It was agreed that a copy of the Service Level Agreement would be provided to the members for information only.

There followed a roll call vote on the matter:

For: Cllrs: P. Bell, D. Breathnach, M. Butler, T. Byrne, K. Callan, R. Culhane, M. Dearey, F. Godfrey, C. Keelan, C. Markey, J. McGahon, P. Savage, P. Smyth, J. Tenanty, O. Tully,
Total: Fifteen (15)

Against: Cllrs. E. Corrigan, T. Cunningham, K. Flood, J. Loughran, P. McGeough, I. Munster, T. Sharkey.
Total: Seven (7)

Abstain: Cllrs M. Doyle **Total: one (1)**

Absent: Cllrs. A. Cassidy, J. Green, K. Meenan, D. Minogue, L. Reilly, M. Yore

Total: Six (6)

Accordingly it was agreed to confirm the renewal of lease and Service Level Agreement on housing units 40 to 51 inclusive at Cluan Fada, Lis na Dara, Dundalk to Cluid Housing Association.

Minute No. 318/15

Section 183 Notice

Proposed renewal of lease and service level agreement on housing units No. 1 to 17 (inclusive) and commercial facility at Great Northern Haven, Barrack Street, Dundalk to Cluid Housing Association

Proposed by: Cllr. O. Tully

Seconded by: Cllr. M. Dearey

And Resolved:

Cllr. C. Keelan declared a conflict of interest in the matter.

Members were advised that a different funding mechanism applies in this case, that the project is covered by the Code of Conduct that applies to all voluntary bodies and that the executive is happy with the manner in which the project is managed. Members requested that the Service Level Agreement be amended to provide for Local Authority representation on the board.

Accordingly it was agreed to confirm the renewal of lease and service level agreement on housing units No. 1 to 17 (inclusive) and commercial facility at Great Northern Haven, Barrack Street, Dundalk to Cluid Housing Association

Minute No. 319/15

Capital Assistance Scheme 2015

That Council, hereby agrees to advance a loan in the sum of €156,865 to Clanmil Ireland Housing Association, for the provision of 1 (one) unit of accommodation at 27 Cherrywood Close, Termonabbey, Drogheda, Co. Louth.

Proposed by: Cllr. O. Tully

Seconded by: Cllr. P. Smith

J. McGuinness, Director of Services advised that this property was the third of the units approved by the Department under the Capital Assistance Scheme. Members queried the high figure when similar properties in the estate sold for much less. It was confirmed that it was Clanmill Ireland Housing Association, and not the Local Authority that was purchasing the property, but noted that adaptation and legal costs were included in the overall figure.

The loan was approved on a show of hands.

Minute No. 320/15

Local Government Audit Committee Charter

**Proposed by: Cllr. P. Bell
Seconded by: Cllr. P. Smith
And resolved**

To adopt the Local Government Audit Committee Charter as presented.

Minute No. 321/15

Members Community Grants

**Proposed by Cllr. M. Doyle
Seconded by Cllr. J. McGahon
And resolved:**

To approve the allocation of Members Community Grants numbering one (1) as circulated with the agenda.

Minute No. 322/15

Conference and Events

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

To approve the attendance of members recorded in the Conference and Events register at such conference and events listed with the agenda

Minute No. 323/15

Notice of Motion

**Proposed by Cllr. M. Yore
Seconded by Cllr. D. Breathnach
And Resolved:**

"That Louth County Council writes to the Minister for Justice demanding extra Garda resources are made permanent in County Louth and insist that reforms are made and enforced in law on our criminal justice system"

Reply:

During discussion members agreed that resources must be allocated and evidence based data and agreed with the spirit of the motion in terms of the need for additional garda resources to be made permanent

Minute No. 324/15

Notice of Motion

**Proposed by Cllr. I. Munster
Seconded by Cllr. K. Flood
And Resolved:**

County Louth Housing SPC calls on Minister Alan Kelly to increase the HAP payments in Louth pending review of the rent caps

Reply:

During discussion it was clarified for members that tenants on HAP remain on Transfer List rather than Housing List but they must apply within two weeks of going on HAP to be included on Transfer List

Minute No. 325/15

Notice of Motion

Proposed by Cllr. P. Bell

Seconded by Cllr. P. Smith

"That this Council takes urgent steps to replace the thatched roofs on Drogheda's last two remaining thatched cottages located on Crushrod Avenue and Donore Road. And if needs be that Council directly engage a Thatcher for this purpose and to intervene in the County where it has been identified that other thatched cottages are in danger of being lost forever to our local and national heritage"

Reply:

The Planning and Development Act 2000 (as amended) places a duty on the owners and occupiers of protected structures to protect structures from endangerment. Under Section 59 of the Act where, in the opinion of the Planning Authority, that it is necessary to do so in order to prevent a protected structure from becoming or continuing to be endangered, the authority shall serve a notice on the owner or occupier. After serving a notice, a Planning Authority may, at its discretion, assist the person in carrying out the works required under the notice and provide such assistance in any form it considers appropriate. The Planning Authority may also take such steps as it considers reasonable and necessary to give effect to the terms of the notice and may recover from the owner any expenses reasonably incurred by it.

In County Louth there are approximately 75 thatched cottages which were last surveyed in 2002. It is intended to re survey these structures next year.

In relation to the Thatch Pub at Donore Road, Drogheda, a Section 59 Notice was served on the owner in 2011. The Council encouraged the owners to apply for funding under the Structures at Risk Fund 2015 Scheme, to carry out necessary repairs on the roof including re thatching. The estimated cost submitted as part of this application was €100,000. Unfortunately Louth was not successful in receiving any funding from this Scheme in 2015. . No application was

made for funding by the owner under the 2016 Built Heritage Investment Scheme.

A section 59 notice was also served on the owner of Harty's Thatch, Crushrod Avenue, Drogheda in 2008. Re thatching was carried out in 2009 and 2010. However it is evident that the structure is deteriorating and will require further intervention. Again at the suggestion of the Council the owner applied for funding under the Structures at Risk Fund 2015 Scheme but was not successful. No application was made for funding by the owner under the 2016 Built Heritage Investment Scheme.

The cost of re thatching can range from €30,000 to €60,000 depending on the condition and size of the building. This does not include other necessary works that may be required on the roof structure. Whilst there are grants from Central Government to assist owners the amounts available are only sufficient to cover a small proportion of the costs. The 2016 Built Heritage Investment Scheme for example is €50,000 for County Louth with a cap of €10,000 per individual project. The Planning and Development Act does allow Local Authorities to make funds available for the re thatching of structures once they are Protected Structure. However there is no provision for this in the current budget and substantial funds are likely to be required to fund any meaningful intervention, on a county wide basis.

During discussion Members were advised that funding available is totally inadequate to address the problem. Further noted that neither properties had applied under the current grant scheme but that discussion had been held with one property owner and attempts are being made to establish contact with the other owner. The urgency of the situation was acknowledged and the removal of polythene cover from the thatch was considered necessary. The opportunity to train new thatchers under the LEADER Programme was suggested and the need to implement Derelict Sites Legislation, if necessary, recommended.

Minute No. 326/15

Notice of Motion

**Proposed by Cllr. T. Byrne
Seconded by Cllr. M. Butler**

"That Louth County Council calls on Mr. Alan Kelly TD, Minister for the Environment, Community and Local Government to write to Irish Water, instructing them to accept responsibility for all the mains, sewerage and infrastructural maintenance, including those running through non-public property and that appropriate funding be made available

Following discussion where concern was expressed by the lack of clarity of the motion, and amended motion was proposed by Cllr. T. Byrne and seconded by Cllr. F. Godfrey

That Louth County Council calls on Mr. Alan Kelly TD, Minister for the Environment, Community and Local Government to write to Irish Water, instructing them to accept responsibility for all the mains, sewerage and infrastructural maintenance, including those running through non-public property but excluding commercial property, apartments paying management fees and housing estates not taken in charge and that appropriate funding be made available.

The amended motion was approved on a show of hands.

Minute No. 327/15

Notice of Motion

**Proposed by Cllr. I. Munster
Seconded by Cllr. E. Corrigan**

Calling on Louth County Council to provide free to use Hippocampe All Terrain Beach Wheelchairs at Blue Flag beaches in Louth to facilitate people with

disabilities to access amenities similar to their peers in society. Wexford County Council have been the first to provide such Hippocampe Beach Wheelchairs for people with disabilities which are also IWA approved.

Reply:

Preliminary research indicated that a Hippocampe Beach Wheelchair costs approx 3,000 euro and civil works would also be required at the beaches which would further add to the cost. There is also the issue of who would be responsible for the management (to include storage) and use of the units as it cannot form part of the job specification for Lifeguards. Further discussions will continue with Wexford County Council to assess the viability and success of the pilot scheme, but it must be noted that the cost of purchase of the units and any civil works necessary would have to be met from existing Municipal District Budgets or the main Local Authority Budget as approved

Members agreed that the Executive would revert with proposals for one Blue Flag Beach in the county and would examine the FLAG scheme as a possible source of funding for the unit and any associated civil works

Minute No. 328/15

Motions from other Councils.

- Municipal District of Carrickmacross 27/11/2015

Agreed that officials from Infrastructure Section will meet with officials from Monaghan County Council and provide report to Dundalk Municipal District

- Sligo County Council 5/11/2015

- South Dublin County Council 9/11/2015

Proposed by Cllr. M. Dearey, Seconded by Cllr. C. Keelan and agreed to write to South Dublin County Council supporting this motion

- Donegal County Council 03/12/2015

Minute No. 329/15

Correspondence

Noted correspondence received from Dundalk FM seeking two nominations from Dundalk Municipal District to sit on the Board of Dundalk FM. Members agreed to forward the request to Dundalk Municipal District for discussion in the matter

Minute No. 330/15

Chief Executives Order Register

The Register was available for inspection.

That concluded the business of the meeting.

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

Date: _____

Cathaoirleach: _____

Meetings Administrator: _____