

Council Meeting 25th April 2022

Minutes of Ordinary Meeting held wholly in person in the Council Chamber, County Hall, Dundalk.

In attendance:

Presiding: Leas Cathaoirleach: Councillor James Byrne

Members: Councillors: Marianne Butler, Paula Butterly, Maria Doyle, Michelle Hall, Conor Keelan, Pearse McGeough, Andrea McKeivitt, Paddy McQuillan, Kevin Meenan, Dolores Minogue, Declan Power, Tomás Sharkey, John Sheridan, Jim Tenanty, Eileen Tully, Antoin Watters, Maeve Yore

Apologies: Councillors: Joanna Byrne, Kevin Callan, Emma Coffey, Bernie Conlon, Edel Corrigan, Tom Cunningham, Sean Kelly, Fiachra Mac Raghnaill, John Reilly, Liam Reilly, Pio Smith

Officials: Chief Executive - Joan Martin
Directors of Services - Joe McGuinness, Paddy Donnelly, Catherine Duff, Thomas McEvoy (Acting)
Head of Finance - Bernie Woods
Meetings Administrator - Gráinne Tuomey
Senior Executive Officer - Aoife Lawler
Senior Planner - Joanna Kelly
Senior Engineer - John O'Hagan

Minute No. 55/22

Confirmation of Minutes

Minutes of the Monthly Meeting on Monday 21st March 2022 were

Proposed by: Cllr. Maeve Yore

Seconded by: Cllr. Eileen Tully
and adopted.

Minute No. 56/22

Matters Arising

Minute no. 39/22 - An update requested on Casual Trading Bye-laws would be referred to Willie Walsh, SEO

Minute no. 42/22 – Cllr. Halls comment was on inspection of new housing developments and not specific to inspections of estates to be taken in charge

Minute no. 45/22 - the ownership query on Navvy Bank is still under investigation

Minute no. 124/21 - Referring to a previous motion requesting a letter issue to the Minister on Mattresses and Couches which did not get a response, Cllr. John Sheridan **proposed** that a further letter issue to same effect, this was **seconded** by Cllr. James Byrne and agreed.

Minute No. 57/22

Minutes of Municipal District Meetings - Noted

The following Minutes were Noted by Members:

- Municipal District of Dundalk 1st March 2022
- Municipal District of Ardee 3rd March 2022
- Borough District of Drogheda 7th March 2022

Minute No. 58/22

Minutes of Committee Meetings - Noted

The following Minutes were Noted by Members:

- Corporate Policy Group Meeting 9th March 2022
- Economic Development and Enterprise Support SPC Minutes 1st June 2021
- Economic Development and Enterprise Support SPC Minutes 7th September 2021
- Climate Change and Energy SPC Minutes 28th June 2021
- Climate Change and Energy SPC Minutes 13th September 2021
- Climate Change and Energy SPC Minutes 13th December 2021

Minute No. 59/22

Report from Chairperson of Corporate Policy Group

Cllr. James Byrne advised Members that while he was not at the CPG meeting, the Cathaoirleach Cllr Smith had prepared a report which he would read if Members were happy with this.

The following Report was then read into the record.

He informed the members that the April CPG meeting was held in person at 9.00 am on Wednesday 13th April 2022 in the Setanta Room, County Hall.

Members were given a briefing on all items in the Council Agenda by Joe McGuinness including:

- Outstanding Reports of annual reporting of committee members to be heard at this the April meeting
- The Draft Annual Report as presented for noting - the final annual report will be at June meeting
- SPC Standing Orders have been revised to address quorum issues
- New Nomination to LCDC approved to go to council
- Drogheda Port attendance - CPG were advised that online attendance was again requested but Port preferred online, this was discussed and it was agreed to push it out to May meeting to allow for in person attendance

Members agreed that a request from Braymore Wind Farm to meet District Members should be put to council for decision.

The Members Communication Plan was discussed. Members were reminded that Sugar was the way to make reps as this is monitored for responses.

The nature and length of replies to motions was discussed.

It was suggested that SPC members be allowed to change SPC to one of more interest, the Executive agreed that they would look at putting something into Standing Orders to allow a mutual swap by Members.

Minute No. 60/22

Strategic Policy Committee Chairpersons Report

No reports were submitted.

Minute No. 61/22

Compliance with Section 141 of the Local Government Act, 2001, as amended

In accordance with S141 (1)(a) of the Local Government Act 2001, as amended, verbal reports were requested on the activities of the following committees in the past year, by the following elected representatives:

Eastern & Midland Regional Assembly (EMRA)	Cllr. C. Keelan Cllr. E. Coffey
Local Authority Members Association (LAMA)	Cllr. E. Tully
North East Regional Homeless Forum	Cllr. C. Keelan
Peace Partnership Board	Cllr. A. McKeivitt Cllr. P. Smith Cllr. D. Minogue
An Tain Arts Centre	Cllr. S. Kelly Cllr. John Reilly
Governance/Oversight Committee of the Dublin/Belfast Economic Corridor	Cllr. F. MacRaghnaill Cllr. B. Conlon Cllr. S. Kelly

No Reports were so presented, and Members were advised that these would be expected at future meeting.

Ms. Bernie Woods, Head of Finance advised that the following committee could be closed off as this committee had not met in some time and was not required to under any legislation.

Rural Water Programme - Monitoring Committee	Cllr. T. Cunningham Cllr. J. Sheridan Cllr. E. Tully Cllr. A McKeivitt
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Minute No. 62/22

To receive Louth County Council Draft Annual Report 2021 in accordance with Section 221 of the Local Government Act 2001, as amended

Members commended the amount of work gone into the report as received but noted that some items had been highlighted as outstanding. Director of Services Joe McGuinness advised this was the draft report, and items would be finalised for the Members consideration of full adoption of the Annual Report in June.

In accordance with S221(1)(b) of the Local Government Act, 2001, as amended, Acceptance of the Draft Annual Report was

Proposed by: Cllr. Marianne Butler

Seconded by: Cllr. Paula Butterly

And agreed.

Minute No. 63/22

Allocation of Members Community Grants

In accordance with Section 66 of the Local Government Act 2001 as amended, approval of Allocation of Members Community Grants as notified to the Elected Members was

Proposed by: Cllr. John Sheridan

Seconded by: Cllr. Maeve Yore

And Resolved.

Minute No. 64/22

Amendment to Standing Orders for Strategic Policy Committees

Members noted the amended standing orders as presented. Director of Services, Joe McGuinness advised Members of three main changes proposed, as follows:

- The draft Standing Orders now provide for fully remote meetings as an option with only a requirement for one in person meeting per year.
- The quorum is now amended to four members with only a requirement for one non-elected members.
- A provision for an elected member to change committee on basis of an exchange with another member.

A query was raised as to what if due to unforeseen circumstances an in person meeting could not take place and it was agreed that this would be better dealt with at the time.

Adoption of the revised SPC Standing Orders was

Proposed by: Cllr. Maria Doyle

Seconded by: Cllr. Dolores Minogue

And resolved.

Minute No. 65/22

Annual Financial Statements 2021

To consider the Draft Annual Financial Statements for 2021 under Section 108 of the Local Government Act, 2001 and to approve, in accordance with Section 104 of the same Act

- (i) the revised expenditure for the financial year ended 31st December 2021 as set out in Note 16 to the Accounts and
- (ii) the transfers to and from Capital as per the report.

Members were advised that they could take approval of each item separately or both at once.

Approval of both items together, was

Proposed by: Cllr. Paula Butterly

Seconded by: Cllr. Andrea McKeivitt

And resolved.

It was highlighted to Members that surplus funds from COVID 2021 spend recoupments were to be put to spiralling energy costs in 2022.

Minute No. 66/22

New Nomination to the Louth Local Community Development Committee

In accordance with Section 36 of the Local Government Act, 2001, as amended, and following consideration of CPG, it was recommended that Council Members approve the following:

Resignation of Ms. Elizabeth O'Reilly who served as the Environmental Pillar representative on the LCDC.

And acceptance of Ms. Lisa Doyle who has been nominated as their new representative to the LCDC.

Approval of same was

Proposed by: Cllr. Dolores Minogue

Seconded by: Cllr. Eileen Tully

And resolved.

Minute No. 67/22

Breithniú ar Thuarascálacha agus ar Chomhréitigh ón bPríomhfheidhmeannach / Consideration of Reports and Recommendations from Chief Executive

Monthly Management Report

- Finance and Water Services
- Economic Enterprise, Planning and Infrastructure
- Operations and Waste Management
- Corporate and Emergency Services
- Housing and Quality of Life

Members discussed the report as issued and the following items were highlighted:

Finance and Water Services

- Recent ongoing water outages noted in Clogherhead
- Request for consideration of tanker provision after 24hr outages
- Head of Water Services advised to keep logging issues to Irish Water helpdesk, as they fund tankers and will better note issues and be more inclined to fund the more items are logged
- Clarity given that it is Irish Water is the responsible body
- Reminder given to register vulnerable users with Irish Water

Economic Enterprise, Planning and Infrastructure

- Port Access Network Cross Route discussions and negotiations with developers ongoing with aim of single contract for all road works
- Staffing of Active Travel / Regeneration Office or other is a matter for Executive
- Aoife Lawler can advise on Bridge Street or Alan Sherry's previous projects in short term
- LIHAF tender is being advertised this week
- Drogheda Urban Plan tender for an Environmental Consultant did not get any response, will have to retender
- Active Travel works in Clogherhead being taken over by NTA

Operations and Waste Management

- Strong condemnation was expressed of dumping of 10 dead lambs in River Dee
- Cross Department coordination was confirmed on illegal dumping cases
- CCTV national guidelines still awaited
- Public toilet replacements are planned but no new toilets budgeted for
- High levels of littering in Drogheda at weekend noted and will be examined

Corporate and Emergency Services

- St Patrick's Day Trip expenditure request will be provided
- Department guidelines on Covid Memorial/Civic Reception for Volunteers will be followed. On foot of request for specific invitation to and recognition of Gardaí/ Paramedics /HSE. Members were reminded of recent Covid Memorials held recognising Emergency Services staff.
- Clarity given that Ambassador / Ministerial visit protocol is dictated externally as the offices of those attending express who they wish to meet, and that the Executive have no discretion on this matter.
- Dunleer Fire Station construction update given.
- Contention that Register of Electors was inaccurate was strongly disputed with Members advised of 92% of electorate having provided or updated their Eircode and with some 2k plus names having been removed from the Register. Members were advised Field Officers are being used on a targeted basis, e.g. new estates, areas of high turnover. It was suggested by Cllr Keelan that Members inform the section of deceased electorate sporadically to assist accuracy of Register.
- An update was given on Ardee Educate Together school construction.

Housing and Quality of Life

- Members received an update on emergency housing provision and medium / longer term plans for Ukrainian Refugees in Louth, on coordination between internal and external Departments and bodies, and on specific facilities being used and/or made available for use
- Clarity was given on annual rental income being dispersed in general revenue figure
- A breakdown of Housing grant figures by priority group was requested

Minute No. 68/22

Request to receive a deputation from Drogheda Port in accordance with Standing Order 20

Following recommendation of CPG under Standing Order 20 (ii), the Council were requested to decide by resolution whether to receive a deputation from **Drogheda Port** at the next Council Meeting, currently scheduled for 16th May 2022. Members were advised that this related to their linkage under the Harbours Act 2019 and would include an update on their activities and finances and a report could be furnished in advance.

It was

Proposed by: Cllr. Michelle Hall

Seconded by: Cllr. Andrea Mc Kevitt

That the deputation be received, and as on questioning there were no objectors, this was resolved.

Minute No. 69/22

Request to receive a deputation from Braymore Wind Farm in accordance with Standing Order 20

Following recommendation of CPG under Standing Order 20 (ii), the Council were requested to decide by resolution whether to receive a deputation from **Braymore Wind Farm** at the next Council Meeting, currently scheduled for 16th May 2022.

Members were advised that Braymore was not as advanced as Oriel Wind Farm and the presentation would not therefore be as indepth.

It was

Proposed by: Cllr. Jim Tenanty

Seconded by: Cllr. Michelle Hall

That the deputation be received, and as on questioning there were no objectors, this was resolved.

Members requested that where more than one deputation was proposed that this be moved to the June meeting.

Minute No. 70/22

Condolences

Condolences were extended to the family and friends of Alice Kirk, Castletown Road, Dundalk.

Minute No. 71/22

Congratulations

Congratulations were offered to Louth for recent victory against Carlow and they were wished luck in upcoming games against Kildare.

Minute No. 72/22

Notice of Motion

Proposed by: Cllr. Kevin Meenan.

Seconded by: Cllr. Pearse McGeough

"Israel's use of administrative detention violates several international standards, such as illegally deporting Palestinians from the occupied territory to Israel, denying family visits and failing to take into account the best interests of child detainees as required under international law.

Administrative detention is a procedure that allows the Israeli military to hold prisoners indefinitely on 'secret information' without charging them or allowing them to stand trial.

Although international human rights law does allow some limited use of this practice in emergency situations, there are basic rules to be followed such as a fair hearing at which the detainee can challenge the reasons for detention or there must be a public emergency that threatens the life of the nation: Israel is in violation of these parameters.

Therefore, I ask that this Council writes to the Minister asking him to

- *Call upon the Israeli Government to end the use of administrative detention and release all administrative detainees who are currently held without charge or trial.*
- *Call upon the Israeli Government to cease using the Incarceration of Unlawful Combatants Law and take action to repeal it."*

Reply:

This is a matter for the Members.

Cllr. Kevin Meenan speaking on this motion referred to contravention of the Geneva Convention detention rules, combatant law, and drew similarities to internment measures previously employed in Northern Ireland.

Supporting the motion Cllr McGeough referenced violations of human rights law and denial of due process.

Minute No. 73/22

Notice of Question

Cllr. Marianne Butler

"That Louth County Council outline the number of planning enforcement cases in relation to Short Term Lettings, that have been referred for legal proceedings and are due before the courts. Can a breakdown of when investigations commenced in relations to these cases also be provided?"

Reply from Mr. Thomas McEvoy, Acting Director of Services, Planning, Infrastructure and Economic Development:

No Planning Enforcement cases in relation to Short Term Lettings have to date been referred to the Council's solicitors for initiation of legal proceedings.

Members noted the reply.

Minute No. 74/22

Correspondence for Noting - Noted

- Correspondence from the Minister for Transport, Eamon Ryan 5th April 2022
- Correspondence from the Minister for Health, Stephen Donnelly 12th April 2022

Minute No. 75/22

Notices of Motion from other Councils

Correspondence on resolutions of other Councils as follows was noted by Members:

- Kerry County Council 28th February 2022 and 5th April 2022
- Dún Laoghaire-Rathdown County Council 22nd March 2022
- Galway County Council 6th April 2022
- Limerick City and County Council 11th April 2022
- Clare County Council 13th April 2022
- Westmeath County Council 13th April 2022

There being no other business, the meeting concluded.

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

Date:

Cathaoirleach:

Meeting Administrator:

16 May 2022
[Signature]
[Signature]