



Comhairle Contae Lú
Louth County Council

Louth County Council July Meeting

Minutes of the Monthly Meeting of Louth County Council hosted in the Council Chamber of County Hall, Dundalk on Monday, 18th September 2023, at 10:00a.m.

In Attendance:

Presiding: Councillor, - Cathaoirleach Paula Butterly

Members: Councillors: Marianne Butler, James Byrne, Joanna Byrne, Kevin Callan, Emma Coffey, Bernie Conlon, Edel Corrigan, Tom Cunningham, Emma Cutlip, Michelle Hall, Conor Keelan, Seán Kelly, Pearse McGeough, Andrea McKeivitt, Dolores Minogue, Robert Nash, Declan Power, John Reilly, Tomás Sharkey, John Sheridan, Pío Smith, Jim Tenanty, Eileen Tully, Antóin Watters, Maeve Yore

Apologies: Councillors: Paddy McQuillan, Kevin Meenan, Liam Reilly

Officials: Joan Martin, Chief Executive
Bryan Coughlan, A/Director of Services
Gráinne Tuomey, Meeting Administrator
Bernie Woods, Director of Services
Thomas McEvoy, Director of Services
David Jones, Director of Services
Yvonne O'Brien, Director of Services
Joanna Kelly, Senior Planner
Turlough King, Senior Executive Planner
John Lawrence, Senior Executive Officer
Colette Moss, Senior Executive Officer
Martin McCreesh, Senior Executive Engineer
Conor Sloan, Senior Executive Engineer
Róisín McAuley, Financial Accountant
Brian Lynch, Financial Accountant
Noel Treanor, Senior Executive Engineer
Willie Walsh, Senior Executive Officer
Susan Deery, Administrative Officer
Aoibheann McLernon, Staff Wellbeing Officer

Minute No. 145/23

Minutes from Monthly Meeting held on 17th July 2023

Proposed by: Cllr Michelle Hall
Seconded by: Cllr Joanna Byrne
And approved

Minute No. 146/23

Matters Arising

Queries raised on items in Minute number 135/23 were responded to by the Executive. Minute no. 138/23 Cllr Yore wanted the minutes to reflect that it was the **Chief Executive** and not the **Cathaoirleach** *that reminded Members that this was a public meeting and cautioned the Members that they did not have legal privilege within the chamber. Public attendees were reminded of their requirement to remain silent.*

Cllr Yore went on to make comments on the way she considered the attendees were treated, referring to the Chief Executive, and suggested she had been accused of various items by other Members.

The Cathaoirleach called for order.

As Cllr Yore refused to adhere to the instructions of the Cathaoirleach, Cllr Butterly adjourned the meeting for five minutes.

Cllr Pio Smith requested and received confirmation that Matters Arising were for clarification on minutes and not to open debate on matters and proposed that 'we move on'.

Cllr Keelan claimed that the Chief Executive had obfuscated and refused to provide legal opinion. He went on to make various accusations including claiming the Chief Executive had threatened to get security to remove him while pointing repeatedly at the Chief Executive, saying the Chief Executive had no mandate here, while the Cathaoirleach again called for the meeting to move on.

The Chief Executive advised that this was the second time this meeting that she had been subject to a personal attack and objected to same including being continuously pointed at in the chamber to which Cllr Keelan advised "I will point at you whenever I like" and continued to speak despite requests from the Cathaoirleach to move on.

The Chief Executive asked for comments to be withdrawn by both Councillors, referred to the Code of Conduct for Elected Members, and said that she had the same speaking right as Members. The Chief Executive advised that she gave advice with the best of intentions, in accordance with the law and that Members must act within the law. She resented personal comments being made about her, and while she may not be an elected member, she was selected, and her appointment was ratified by the Members.

Cllr Pio Smith then raised a point of order as he had proposed "to move on", whereupon Cllr Sharkey requested it put on record that he had not yet seen a copy of the legal advice sought. Cllr Sharkey advised two votes were not recorded in the minutes and requested these amended.

Minute No. 147/23

Minutes of District Meetings – Noted

- Municipal District of Ardee Annual Meeting 1st June 2023
- Municipal District of Ardee 1st June 2023
- Borough District of Drogheda 3rd July 2023
- Municipal District of Dundalk 4th July 2023

Minute No. 148/23

Minutes of Committee Meetings – Noted

- Climate Change and Energy SPC 29th May 2023
- Corporate Policy Group 6th July 2023

Minute No. 149/23

Report from Chairpersons of Corporate Policy Group

The Cathaoirleach told Members that the September meeting of the Corporate Policy Group was held on the person at 9.00 am on Wednesday 6th Sept in the Setanta Room, County Hall. Members were given a briefing on all items in the Council Agenda including (but not exclusively):

- Adoption of the BIDs scheme which requires one third of members to resolve
- 3x Section 183 disposals one of which is a social house being disposed of by lease to Louth Local Development CLG
- The Draft Development Contribution Scheme before Members for adoption
- A recommendation to increase Local Property Tax which would require the Members resolution.

Members were reminded that a Budget Workshop was scheduled after lunch following the Council Meeting.

Minute No. 150/23

Report from Chairpersons of Strategic Policy Committees

Cllr Joanna Byrne advised Members that the latest Housing SPC meeting was held on Tuesday the 12th September 2023, at which Ger Murphy, the new Director of Service for Housing and Declan Grimes, new Senior Engineer in Housing for All were welcomed to their first SPC meeting. John Lawrence, Senior Executive Officer updated the Strategic Policy Committee on the process of disability allocations and the progress for period up to end Q2 2023.

SPC Members were also given an overview of the Housing Allocations Scheme as adopted by Council in 2017, and committee members were asked to comment on proposed changes to the scheme. With other items being considered, transfers, tenancy succession and 'rightsizing' will be examined. It is hoped to bring a draft scheme before Members at the next SPC Meeting.

The next meeting is scheduled for Tuesday 21st November 2023, as which a Housing for All update will be given.

Minute No. 151/23

Freastal ar Chomhdhálacha a Cheadú / Approval of Attendance at Conferences

Proposed by: Cllr Kevin Callan
Seconded by: Cllr Pio Smith
And resolved

Minute No. 152/23

Allocation of Members Community Grants provided for under Section 66 of the Local Government Act 2001 including late applications for the Amenity Grants Scheme

Proposed by : Cllr Antóin Watters
Seconded by: Cllr Michelle Hall
And resolved

Minute No. 153/23

Proposed BID Scheme for Dundalk 2024-2028 under the Local Government Act 2001 as amended by the Local Government (Business Improvement Districts) Act 2006

Director of Service Thomas McEvoy advised Members adoption of the BIDs scheme which saw 94% of businesses in Dundalk vote to keep required one third of members now to resolve. Following a discussion which heard Members speak positively of the BIDs Scheme and those who worked in it, a roll call vote was called as follows:

Councillor	For	Against	Abstain	Absent
Marianne Butler	1			
Paula Butterly	1			
James Byrne	1			
Joanna Byrne	1			
Kevin Callan	1			
Emma Coffey				1
Bernie Conlon	1			
Edel Corrigan				1
Tom Cunningham	1			
Emma Cutlip	1			
Michelle Hall	1			
Conor Keelan	1			
Sean Kelly				1
Pearse McGeough	1			
Andrea McKevitt				1
Paddy McQuillan				1
Kevin Meenan				1
Dolores Minogue	1			
Robert Nash	1			
Declan Power	1			
John Reilly	1			
Liam Reilly				1
Tomás Sharkey	1			
John Sheridan	1			
Pio Smith	1			
Jim Tenanty	1			
Eileen Tully	1			
Antóin Watters	1			
Maeve Yore	1			
	22	0	0	7

And Adoption of the BIDS scheme 2024 - 2028 was approved by Elected Members.

Minute No. 154/23

Section 183 Proposed Disposal of Fee Simple of property at 24 Chord Road, Drogheda
Approval of the Disposal to Peter Cooney as presented to Members was:

Proposed by: Cllr Kevin Callan
Seconded by: Cllr Pio Smith
And resolved

Minute No. 155/23

Section 183 - Proposed Disposal of Fee Simple at Tiernan House, Fairgreen, Drogheda, Co. Louth.

Approval of the Disposal of Site A to Fergus Winters as presented to Members was:

Proposed by: Cllr Kevin Callan
Seconded by: Cllr Eileen Tully
And resolved

Minute No. 156/23

Section 183 - Proposed Disposal of Fee Simple at Tiernan House, Fairgreen, Drogheda, Co. Louth.

Approval of the Disposal of Site B to Jennifer Murtagh as presented to Members was:

Proposed by: Cllr Pio Smith
Seconded by: Cllr Kevin Callan
And resolved

Minute No. 157/23

Section 183 - Proposed Disposal of 80 Rathmullen Park, Drogheda, Co. Louth by means of a lease

Approval of the Disposal by means of a lease to Louth Local Development CLG as presented to Members was:

Proposed by: Cllr Pio Smith
Seconded by: Cllr Kevin Callan
And resolved

Minute No. 158/23

Draft Development Contribution Scheme 2023 and Chief Executive's Report on submissions received to the Draft Development Contribution Scheme 2023

Director of Services Thomas McEvoy gave members a briefing on the draft Development Contribution Scheme as set out before them.

Approval of the Scheme was:

Proposed by: Cllr Kevin Callan

Seconded by: Cllr Pio Smith

But argued against by Cllr Dolores Minogue who **Proposed** that the draft scheme be adopted only until such time as the government waiver is lifted, at which point the levy should be reduced to €7,500.

This was **Seconded** by Cllr Robert Nash.

Clarifications on the draft scheme were requested by Members and provided by Senior Planning Staff and the Executive. The Chief Executive advised that a council could not hold a future council to a future decision and spoke of low income to match fund or pay for Capital works, while the Director of Services advised that each proposed €1,000 reduction led to a huge reduction of income for the Capital Programme.

Cllr Emma Cutlip suggested the following amendments to the draft Scheme waivers which the Chief Executive advised she was willing to accept without debate.

- Section 10.6 Town Centre Regeneration amend reduction from 50% to 75%
- Section 10.7 Regeneration Lands amend reduction from 50% to 75%
- Section 10.8 Derelict Sites Amend reduction from 50% to 75%
- Section 10.10 Existing Industrial operations Amend reduction from 75% to 50%
- And to include a 50% reduction for childcare facilities

Following a lengthy in depth discussion ultimately Members were advised Cllr Minogue had an amended motion before them on which they were required to vote.

Members were advised they were voting on the following:

Proposal of: Cllr Dolores Minogue, as

Seconded by: Cllr Robert Nash

To adopt the Development Contribution Scheme(including the amendments proposed by Cllr Cutlip as accepted by the Chief Executive) before them until the Government Waiver is lifted, then reduce the development contribution levy to €7,500.

A roll call vote was held as follows:

Councillor	For	Against	Abstain	Absent
Marianne Butler		1		
Paula Butterly	1			
James Byrne		1		
Joanna Byrne		1		
Kevin Callan		1		
Emma Coffey		1		
Bernie Conlon			1	
Edel Corrigan		1		
Tom Cunningham		1		
Emma Cutlip		1		
Michelle Hall		1		
Conor Keelan		1		
Sean Kelly		1		
Pearse McGeough		1		

Andrea McKeivitt		1		
Paddy McQuillan				1
Kevin Meenan				1
Dolores Minogue	1			
Robert Nash	1			
Declan Power		1		
John Reilly	1			
Liam Reilly				1
Tomás Sharkey		1		
John Sheridan		1		
Pio Smith		1		
Jim Tenanty		1		
Eileen Tully			1	
Antóin Watters		1		
Maeve Yore		1		
	4	20	2	3

And the amendment was defeated.

The original motion to adopt the draft Development Contribution Scheme (with the amendments suggested by Cllr Cutlip and accepted by the Chief Executive) was again:

Proposed by: Cllr Kevin Callan

Seconded by: Cllr Pio Smith

And a roll call taken as follows:

Councillor	For	Against	Abstain	Absent
Marianne Butler	1			
Paula Butterly		1		
James Byrne	1			
Joanna Byrne	1			
Kevin Callan	1			
Emma Coffey	1			
Bernie Conlon	1			
Edel Corrigan	1			
Tom Cunningham	1			
Emma Cutlip	1			
Michelle Hall	1			
Conor Keelan	1			
Sean Kelly	1			
Pearse McGeough	1			
Andrea McKeivitt	1			
Paddy McQuillan				1
Kevin Meenan				1
Dolores Minogue		1		
Robert Nash		1		
Declan Power	1			

John Reilly		1		
Liam Reilly				1
Tomás Sharkey	1			
John Sheridan	1			
Pio Smith	1			
Jim Tenanty	1			
Eileen Tully			1	
Antóin Watters	1			
Maeve Yore	1			
	21	4	1	3

And the Development Contribution Scheme was adopted subject to the agreed amendments.

Minute No. 159/23

Motion to deal with Urgent Business, Standing Order no. 18 – Cllr Joanna Byrne

Seconded by: Cllr Joanna Byrne

Members were advised of a motion to deal with urgent business before them but not on the agenda and which required that not less than half of the total number of members vote in favour of the motion being debated, i.e. 15 members. The motion was displayed to Members on the Chamber Screen and a roll call vote was called as follows:

Councillor	For	Against	Abstain	Absent
Marianne Butler	1			
Paula Butterly	1			
James Byrne	1			
Joanna Byrne	1			
Kevin Callan	1			
Emma Coffey				1
Bernie Conlon	1			
Edel Corrigan	1			
Tom Cunningham	1			
Emma Cutlip	1			
Michelle Hall	1			
Conor Keelan	1			
Sean Kelly	1			
Pearse McGeough	1			
Andrea McKevitt	1			
Paddy McQuillan				1
Kevin Meenan				1
Dolores Minogue	1			
Robert Nash	1			
Declan Power	1			
John Reilly	1			
Liam Reilly				1
Tomás Sharkey	1			

John Sheridan	1			
Pio Smith	1			
Jim Tenanty	1			
Eileen Tully	1			
Antóin Watters	1			
Maeve Yore	1			
	25	0	0	4

And it was agreed to hear the motion with the other notices of motion following statutory business.

Minute No. 160/23

To agree a variation to the basic rate of Local Property Tax 2024 - Local Adjustment Factor
Bernie Woods, Head of Finance presented a proposal to Members on how a 15% increase in LPT would represent an average 26c weekly increase to householders but could increase income for Louth County Council of circa €1.5m.

A motion of 'No amendment to the current LPT Rate' was:

Proposed by: Cllr Kevin Callan

Seconded by: Cllr Emma Cutlip

And following some discussion a roll call vote was called on this motion as follows:

Councillor	For	Against	Abstain	Absent
Marianne Butler	1			
Paula Butterly	1			
James Byrne	1			
Joanna Byrne	1			
Kevin Callan	1			
Emma Coffey	1			
Bernie Conlon	1			
Edel Corrigan	1			
Tom Cunningham	1			
Emma Cutlip	1			
Michelle Hall	1			
Conor Keelan	1			
Sean Kelly	1			
Pearse McGeough	1			
Andrea McKevitt	1			
Paddy McQuillan				1
Kevin Meenan				1
Dolores Minogue	1			
Robert Nash	1			

Declan Power	1			
John Reilly	1			
Liam Reilly				1
Tomás Sharkey				1
John Sheridan	1			
Pio Smith	1			
Jim Tenanty	1			
Eileen Tully	1			
Antóin Watters	1			
Maeve Yore	1			
	25	0	0	4

And Members resolved to retain the existing base rate of Local Property Tax.

Minute No. 161/23

To defer agenda item on Schools Active Travel - Safe Routes to School

To get through the rest of the agenda within the time frame, the Chief Executive suggested that the scheduled presentation from the Active Travel team was deferred to the next statutory meeting of Council.

A counter suggestion by Cllr Pio Smith was put forward that the Active Travel Team would present to each of the Municipal District Meetings in October. This was agreed subject to no change to the presentation that was before Members at the September Council Meeting.

Minute No. 162/23

To agree a date for the 2024 Budget meeting and agree date and times for the meeting of the Municipal /Borough Districts to consider the Draft Budgetary Plans

Bernie Woods Head of Finance advised Members of the statutory time frame for Budget meetings. It was agreed to hold the Council Budget Meeting after the November Monthly meeting of Council following lunch.

It was further agreed to hold the Municipal District Budget meetings at 9a.m., 9.20a.m. and 9.40a.m. on the morning of the October Council Meeting, in order of least distance of District HQ from County Hall, i.e. Dundalk, Ardee, Drogheda.

Minute No. 163/23

Consideration of Reports and Recommendations from Chief Executive Monthly Management Report

Members considered the Report as presented to them, raised questions, and received responses from the Executive.

The following items in particular were highlighted under the relevant Directorates:

Support Services

- Insufficient road closure notice by Uisce Eireann while a matter for UE will be brought back to them.
- A request for breakdown of local data and usage of the Choice Based Letting System will be requested but it is not an LCC system

Strategic Economic Development

- Proposals for a Biodiversity Officer and a full time Tourism Officer for the County were confirmed and welcomed
- Brigid 1500 measures including the website were welcomed and Members advised of a working group
- Louth County Council funds a festival grants scheme which is open for application
- Louth are working with Meath County Council on a joint Boyne Valley Area Strategy to promote tourism
- Ardee Local Area Plan will be looked at after Drogheda and Dundalk Local Area Plans, it is not expected to commence until 2025

Cllr Keelan made allegations of non-response to 13 FOI queries by one individual, and further allegations that planning enforcement matters are not dealt with. The Chief Executive strongly refuted both allegations, advising that all FOIs are examined weekly at the Senior Management Team meeting, and she was satisfied that processes are being dealt with correctly. The Chief Executive advised that complaints on enforcement or any other matter should be submitted in writing.

Placemaking & Physical Development

David Jones new Director of Services was introduced to and welcomed by Members

- The first phase of the Port Access Northern Cross Route is expected to be completed in Q2, 2024.
- Boyne Enterprise Route landowner discussions are at a crucial stage, meanwhile draft CPOs are being drawn up in background, the preference however is to negotiate and achieve consensus
- Works to the Obelisk Bridge in Drogheda were complimented, while a request was made to consult with An Garda Siochana to alleviate traffic as a result of works
- An update will be requested on St. Lawrence Plaza for Members
- A contractor is in place for EV Charger installations. It is expected to commence in November. Staff were complimented by the Director for work to date
- A request was made to examine road safety measures at the junction from the Slane / Kells Road in Collon
- It is hoped to bring the Speed Limit Review Policy to Members for adoption by May 2024

Organisational Development

- An update on the previous request to transfer funds previously used by LCC to fund period poverty to fund Period Poverty Schemes for local Voluntary Groups or Charities was raised
- A report is being prepared for the Chief Executive on E. coli measures at Templeton which instigated a 'no bathing' notice
- The 'We are Breast Feeding Friendly Louth' campaign was complimented but it was

suggested that the message needs to be included that you can breast feed anywhere

- The recent Sofa and Mattress Amnesty was complimented, and a suggestion made that provision be put in place to waive entrance fee on day of Amnesty
- Warden Van presence on Ardee Main Street to prevent owners allowing dog fouling was requested
- The 'HER Outdoors' week was complimented, and a request made to examine if this could be expanded longer than a week

Cllr Keelan raised emails sent to him on the Electoral Register by Joe McGuinness and by Gráinne Tuomey and voiced strong opinions on being asked not to submit third party forms. He said he will give people forms and he will take them to the council. He said he was being told he was "bold, a heathen, a miscreant," saying he was "illegal and stupid".

Cllr Keelan was advised that what he was doing was not the correct process and there is a process in law to follow. He said he had a duty of care to ensure people are on the register, and it was nonsense.

Social Development

The Chief Executive advised of a new Director of Services Ger Murphy who could not be at the meeting but who will be overseeing the directorate

- Increased levels of rent arrears were noted from the previous month. The Executive advised that the increase was disappointing but did not regard this as accountable to the team who are working hard with tenants
- It is hoped that a proposal for Affordable Housing in Blackrock will be supported by the Dept. Applicants for affordable housing are dealt with on a first come first served basis and those ready to go with pre-mortgage approval will be given priority
- While it is hoped to open all housing grant schemes a considerable backlog is noted so new applicants may still be disappointed
- Where homeless persons are housed through Housing First, they do not use the services of LCC Tenant Support Officer as they are assigned dedicated resources
- A special package of funding for very challenging Voids has been applied for from the Department

Minute No. 164/23

Suspension of Standing order no. 3 in accordance with Standing order no. 24

During the consideration of the Chief Executive Recommendations and Reports agenda item, the Meeting Administrator Gráinne Tuomey advised Members that they were going to run over the allotted timeframe for the meeting. It was:

Proposed by: Cllr Andrea McKevitt

Seconded by: Cllr Pio Smith

To suspend standing orders and extend the time by 15 minutes. On questioning there was no objection from any other member, and this was agreed by all in accordance with Standing Order No. 24.

Minute No. 165/23

Condolences

Sympathies were extended to the:

- Family, friends, and work colleagues of Meath County Council Councillor Damien O'Reilly who sat as chair of the LMETB and who had died suddenly at the weekend age 40. Members from all parties spoke fondly of Cllr O'Reilly many had sat with him on Committees or Boards, and including the Chief Executive who knew him through the Regional Assembly.
- Family and Friends of Ciarán Kinney who very recently retired from Louth County Council and died very shortly after retirement.

Minute No. 166/23

Deferment of Other Items

As the extended time frame agreed by Councillors had elapsed, all other items on the Agenda were deferred to the next monthly meeting and including the Motion on Urgent Business agreed by Members.

There being no other business the meeting concluded.

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

Date: 16th of October 2023

Cathaoirleach: A M Keen

Meeting Administrator: A. J. Noney