



Comhairle Contae Lú
Louth County Council

Louth County Council January Meeting

Minutes of the Monthly Meeting of Louth County Council hosted in the Council Chamber of Co. Hall, Dundalk on Monday, 15th January 2024, at 10:00a.m.

In Attendance:

- Presiding:** Cathaoirleach: Councillor Paula Butterly
- Members:** Councillors: Marianne Butler, Joanna Byrne, Kevin Callan, Edel Corrigan, Tom Cunningham, Emma Cutlip, Michelle Hall, Conor Keelan, Pearse McGeough, Andrea McKeivitt, Paddy McQuillan, Kevin Meenan, Dolores Minogue, Robert Nash, Declan Power, John Reilly, Liam Reilly, Tomás Sharkey, John Sheridan, Jim Tenanty, Antóin Watters, Maeve Yore
- Apologies:** Councillors: James Byrne, Emma Coffey, Bernie Conlon, Seán Kelly, Pío Smith, Eileen Tully
- Officials:** Joan Martin, Chief Executive
Joe McGuinness, Director of Services
Gráinne Tuomey, Meeting Administrator
Bernie Woods, Director of Services
Eamon Woulfe, A/Director of Services
Yvonne O'Brien, A/Director of Services
David Jones, Director of Services
Ger Murphy, Director of Services
Joanna Kelly, Senior Planner
Mark Johnson, Senior Engineer
Finbar Gethins, Senior Executive Officer
Colette Moss, Senior Executive Officer

Minute No. 1/24

Urgent Business

Cllr Maeve Yore proposed to hear Urgent Business to discuss the Office of the Information Commissioner ruling on a recent FOI request. This was seconded by Cllr Conor Keelan and in accordance with Standing Order no. 18 a roll call vote was held to determine the matter.

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			
	17	1	2	9

As the required number of members consented to this proposal under the above Standing Order, agreement was reached to discuss the OIC decision.

Minute No. 2/24

Chief Executive Address to Members

The Chief Executive read out a statement to the Members as follows:

“Cathaoirleach and Members, thank you for the opportunity to address you this morning and first, can I take this opportunity to wish you a Happy New Year. I have requested to speak for a few minutes to address the ongoing matter regarding the Freedom of Drogheda Decision in Drogheda with regards to Brother Garvey.

Across all discussions on this issue, public or otherwise, we must be mindful of those impacted by abuse.

The matter came to us at numerous Council meetings last year in May, June and July and as you know at three Corporate Policy meetings. It has become a focal point on one radio programme on

LMFM that you are more than aware of. Currently the related focus is Freedom of Information. Let me note to you that Freedom of Information requests are an ongoing feature of the life of a local authority on an annual basis, Louth County Council receives circa 110 such requests and at any one time, 5 or 6 requests are being managed and responded to monthly. We are very familiar with the overall FOI process including appeals. Any alternative assertion is wrong. Other than the current FOI focus, there are never any issues about the process or the appeals mechanism.

In respect of redress, as you are aware, the Monthly Chief Executive's report notes in detail all application made, including Freedom of Information; the Ombudsman; GDPR; and Information Commissioner.

I provided a detailed note to you on 5th January following the Michael Reade Show on LMFM on 4th January. When the digital search threw up 892 hits on specific, relevant words and search terms this was communicated to the Michael Reade Show and in line with the provisions of the Freedom of Information Act the Council liaised with the Show to refine the search terms. In tandem, I requested a comprehensive and full inspection of all 892 documents. Following this, only 30 documents were in fact relevant to the subject matter of the FOI.

It is highly unusual for communication relating to an ongoing Freedom of Information request to be dealt with across broadcasting channels and unfortunately in this instance has led to a perception that there were 892 relevant documents.

I will note again LMFM's highly critical comments about the executive of Louth County Council and personalised comments about myself. This in no manner surprises me and I accept it as part of the role. I have now come to accept a personalised focus by the Michael Reade Show, but what I do not accept is when my professionalism, integrity or motivation are called into question by him or any other individual. The same stands for any member of my team who I am proud to work with. These assertions are entirely false and regrettably they are made by an individual in a highly privileged position.

Let me state here that the role and work of Louth County Council is dictated by the legislation under which we exist and not by any external commentator. The executive will continue to serve the community in the delivery of impactful, robust and strong service standards. You are more than familiar with our work across the county, and we look forward to a positive 2024 for the people of County Louth. Thank you for your time."

Minute no. 3/24

Members response to Chief Executive

Cllr Yore raised several prepared questions around the FOI process and the Freedom Motion matter which were responded to including FOI Process, Motion Procedures and Legal Advice received.

Cllr Keelan being called to speak referred to the Chief Executive conferring with staff on questions stating he "wanted to speak uninterrupted", to which the Cathaoirleach advised that the Chief Executive has a right to engage with staff. Cllr Keelan said he had listened to the CE speech and suggested that this was a "personal attack on LMFM and Mike Reade himself. He stated that the CE was exceeding her authority by removing a motion from an agenda, which was not the role of the executive, suggesting that Councillors had the right to put any notice on the agenda they wished. Cllr Keelan spoke at length, suggesting that Councillors themselves should review Standing Orders within the chamber.

Cllr Callan suggested that the Chief Executive and the Council have responded to the query, there had been a trial of people by the media, that the Members had been subject to one year of abuse, the same abuse, which is directed at the top table, and that this item is brought up every month and every meeting and wanted to know where it ends. Cllr Callan advised that the business of the people is caught up on this item, and no matter what Cllrs do it is never enough; a vote was passed, and it

is done.

The Chief Executive directed Members to S146 of the Local Government Act 2001 as amended if they had any issue with her performance that they were more than welcome to move to suspend or remove her. She advised that she would be grateful if they didn't call her integrity into question after serving for 47 years and always acted in the best interest of the Council.

Cllr Cutlip advised that she did not find the Executive lacking but there were potential issues with the (FOI) process on how it got from x to y but the comments from the Executive did address the same. She advised that she considered it abhorrent to be discussing Drogheda matters in this chamber and that Standing Orders were in place and considered that the Council had no authority to tell Drogheda what to do, advising that the Drogheda Honours were older than the Nation.

Cllr Hall suggested that a complaint had gone to the OIC, and it was dealt with. Louth County Council had gone back and found the correct information and the breakdown was explained by the Chief Executive, and that is the FOI done. She considered that this was dealt with, and the meeting should move on and she would like to continue with the agenda

Cllr Sharkey recommended that everyone look at Standing Orders regarding notices of motions and concurred that a review of standing orders might be of benefit. He referred to an earlier motion he had submitted around the standing order process and requested a bullet point process to map the pathway of the motion to the agenda.

The Chief Executive, referring to the question on legal advice reminded Members that it was her duty to advise and assist the Members under S132 of the Local Government Act 2001 as amended and that each member shall have regard to same. She advised that Members had the right to seek a second opinion themselves at any time.

Cllr Callan appealed that the discussion had taken up 45 minutes of the meeting and the time of the 22 Members present and the officials at the top table and suggested that it comes down to trust. He stated that he implicitly trusted the Chief Executive at the top table and suggested that the message going out was that Councillors don't trust the Executive and wanted to state that he does. An Cathaoirleach Cllr Butterly advised that she concurred with Cllr Callan and trusted the advice given and would prefer to get back to the order of business and was concluding the discussion.

The normal business of the meeting resumed.

Minute No. 4/24

Minutes from Monthly Meeting held on 18th December 2023

Proposed by: Cllr Kevin Callan
Seconded by: Cllr John Sheridan
And Approved

Minute No. 5/24

Matters Arising

Cllr Keelan referred to both minute 214/23 and 213/23 and instructed the Meeting Administrator to record that he had proposed to withdraw the Notice of Question on the agenda, but the Cathaoirleach advised that he could not do this as a written response to same had been given. The Meeting Administrator advised that it was already noted in the Minutes that, and he then **proposed** that it was recorded that he had requested to withdraw his motion from the agenda. Cllr Yore

seconded this.

The Meeting Administrator referred to the last line of Minute No. 214/23 which stated that “ Cllr Keelan requested it noted that he had asked to withdraw the motion on the agenda” and sought clarity on what amendments were required.

Cllr Keelan said he wanted an email sent to him by the Meetings Administrator ‘Now’ of the proposed amendments.

The Cathaoirleach Cllr Butterly stated that she had advised Cllr Keelan that he had reached the maximum number of Notices and could not therefore have proposed a further motion under Urgent Business, and that he had had 3 days before the meeting to withdraw his motion. She further advised that his motion had failed to receive a seconder at the last meeting after which he requested to withdraw the motion. Cllr Butterly advised Cllr Keelan that he wasn’t denied anything he was entitled to.

Cllr Sheridan reminded all that the minutes are not a verbatim recording of a meeting and that these issue a week in advance of the meeting if there is anything Members have an issue with.

Minute No. 6/24

Minutes of Committee Meetings – Noted

- Climate Change and Energy Strategic Policy Committee 25th September 2023
- Audit Committee Meeting 16th November 2023
- Corporate Policy Group 6th December 2023

Minute No. 7/24

Report from Chairpersons of Corporate Policy Group

An Cathaoirleach Cllr Paula Butterly reported on the January CPG meeting of 3rd January 2024.

Minute No. 8/24

Report from Chairpersons of Strategic Policy Committees

Reports were given on the Planning and Support Infrastructure SPC meeting by Cllr John Reilly. Council Members were updated on items discussed and presentations given at the meeting.

Minute No. 9/24

Freastal ar Chomhdhálacha a Cheadú / Approval of Attendance at Conferences

Approval of attendance at conferences as presented on the agenda before them was:

Proposed by: Cllr Kevin Callan
Seconded by: Cllr Michelle Hall
And resolved

Minute No. 10/24

Allocation of Members Community Grants provided for under Section 66 of the Local Government Act 2001

Approval of the grants as presented on the agenda before them was:

Proposed by: Cllr Andrea McKeivitt
Seconded by Cllr John Reilly
And resolved

Minute No. 11/24

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

Members were advised of two outstanding annual reports on the activities and operations of the following groups:

- Eastern & Midland Regional Assembly (EMRA) – Cllrs Conor Keelan and Emma Coffey
Cllr Keelan gave a detailed report on the January 11th meeting of EMRA. The Cathaoirleach advised him that this should be a report on the annual activities. Cllr Keelan continued to report on the individual EMRA meeting at which he advised he had directed questions to the Chief Executive, and “thrice the Chief Executive refused to answer questions”.
- Governance/Oversight Committee of the Dublin Belfast Economic Corridor –Cllrs Emma Cutlip, Bernie Conlon and Seán Kelly

Cllr Conlon and Kelly had extended apologies for the January Council Meeting so could not report. Cllr Cutlip advised she had as yet to attend meetings of DBEC.

Minute No. 12/24

Annual Service Delivery Plan

Members noted the plan as set out in the agenda before them. Bryan Coughlan SEO advised that it was before Members for adoption. Cllr Butler raised queries on the format of the document and queried some items within e.g. population divisor for the per capita figures, the lack of increase of target figures. Members were advised that targets and per capita were based on the NOAC Performance Indicator return. Cllr Sharkey questioned this and referred to earlier discussions on NOAC Performance Indicators where the Annual Report was before them earlier in the year.

Ger Murphy Director of Services responded to questions on private rental inspections and advised on an increase in figures since 2022. Eamon Woulfe A/Director advised that 15% is the national target for buildings inspected as a percentage of new buildings notified to the local authority. Senior Planner Joanna Kelly responded to Planning queries and referenced new planning functions.

Cllr Callan proposed to adopt the Plan but Cllr Butler advised that she was not in agreement.

Deferment of adoption of the Annual Service Delivery Plan until the February Meeting was:

Proposed by Cllr Butler
Seconded by Cllr Sharkey
And agreed.

Minute No. 13/24

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 were highlighted under the relevant Directorates:

Support Services

- The potential liability figure should funding not be provided for Central Management Charges services was confirmed at €2m per annum
- Full transfer of staff wishing to transfer to Uisce Eireann is expected to be complete by 2026.
- Houses wishing to connect to mains supply should contact Uisce Eireann directly.
- Members were encouraged to use the Elected Rep Contact system of Uisce Eireann to raise any queries
- Enforcement of conditions of Road Opening Licences for Uisce Eireann works was called for
- 404 error message noted on Louth County Council website

Strategic Economic Development

- Members were updated on the expected appointment of a Tourist Officer
- Praise was given to the upcoming Brigid 1500 event schedule

Placemaking & Physical Development

- Updates were given on the proposed Dundalk / Ardee Flood Relief Scheme
- Gardaí are the main enforcement body for vehicles blocking footpaths and cycle lanes
- The Council are liaising with the ESB on various matters including power to EV charging points
- It is hoped that extra provision will be given to funding for Flood Damage when the Dept announce allocations which typically happens in Mid to Late February
- An awareness campaign on dog fouling was requested. Upcoming obedience training for dogs takes place at the library on the 24th of January
- Lights on motorway slip roads are a matter for the TII
- The onus is on the utility company for reinstatement of roads under Road Opening Licencing conditions – enforcement can ensue where this is not done correctly
- There is no provision for compensation for businesses affected by road works
- New national speed limit proposals

On foot of a request for a letter to issue on school transport the Meetings Administrator reminded Members that a request for letters should be lodged as a Notice of Motion in accordance with the Standing Orders procedure, this was in the interest of fairness to other Members who had adhered to the provisions, and in order that the wording was submitted in writing so as to properly represent the Members.

A further proposal issued later from Cllr Keelan to write to the TII as a matter of emergency and when again advised by the Meeting Administrator to submit proposals for letters via Standing Order procedures for Notices of Motion, Cllr Keelan requested that the Meeting Administrator minute that she was refusing to write on an item which was a significant Health and Safety concern and a matter of Public Safety.

Organisational Development

- A workforce plan review for outdoor workers is being finalised, with seasonal workers also employed during the year. A suggestion that incoming staff shadow pre-retirees for knowledge retention, and employment of apprentices was made
- Dundalk Swimming Pool is managed by Aura Leisure and the Child Safety at pool is a matter for Aura Leisure.
- The LGMA and Dept are in discussions on the provision of assistance to the FSAI (Food Safety Authority Ireland) by Veterinary Staff of Local Authorities
- A request for a return of the pop-up pool to Ardee is unlikely to be accommodated as there are very few pop ups and high demand from other counties. No budget was made for same
- An Awareness Campaign was requested on Solid Fuel Regulations.
- Clarity was requested around register timelines for the Referendum and reopening of register thereafter
- ChecktheRegister forms in other languages were provided by the Department
- The Happy Heart Healthy Eating Award will not be applied for in Staff Canteens

Social Development

- A request was made that tenants are updated on Maintenance requests and heating works
- A slight drop in homeless presenters was noted with a caveat that this is a fluid situation
- 12 vacant properties being used for homeless / emergency accommodation are to basic standard but would not be considered suitable for permanent accommodation

Minute No. 14/24

Notice of Motion: Cllr Conor Keelan

Seconded by: Cllr Kevin Meenan

"That Dundalk becomes twinned with Bethlehem in Palestine under a friendship agreement between the two urban centres".

Reply: J. McGuinness, Director of Services, Organisational Development

This matter is considered premature at this stage. Twinning arrangements are made under Section 75 of the Local Government Act, 2001 and are a reserved function of Council and should therefore appear as a specific agenda item with an associated report. Any decision made in this regard must have.

- a) The benefits likely to accrue to its administrative area and local community.*
- b) The social, cultural, and general interests of its administrative area and the local community and*
- c) The total cost involved.*

Such a recommendation would normally also arise after significant review and discussion with the other authority and would be presented therefore at the end of a process rather than at the start of a process.

Members spoke in support of the motion, with Cllr Yore commenting that she had no recollection of all the pre-requisites on twinning with Kentucky.

Cllr Butterly **proposed** the following amendment to the wording of the Motion:

"That Louth County Council considers the process of twinning Dundalk with Bethlehem in Palestine and that this is to be tabled for future discussions".

This was **Seconded** by Cllr John Reilly.

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	
	12	0	3	14

And the motion was passed.

The Chief Executive advised that officials would check if this was a matter for the MD and not the Council and come back to Members. Members were advised that the motion was very premature and twinning normally follows a formal process where there is correspondence and meetings

between the two towns. No letter has been received from Bethlehem, and no staff will be sent to a warzone.

Cllr Keelan questioned the Meeting Administrator whether his motion could be heard now and was advised that the amendment was now the substantive motion and as it had been passed was the motion on the table.

Cllr Keelan demanded that the wording be sent to him and it was read out again. Cllr Keelan commenced speaking about his democratic rights. Cllr Hall suggested Members had put up with enough from Cllr Keelan.

A query arose about whether the Palestinian flag would be flown over council buildings, and the Chief Executive advised that no flags are currently being flown.

The Cathaoirleach called for Cllr Keelan's next Notice of Motion

Minute No. 15/24

Notice of Motion: Cllr Conor Keelan
Seconded by: Cllr Maeve Yore

"Recognising the significance of the fact that the Joint Policing Committee represents one of the few useful reforms of Local Government in 2014 this Council opposes the proposed legislation to abolish the JPC's and replace them with repackaged Local Community Safety Partnerships. Addendum: That this Motion be sent to all local authorities in the state, all JPC's in County Louth and that a copy be sent to the Minister for Justice for comment".

Reply: J. McGuinness, Director of Services, Organisational Development

Matter for the Members.

Cllr Keelan read out his motion and added that only a few Councillors of the new Council will be allowed serve on the new policing committees. He stated that we should "Tell the Minister for Justice to wise up. Tell her that Louth says keep your hands off." Cllr Yore suggested that the abolition was a travesty of democracy.

Minute No. 16/24

Notice of Motion: Cllr Michelle Hall
Seconded by: Cllr Marianne Butler

That Louth County Council begin the design process for a greenway along the coastal route from Dundalk to Drogheda through Annagassan, Port Beach, Clogherhead and Termonfeckin to link in with the Carlingford Lough Greenway which is being extended to Dundalk. This will add enormous tourism potential for the scenic areas of County Louth to compete with other popular greenways in Ireland.

Reply: D. Jones, Director of Services, Placemaking & Physical Development

The Greenway from Dundalk to Drogheda is part of the National Cycle Network (ref:<https://consult.nationaltransport.ie/sites/default/files/CycleConnects%20-%20Louth%20Cycle%20Network.pdf>). While we do not have the resources to develop a Greenway from Dundalk to Drogheda at this time, we understand this National Cycle Network mapping will inform Greenway funding opportunities into the future.

Speaking on the Motion, Cllr Hall suggested that 'if you build it they will come' and that more staff are needed to progress this; that the greenway would provide a safe space for female cycle groups. Cllr Butler spoke to support the motion.

Notice of Question: Cllr. Michelle Hall - Noted

Funding was allocated several years ago for an active travel scheme in Drogheda to the Termonfeckin Road to receive a new cycle lane and footpath of length of 880 meters, linking the new housing development of Beaulieu Village and the residential development of Aston Village westwards to the existing cycle lanes and footpath at St. Josephs School and eastwards towards the GAA Club and Newtown Cemetery. Newtown Cross. What is the current state of this scheme and why has it not commenced to date?

Reply: D. Jones, Director of Services, Placemaking & Physical Development

A summary update on each of Louth County Council's Active Travel Projects is provided within the Chief Executives Monthly Report. In relation to the Termonfeckin Road, Drogheda Active Travel Scheme, the consultants have commenced design and are currently developing options for the road. All GPS surveys, traffic surveys, junction modelling and Archaeologist assessment have all been completed. It is anticipated to have an on-line briefing on the proposed scheme to Drogheda Municipal District Councillors in early 2024 in advance of public consultations. Date of on-line Briefing to be confirmed later in January 2024.

Minute no. 17/24

Suspension of Standing Order No. 3

As the time was approaching 13.30hrs Members were advised of the need to stand or suspend standing orders to extend the meeting time to conclude business. A 10-minute extension of time was suggested by the Cathaoirleach and Members were questioned as to whether there were any objections. Consent was given by all present who were:

Councillor	For
Marianne Butler	1
Paula Butterly	1
Tom Cunningham	1
Emma Cutlip	1
Michelle Hall	1
Conor Keelan	1
Pearse McGeough	1
Andrea McKevitt	1
Kevin Meenan	1
Dolores Minogue	1
Robert Nash	1
Declan Power	1
John Reilly	1
John Sheridan	1

Antóin Watters	1
Maeve Yore	1
	16

Minute No. 18/24

Correspondence

Three items of Correspondence listed on the agenda were noted.

Minute No. 19/24

Condolences

Condolences were offered for the family and friends of the late:

Josephine Smith
Micheál McKeown
Maura O'Callaghan
Anne Barden

There being no other business the meeting concluded.

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

Date:

19/2/2024

Cathaoirleach:

Paula Butler

Meeting Administrator:

Claire Noney