



Comhairle Contae Lú
Louth County Council

Louth County Council March Meeting

Minutes of the Monthly Meeting of Louth County Council hosted in the Council Chamber of Co. Louth, Dundalk on Monday, 25th March 2024, at 10:00a.m.

In Attendance:

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

Minute No. 40/24

Minutes from Monthly Meeting held on 19th February 2024

- Proposed by:** Cllr Andrea McKevitt
Seconded by: Cllr John Sheridan
And Approved

Minute No. 41/24

Matters Arising

Min. no. 36/24 referred to a drawing on PANCR Phase 2 being issued to Members in this CE Report which was not on agenda. Members were advised this was an oversight and would issue separately.

Minute no. 35/24 Cllr Keelan wanted the following wording change:

Cllr Keelan stated that having taken cognisance of his actions and listened to Senior Counsel in the room, he would hate to think that anything he might have said may have impugned the integrity of anyone.

To:

Cllr Keelan stated that having listened to counsel of some Councillors, such as Cllrs Kevin Meenan, John Reilly and Robert Nash, he would hate to think he did anything to impugn the integrity of the Director of Corporate Services.

~ Seconded by Cllr Meenan

Minute No. 42/24

Minutes of District Meetings – Noted

- Borough District of Drogheda 8th January 2024
- Municipal District of Ardee 11th January 2024
- Municipal District of Ardee 1st February 2024
- Municipal District of Dundalk 6th February 2024

Minute No. 43/24

Minutes of Committee Meetings – Noted

- Corporate Policy Group 7th February 2024

Minute No. 44/24

Report from Chairpersons of Corporate Policy Group

An Cathaoirleach Cllr Paula Butterly reported on the March CPG meeting of the 13th of March. Responding to questions on hybrid meetings, Director of Services Joe McGuinness advised that there isn't currently the capacity to hold large scale hybrid meetings, but this is out to tender at the moment and it is hoped to have the capacity in the long term.

Cllr Butler queried part of the CPG report in which the Cathaoirleach advised that BCCing Members was generally not regarded as desirable by the CPG and Cllr Butterly said the feeling in the room was that it was better not to for transparency.

Cllr Butler suggested that a 'Reply All' was too easy to do inadvertently and thought a sentence

could be added to the email body advising of all parties to whom the email had been sent. This was supported by Cllr Keelan.

Minute No. 45/24

Report from Chairpersons of Strategic Policy Committees

Reports were given on the following SPCs by the following Elected Members:

- Housing by Cllr Joanna Byrne

Council Members were updated on agenda items discussed and presentations given at the meeting.

Minute No. 46/24

Local Authority Home Loan Allocation for 2024 - €7,230,000

Ger Murphy Director of Services referred to an allocation of €7,230,000 under the Local Authority Home Loan scheme which was now before Members as a reserved function for approval.

Approval to drawdown the loan was:

Proposed by: Cllr Joanna Byrne
Seconded by: Cllr Dolores Minogue
And resolved

Minute No. 47/24

Consideration of the Audit Committee's Report on the Audited Annual Financial Statement 2022 and Auditor's Report under Section 60 (3) of Local Government Act 2014

Bernie Woods, Director of Service advised that the Audit Committee's report on the 2022 AFS and the Local Government Auditors Report was before them for consideration. Members raised queries on items within the Local Government Auditor's Report which were responded to by the Director.

Minute No. 48/24

Audit Reports

Joe McGuinness, Director of Services advised Members of the following reports and required actions as set out on the agenda:

1. Annual Report of the Audit Committee 2023 for consideration by Council under Article 15 of the Local Government (Audit Committee) Regulations, 2014. No queries were raised.
2. Annual Work Programme of the Audit Committee for 2024 for approval by Council under Article 9 of the Local Government (Audit Committee) Regulations, 2014.

Approval was:
Proposed by Cllr Pio Smith
Seconded by Cllr Joanna Byrne
And resolved.

3. Annual Report to Council of Audit Committee of its performance and effectiveness for noting under Article 13 of the Local Government (Audit Committee) Regulations, 2014. No items were raised.

Minute No. 49/24

Summary of Proposed PEACEPLUS Action Plan for noting

Thomas McEvoy, Director of Services explained that the PEACEPLUS Action Plan was before Members for noting, having been approved by the LCDC. The plan set out a proposed spend of €4.67m under three themes; Community Regeneration and Transformation, Thriving and Peaceful Communities and Celebrating Culture and Diversity. No questions were raised under this item.

Minute No. 50/24

Joint Policing Committee (JPC) Annual Report 2023 for noting

Joe McGuinness, Director of Services advised that the JPC Annual Report was required to go before the Elected Members for consideration by 31st March each year. No questions were received on this item.

Minute No. 51/24

Local Community Development Committee (LCDC) Annual Report 2023 for noting

Joe McGuinness, Director of Services advised that the LCDC Annual Report as set out before Members on the agenda, was required to go before the Elected Members for consideration by 31st March. No questions were received on this item.

Minute No. 52/24

Arts Grants Funding Awards for 2024 for noting

Ger Murphy, Director of Services advised that the Arts Grants Fund Awards were before Members for noting in accordance with Section 6 of the Arts Act 2023. Members welcomed the awards as set out before them.

Minute No. 53/24

Ratification of Nomination for Dublin Belfast Economic Corridor Committee

Members were advised that Cllr Bernie Conlon had withdrawn her proposed resignation from the Committee and this had been proposed and seconded at Ardee Municipal District and was now before Members for ratification.

Approval of Cllr Conlon on the Committee was:

Proposed by: Cllr Maeve Yore

Seconded by: Cllr Pio Smith
and resolved

Minute No. 54/24

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 Emma Coffey
Seconded by: Cllr Andrea McKeivitt
And resolved

Minute No. 55/24

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 Emma Coffey
Seconded by: Cllr Maeve Yore
And resolved

Minute No. 56/24

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

In accordance with Section 141 of the Local Government Act 2001, as amended, (which requires Members to report at least annually on the activities and operations of Bodies, Boards and Committees to which they are elected, appointed or nominated to represent Louth County Council), reports were given on the following bodies/boards/committees by the following Councillors:

- EMRA - East Midlands Regional Authority - 2023 Activities - Cllr Emma Coffey (Proposed and Seconded by Cllrs Andrea McKeivitt and Conor Keelan respectively)
- AILG - Association of Irish Local Government - 2023 Activities— Cllr James Byrne (Proposed and Seconded by Cllrs Andrea McKeivitt and Conor Keelan respectively)
- Drogheda BIDS – 2023 Activities – Cllr Pio Smith (Proposed and Seconded by Cllrs Emma Cutlip and Antóin Watters respectively)

Minute No. 57/24

Section 183 of the Local Government Act, 2001, as amended, Lands at Moneymore, Drogheda

Members noted the map and memo as set out before them. David Jones Director of Services spoke of the proposed disposal of lands at Moneymore Drogheda which Members were advised would effectively result in a land swap. Lands had previously been compulsorily purchased for the Port Access Northern Cross route.

Approval of the S183 was:

Proposed by: Cllr Maeve Yore
Seconded by: Cllr Joanna Byrne
And resolved.

It was agreed that where S183 notifications were posted to Members in line with legislation, that these documents would also be input onto Decision Time under the relevant agenda item.

Minute No. 58/24

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

- Issues with Louth County Council website search engine are being investigated by the software supplier
- Members were reminded that Louth County Council no longer deal with Water Services and queries on same must be referred to Uisce Eireann

Strategic Economic Development

- The Táin Trail is being led by Failte Ireland and includes input from 5 local authorities
- A report on the New York St. Patrick's Day Trip will be brought to the April plenary council meeting
- The Tourism Strategy will go out to tender with public consultation in 2024
- Details of the funding application to Irish Walled Towns Network will be furnished to Members
- The Director stated his disappointment that the Merriweather fire vehicle broke down at the Drogheda St. Patrick's Day parade and confirmed the council's commitment to preserving this valuable heritage item
- A list of new building product requirements will be made available to Members
- Drogheda Members will be invited when Failte Ireland confirm the Destination Towns launch
- Tholsel works have made the building safe, roofing material is awaited to repair/replace roof and a deep clean of the property will be carried out while the scaffolding is in place
- Planning enforcement concerns should be submitted to planningenforcement@louthcoco.ie
- Business training and supports are available through LEO
- The Broadband officer employed by Louth County Council deals with infrastructure providers and projects. It is the responsibility of individuals to ensure the correct paperwork is completed themselves
- Damage or destruction of National Monuments should be reported to the National Monuments Service

Placemaking & Physical Development

- The Road Works Programme is a €28m cross county investment
- Slips, Trips and falls data from IPB insurers informs the Footpath repair list
- Major infrastructure such as railway stations would form part of County Development Plan discussions
- Phase 1 of PANCR was opened by the Cathaoirleach and Chief Executive in accordance with protocol

- Obelisk Bridge works are still on target
- Dunleer Fire Station site acquisition is with solicitors
- Road Opening Licences - enforcement of conditions falls within the remit of the Roads & Local Services Team. It was noted that **940** road opening licences were granted for various purposes in 2023
- Narrow Water Bridge contract date is hoped for end of April
- North Louth October Flooding works are expected to cost circa €2m by time of completion, with €1m allocated by the Department and the rest financed by Louth County Council
- Where problem areas are identified outside of the annual gully programme these will be assessed for further attention
- A conclusion is sought following ongoing consultation on the Boyne Enterprise Link Road. If no mutual agreement is reached compulsory purchase orders may be used
- 450 bins are emptied nightly in Dundalk town
- Construction on Active Travel Schemes expected in Summer 2024
- LIHAF ends in September
- Drogheda to Baltray CFRAM is ongoing, floods noted at Queensboro, valves will be checked

Organisational Development

- Completion of works to Aura Dundalk expected by end of April
- Consideration is being given to add a car park to Lourdes Stadium
- Phase 1 of works to Dundalk Athletic Track is completed, phase 2 is with Department
- Referendum turn out was 7th highest in country for Louth. 1860 new voters were noted in the period between the rolling register shut down and balancing book period i.e. 2 weeks along with 600 amendments
- Members will be updated on register roll out when dates are confirmed
- Collon Playground final stage negotiations are with the Arch Diocese for purchase of lands
- Consideration may be given to provision of flag to be flown at Clarke Memorial as a one off occurrence

Social Development

- Louth Homeless Section is the regional lead for Louth, Cavan, and Monaghan. They are continuously seeking emergency accommodation
- The Housing Team have a good working relationship with An Garda Síochana on tackling Anti-Social Behaviour and good policies are in place but these need to be better implemented
- An allocation for 140 Retrofit Scheme units has been received and it is hoped to apply for more funding during the year
- The Affordable Housing Scheme in Blackrock consisting of 10 units is almost complete
- Donore Road Age Friendly units are fully allocated
- A date is yet to be set for a Rough sleepers count
- The anti-social behaviour policy does not cover RAS tenants
- Ard Easmuinn construction and other new developments are required to adhere to Part V requirements

Minute no. 59/24

Notice of Motion – Cllr Emma Cutlip

Seconded by: Cllr Joanna Byrne

This council declares its solidarity with the Palestinian people and all protected people who are subject to war, armed conflict, or occupation and who require reliance on the protections afforded to civilians under the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 1949 (the fourth Geneva Convention). This council recognizes that through its day-to-day operation it invests and purchases goods and services with public monies in a wide range of ways. Therefore, this council shall divest itself of all investments, holdings, procurement, or purchasing of

goods or services which have originated in whole or in part from occupying powers as defined by the fourth Geneva Convention.

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

Louth County Council operates under National Procurement legislation which is grounded in EU Directives. There is no provision in this legislation for Louth County Council to make such a decision and it would therefore be an unlawful decision.

The only exception made in the past was under EU Regulation 2022/576 adopted by the European Union which was aimed at restricting participation in economic activity by economic operators from the Russian Federation in response to Russia’s aggression against Ukraine.

The motion and management response were debated with a lengthy statement read out by Cllr Cutlip who stated that there was no direct impact on EU Directives, no conflict with OGP Procurement Guidelines 2023 and that EU Regulations were not affected.

Cllr Callan raised concerns that Cllr Cutlip’s statement referenced a quote from Senator Frances Black, which was not bound in law and suggested that this might be better debated on the floor of the Oireachtas.

Director of Services Joe McGuinness responding to questions raised confirmed that there had been no instruction on this matter from either the Department or the State.

Cllrs Keenan, Smith, Meenan, Butler, John Reilly and Joanna Byrne all spoke in support of the motion with Cllr Joanna Byrne advising of having a similar motion on the Clár which while not specifying Palestine referred to human rights which she had got legally proofed and suggested that the OGP does not exclude such an approach.

A vote was called for on the motion and 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 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			
	21	0	0	8

And the motion was resolved.

The Cathaoirleach suggested that a special meeting be held to catch up with the number of Notices of Motions and Questions on the agenda. A counter suggestion was put forward by Cllr Sheridan that the meeting be extended to 2pm with only a minute allowed to speak on any motion, but a show of hands was requested by the Cathaoirleach to the proposal for a special meeting online to which the majority present agreed.

Cllr Joanna Byrne suggested that her motion could be taken without debate as it was of similar nature to Cllr Cutlip's motion, and Cllr Kevin Meenan seconded her motion which was as follows:

Minute no. 60/24

Notice of Motion **Cllr Joanna Byrne**
Seconded by Cllr Kevin Meenan

"This Council deplores those corporations that profit from protracted armed conflict and systematic violations of human rights, particularly in the context of Israel's continuing brutal assault on the people of Gaza and escalating settler terrorism in the West Bank, Russia's ongoing war of aggression against Ukraine, and other conflicts around the world. With this motion, the Council encourages companies to meet their obligations to avoid contributing to adverse human rights impacts through their own activities, and to prevent or mitigate human rights abuses linked to their operations.

The Council is aware of the crucial role of local authorities and their public procurement procedures in ensuring respect for human rights by companies, as well as their obligations under widely accepted business and human rights norms – as laid down in the UN Guiding Principles on Business and Human Rights, OECD Guidelines for Multinational Enterprises, and the Global Sullivan Principles (1999) – to promote respect for human rights by companies with which they do business.

The Council affirms that every endeavour is made to ensure that councils tender processes are consistent with the above principles, including under the Fourth Geneva convention relative to the Protection of Civilian Persons in Time of War and under customary international humanitarian law, prohibiting the importation or sale of goods or services originating in occupied territories.

Louth County Council resolves to adopt a rights-based Ethical Procurement Policy (EPP) that takes fully into account existing obligations and standards. The EPP will incorporate widely accepted and precisely formulated international standards and explain clearly how the policy will be implemented. The primary aim of the EPP is to ensure that human rights obligations are properly acknowledged, observed and respected at all stages of the procurement process."

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

Louth County Council operates under National Procurement legislation which is grounded in EU Directives. There is no provision in this legislation for Louth County Council to make such a decision and it would therefore be an unlawful decision.

The only exception made in the past was under EU Regulation 2022/576 adopted by the European Union which was aimed at restricting participation in economic activity by economic operators from the Russian Federation in response to Russia's aggression against Ukraine.

As the time had reached 13:30hrs the meeting concluded.

Cllr Cutlip suggested that her motion be moved to the Drogheda Borough District meeting but was advised that she was outside time as the meeting was over.

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

Date:

15 April 2024

Cathaoirleach:

Paula Cutlip

Meeting Administrator:

A. Quinlan