

Minutes of the Meeting of the Municipal District of Dundalk held in the Town Hall, Dundalk on Tuesday, 7th April, 2015 at 5.15 pm.

In attendance:

Cathaoirleach:	Cllr. D. Breathnach
Members:	Councillors: M Butler, E. Corrigan, M. Dearey, M. Doyle, J. Green, C. Keelan, J. Loughran, J. McGahon, K. Meenan, P. Savage, T. Sharkey, M. Yore
Officials:	Frank Pentony, Director of Services Gerry Kelly, Senior Engineer Paddy Donnelly, Meetings Administrator Patrick Birch, Chief Technician
Apologies:	David Storey, Senior Executive Officer

Minute No. 35/15

Minutes

The minutes of the meeting held on Tuesday 3rd March, 2015 were confirmed on the proposal of Cllr. C. Keelan and seconding of Cllr. M. Doyle.

Minute No. 36/15

Matters Arising

Cllr. Keelan raised the matter of Minute No. 30/15 in regard to the community centre in the Lois Dubh estate on the Armagh Rd., and requested that an update be given on the matter as soon as practical.

Minute No. 37/15

Taking in Charge and Unfinished Housing Developments Reports

Mr. Paddy Birch, Chief Technician presented the reports that had been circulated with the agenda with respect of Taking in Charge and the Unfinished Housing Developments in the Dundalk Municipal District Area.

There was a lengthy discussion on both reports and Mr. Birch addressed the member's queries in regard to same. Members were advised that the reports would be presented on a biannual basis or quarterly if there is significant change in the status of developments contained therein. In respect to a query in regard to the

insurance of green and open spaces by the Local Authority, Mr. Birch agreed to revert to the members on this matter as soon as possible.

Minute No. 38/15

Louth Drugs and Alcohol Forum

To nominate a member from the Municipal District to the Louth Drugs and Alcohol Forum.

The Cathaoirleach sought nominations for this position.

Cllr. Mark Dearey was proposed by Cllr. Marianne Butler and seconded by Cllr. Maeve Yore.

Cllr. Edel Corrigan was proposed by Cllr. Tomás Sharkey and seconded by Cllr. Kevin Meenan.

There followed a roll call vote on the matter:

For Cllr. M. Dearey: Cllrs. Breathnach, Butler, Dearey, Doyle, Keelan, McGahon, Savage, Yore. **Total: 8 (eight)**

For Cllr. E. Corrigan: Cllrs. Corrigan, Green, Loughran, Meenan, Sharkey. **Total: 5 (five)**

As Cllr. Dearey received the highest number of preferences the Cathaoirleach confirmed his nomination to the Louth Drugs and Alcohol Forum.

Minute No. 39/15

Housing and Communities Progress Report

The members noted the Housing and Communities Report dated 30th March 2015 which had been circulated with the agenda. The Cathaoirleach advised that the official from the Housing Department was unavoidably absent; however matters raised by the members would be recorded and forwarded to the department for a response in due course. The following issues were noted;

- Housing Protocols and Procedures;
- Choice Based Letting;
- Voids and vacant Social Housing units;
- Numbers on the Transfer List;
- Difficulties in attaining suitable rental properties throughout the county;
- The announcement of the National Housing Programme and the expected allocation of €57 million for County Louth.

Minute No. 40/15

Operations, Infrastructure and Marine Progress Reports

Mr. Gerry Kelly, Senior Engineer, presented a report dated 23rd March 2015 and addressed the members queries in regard to same. Mr. Kelly in presenting the reports drew the members attention to the revised Road Works Programme, and outlined the changes that had been made due to requirements of specific funding allocations. He was satisfied that the Road Works Programme was now complete and unless further funding was received there would be no proposed changes to the report. On that basis the Road Works Programme was proposed by Cllr. Butler and seconded by Cllr. Dearey with all in agreement.

Minute No. 41/15

Motion

Proposed by: Cllr Edel Corrigan

Seconded by: Cllr. Tomás Sharkey

"That this Municipal District Committee notes the resolution made at the September 2014 meeting, recorded as Minute No. 13/14 and detailed:

'Allocation for Cathaoirleach - Section 143 Local Government Act, 2001

The members considered the payment of an allowance for the Cathaoirleach of the Municipal District, as provided for under Section 143 of the Local Government Act, 2001 as inserted by Section 37, of the Local Government Reform Act, 2014, and in accordance with Circular LG 12/14, Part IV, Part B.

That the allowance be confirmed as €12,000 per annum as per the Circular'

and hereby revokes that motion and resolves that no allowance be paid to the Cathaoirleach of the Municipal District, as provided for under Section 143 of the Local Government Act, 2001 as inserted by Section 37, of the Local Government Reform Act, 2014 and in accordance with Circular LG3/2015, Appendix I, Part IV (7)"

Following a discussion on the matter there followed a roll call vote:

For: Cllrs. Corrigan, Green, Loughran, Meenan, Sharkey, Yore.
Total: 6 (six)

Against: Cllrs. Breathnach, Butler, Dearey, Doyle, Keelan, McGahon, Savage.
Total: 7 (seven)

As the number of votes against the motion exceeded those for the motion, the Cathaoirleach confirmed that the motion had fallen.

Minute No. 42/15

Motion

Proposed by: Cllr. Conor Keelan

Seconded by: Cllr. Marianne Butler

"That this Council re-examine the feasibility of improving pedestrian safety at the junction of Quinn's corner on the Castletown Road, given that the barriers in the area have been damaged recently, in a manner similar to a previous report furnished to Dundalk Town Council (by Peter McVeigh)."

REPLY:

The Council will re examine the feasibility of improving pedestrian safety at this junction and will provide a cost estimate for any measures identified. The carrying out of improvement work is contingent on funding being made available in the Roadworks Programme.

Cllr. Keelan, following a discussion on the matter, agreed that the motion be amended and that the review be for all of the Castletown Road. This was agreed by all.

Minute No. 43/15

Motion

Proposed by: Cllr. Conor Keelan

Seconded by: Cllr. Declan Breathnach

"In next year's roads programme that this Council investigate the re-alignment of the Greyacre Road junction with the N53 in accordance with NRA specifications and conduct an additional visual survey."

REPLY:

The sight distance to the right when exiting on to the main road is adequate but the sight distance to the left is hindered by a garden wall. In order to carry out improvements to the sight distances part of this wall would have to be removed and land bought. The cost involved and the fact that this is a minor junction would mean that it is of a low priority. In addition the situation has been improved greatly by the provision of ramps to the left of the junction resulting in much slower traffic approaching from that direction.

Minute No. 44/15

Notice of Questions

Cllr. M. Dearey

"Following a number of observations from residents in Dundalk about a noticeable increase in the burning of smokey coal, can the members be furnished with whatever air quality monitoring results are available (through the EPA) since the start of 2015?"

REPLY:

Dundalk has been designated as a smokeless zone since 1998 under the Sale Marketing and Distribution of fuels Regulations 1998. The regulations have since been replaced by The Air Pollution Act (Marketing, Sale, Distribution and Burning of Specified Fuels) Regulations 2012 (SI No 326 of 2012). One of the key elements of the regulations has been the designation of new towns as smokeless zones and in the expansion of the ban areas in towns that were previously covered under the old regulations. The smokeless zone areas of Dundalk and Drogheda have been expanded significantly under these new regulations. The main provisions of the regulations are as follows:

- You cannot sell, market, distribute or burn bituminous i.e. smoky coal within the specified zone
- You can only burn compliant 'smokeless' coal products within the specified zone
- Smokeless coal products can only be sold in sealed bags that comply with specified labelling requirements within the zone.
- The Label should clearly show the following text; 'Smokeless Fuel – Contents comply with the Air Pollution Act Regulations'.
- Labelling on Bags should also specify the name and address of the person who packed the bag.
- Fuel Suppliers, Retailers etc must retain records to prove that the solid fuel contained in the bags is compliant'.
- The changes are effective from 31st August 2012.

The Environmental Compliance Section at Louth County Council inspect premises and carry out spot checks throughout each smokeless area for coal men selling fuel from their vehicles within the smokeless zones. The premises within Dundalk have been found mainly to be compliant with the regulations. There have been instances of coal men found to be selling incorrectly labelled coal. There have been a number of successful prosecutions of coal merchants selling incorrectly labelled coal in the last number of years. According to local information the main source of smoky coal appears to be coming from coal men selling from their vehicles. One of the main challenges here is to be present when the deliveries are being made. Other challenges in relation to the sale of fuel from vehicles are the cooperation of coalmen and enforcing the regulations against coal men from outside the jurisdiction. The burning of such fuel by householders is equally challenging to enforce. One must prove that the fuel being burned is not smokeless and also be able to gain access to the property. Usually if a complaint is received about a house emitting excessive smoke a visit is carried out and the occupant is made aware of the complaint received and advised of the regulations.

The EPA would be responsible for the monitoring of air quality nationally. The country is divided up into 4 zones A, B, C, and D depending on population. Dundalk and Drogheda are in zone C along with other towns of similar size e.g. Tralee. The EPA continuously monitors air in each of these zones. All results of the monitoring are available on <http://www.epa.ie/pubs/reports/air/quality>. The last monitoring results available from the EPA in Dundalk are from 2002.

Cllr. J. Green

"Can I have a copy of the protocol this council uses when enabling a disabled parking space in a residential estate and all relevant documentation in regard to this issue?"

REPLY:

Louth County Council does not have a written protocol for the provision of disabled parking spaces in residential areas. However a common sense approach is adopted along the following lines,

- **The authority to provide a parking space comes from the Roads Act 1993 S (13)**
- **The person requesting the disabled parking space must be the holder of a disabled parking permit**
- **There must not be alternative parking space on a drive**
- **The space will be provided as close as possible to the residence**
- **If the disabled parking space has to be provided in front of a neighbour's house, then agreement from the neighbour is sought. However, under the Act, the Roads Authority does not require permission from the neighbour.**
- **The space is available to any permit holder**
- **Each application is considered on its own merits, and every effort will be made to facilitate reasonable requests from all parties involved.**

The questions and responses were noted by the members.

There being no further business the meeting concluded.

The Minutes were confirmed at the meeting held on:-

Date: _____

Cathaoirleach: _____

Meetings Administrator: _____