

Municipal District of Dundalk – July 2021

Minutes of the Meeting of the Municipal District of Dundalk hosted in The Council Chamber County Hall, Dundalk on Tuesday 6th July at 5.15 p.m. and attended remotely over MS Teams

In attendance:

Cathaoirleach: Cllr. Maria Doyle - Present in Chamber

Members: Remote Attendees: Councillors M. Butler, C. Keelan, K. Meenan, J. Reilly, T. Sharkey, A. Watters.

Apologies: Councillors: E. Coffey, E. Corrigan, S. Kelly, A. McKeivitt, L. Reilly, M. Yore.

Officials: Gráinne Tuomey, Meetings Administrator - Present in Chamber
Frank Pentony, Director of Services - Present in Chamber
John Lawrence, Senior Executive Officer - Remote
Martin McCreesh, Senior Executive Engineer - Remote
Gerard McCormack, Assistant Engineer - Remote

Minute No. 72/21

Confirmation of Minutes

The minutes of the Annual Meeting held on Tuesday, 1st June 2021 were confirmed on the proposal of Cllr. M. Butler and seconded by Cllr. T. Sharkey.

The minutes of the Ordinary Meeting held on Tuesday, 1st June 2021 were confirmed on the proposal of Cllr. T. Sharkey and seconded by Cllr. M. Butler.

Minute No. 73/21

Matters Arising

- Minute no. 64/21 regarding Footpaths on Avenue Road - while understood that this was part of developer responsibility, a query was raised as to whether costings could be made by council on cost of works. Clarification was given re the complexity of this and the issue of a private dwelling in the middle of proposed works.

Minute No. 74/21

Housing Progress Report

Members discussed the report as issued, John Lawrence, SEO advised on all Housing items raised:

The following items were highlighted:

- Housing SPC requested to examine the reasons for transfer, and provision of accommodation for single persons.
- The qualifications for HAP application forcing individuals to privately rent which is pressurising the market.

Minute No. 75/21

Operations and Marine Progress Report

Members discussed the report as issued Martin McCreesh, Senior Executive Engineer advised on all Operations items raised.

The following matters were clarified:

- LCC has made a submission to An Bord Pleanala regarding the crossing north of Sextons
- No Speed Review due until 2023
- Signage requests in various locations to be considered
- Road Works Programme progressing
- Drainage works list will be done all allocated funding will be spent
- Location of big belly bins financed under the Anti Dumping Initiative not confirmed
- Bollard audit and maintenance request noted, and good idea but resources limited
- Data columns in Report under Road Sweeping and Dog control blank will be populated for next meeting

The following non-operations items were raised and clarified.

- No official confirmation has issued to the Council on Narrowwater Bridge.
- Request for presentation under URDF premature, better to wait until public consultation phase.
- Public lighting replacement going to contractor in 2022.
- Water quality query at Blackrock should be referred to Irish Water. Operations will pass on concerns to Water Services in LCC.
- Council lands at Balreagan, Kilcurry
 - Query whether lands are suitable for pumping station - Irish Water should be contacted on pumping stations.
 - Meeting arranged to clean and restore lands following illegal halt site waste being left, plans to prevent access under consideration
 - LCC may have other use for lands.

Minute No. 76/21

Taking in Charge Report

Gerry McCormack, Assistant Engineer, was introduced as the newly assigned staff member dealing with Taking in Charge. While new to the assignment Gerry advised that he had worked on Taking in Charge previously, was regularly meeting his predecessor James Searson so was getting up to speed quickly.

Members discussed the report as circulated at the meeting and the following items were noted by Gerry for follow up:

- A query on whether overall costing of taking estates in charge could be made
- Enforcement action on developers where no bond exists was requested
- Outstanding snagging to be addressed with developers
- Golden Ridge, Lower Point Road to be added to the report
- A request for Taking in Charge Report to be added to the website as a standalone item was made

Minute No. 77/21

Dundalk Allocation of Members Community Grants

To approve Members Community Grant Allocations as circulated with the agenda.

Proposed by: Cllr. M. Butler

Seconded by: Cllr. J. Reilly

Minute No. 78/21

Death in Service of Cllr. Hugh Conlon RIP

The Cathaoirleach, Cllr. M. Doyle advised Members that while this was not in the new Condolences Protocol Cllr. Conlon's death was a very sad occasion and while this would no doubt be marked at the main Council Meeting, she proposed that a minutes silence should be held by Councillors in remembrance of their colleague Hugh.

Attendees stood, and a minutes silence was held in honour of Cllr. Hugh Conlon RIP.

Minute No. 79/21

Notice of Motion

Proposed by: Cllr. T. Sharkey

Seconded by: Cllr. A. Watters

"That the ongoing matter of flooding at Plaster, Kilkierley (detailed in photographs) be addressed as a matter of urgency and that this council engage in an active process of enforcing the Roads Act 1993 Section 76 detailed below:

(5) The owner or occupier of any land adjacent to a public road shall take all reasonable steps to ensure that

(a) water is not prevented, obstructed or impeded from draining into, onto, under, through or to his land from a public road,

(b) water, soil or other material is prevented from flowing or falling onto a public road from his land.

(6) A road authority may serve a notice in writing on the owner or occupier of any land adjacent to a public road requiring him to carry out specified works or take specified measures—

to ensure that water is not prevented, obstructed or impeded from draining into, onto, under, through or to his land from a public road,

to prevent water, soil or other material from flowing or falling onto a public road from his land."

Reply from Ms. Catherine Duff, Director of Services, Operations:

With regard to the drainage issue at Plaster Kilkierley, there has been no such S76 Notice issued to landowners. LCC have scheduled road drainage improvement works here for this year (RWP2021) listed on the RWP21 as Belrobin. This involves laying new pipes to drain dip in road through private lands.

Referring to his motion, Cllr. T. Sharkey commented that nobody is allowed to let water onto the road from lands or prevent it from flowing off the roads onto lands. Commenting on the Executive Response to this and to the Notices of Questions, Cllr. T. Sharkey noted that no enforcement has been carried out, and while aware that courteous phone calls may have been made, a courteous call does not always get a courteous response.

Minute No. 80/21

Notice of Question

Submitted by: Cllr. Tomás Sharkey

“How many notices in writing have been issued in the Dundalk Municipal District since January 2020 relevant to the Roads Act 1993 Section 76 detailed below?”

(5) The owner or occupier of any land adjacent to a public road shall take all reasonable steps to ensure that

(a) water is not prevented, obstructed or impeded from draining into, onto, under, through or to his land from a public road,

(b) water, soil or other material is prevented from flowing or falling onto a public road from his land.

(6) A road authority may serve a notice in writing on the owner or occupier of any land adjacent to a public road requiring him to carry out specified works or take specified measures -

(a) to ensure that water is not prevented, obstructed or impeded from draining into, onto, under, through or to his land from a public road,

(b) to prevent water, soil or other material from flowing or falling onto a public road from his land.

Reply from Ms. Catherine Duff, Director of Services, Operations:

Louth County Council has not issued such legal Notices since January 2020 from Operations. The Engineer's advise that a courtesy phone call with the landowner usually resolves the issue. LCC Engineers are not aware that any particular landowner is allowing significant discharge of surface water onto our Public roads.

The Members noted the reply.

Minute No. 81/21

Notice of Question

Submitted by: Cllr. Tomás Sharkey

“Has a notice in writing been issued relevant to the Roads Act 1993 Section 76 to address flooding of the public road at Plaster Kilkerry detailed below?”

Reply from Ms. Catherine Duff, Director of Services, Operations:

In regard to the drainage issue at Plaster Kilkerry, there has been no such S76 Notice issued to landowners. LCC have scheduled road drainage improvement works here for this year (RWP2021) listed on the RWP21 as Belrobin. This involves laying new pipes to drain dip in road through private lands.

The Members noted the reply.

There being no other business, the meeting concluded.

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

Date: _____

Cathaoirleach: _____

Meeting Administrator: _____