



Miontuairiscí / Meeting Minutes

Ordinary Meeting

6th February 2017, Council Chamber

Presiding

Cathaoirleach, Councillor Maria Murphy

Councillors Present:

Councillors, Joe Bonner, Sinéad Burke, Eugene Cassidy, Francis Deane, Seán Drew, Eimear Ferguson, Brian Fitzgerald, Pádraig Fitzsimons, Enda Flynn, Wayne Forde, Joe Fox, Noel French, Michael Gallagher, David Gilroy, Trevor Golden, Johnny Guirke, Wayne Harding, Jim Holloway, Suzanne Jamal, Tom Kelly, Sharon Keogan, Nick Killian, Caroline Lynch, Stephen McKee, Ronan McKenna, Paddy Meade, Gerry O'Connor, Claire O'Driscoll, Maria O'Kane, Damien O'Reilly, Darren O'Rourke, Bryan Reilly, Joe Reilly, Sarah Reilly, Tommy Reilly, Seán Smith, Alan Tobin, Sharon Tolan, Gillian Toole.

Apologies:

Officials in attendance:

Chief Executive: Jackie Maguire

Directors of Service: Kevin Stewart, Des Foley, Fiona Lawless, Barry Lynch

Meetings' Administrator: Olive Falsey

Senior Executive Officers: Dara McGowan, Larry Whelan, David Jones, Fiona Fallon

Administrative Officer: Claire King

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary meeting held on 9th January 2017.

The minutes of the Ordinary meeting held on 9th January 2017 were confirmed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Francis Deane**.



Miontuairiscí / Meeting Minutes

2 Matters arising from the Minutes

The Chief Executive provided an update to Councillors on the attempted cyber enabled offence which took place on 28th October, 2016.

3 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- The family of the late Janice Harding, former employee.
- The family of the late Mary T. Farrelly, former employee of Kells Urban District Council.
- Fiona Boylan, Corporate Services, on the death of her father-in-law Seamus Boylan.
- Eamon Edward O'Brien, Water Services, on the death of his sister Mary O'Brien Livesey.
- Tommy Carry and Liza Carry, former employees, on the death of their sister/sister-in-law Mary Carry.
- Deirdre Morgan former employee on the death of her husband Raymond (Ray) Morgan.
- Cllr. Paddy Meade on the death of his aunt Janette Mohan.
- The family of the late Eileen Browne, former employee.
- Mark Farrell, Planning Department, on the death of his brother Eamon Farrell.
- Peter Caffrey, former Councillor, on the death of his mother Teresa Caffrey.
- The family of the late Mary Mullen (centenarian), Oristown, Kells.
- Paul Murphy, (Journalist, Meath Chronicle) on the death of his brother.
- The family of the late Dermot Gallagher, former Secretary General of the Department of Foreign Affairs.

Congratulations were extended to:

- St. Colmcille's GAA Club on reaching the All Ireland Intermediate Club Final.
- Coláiste na Mí and St. Patrick's Classical School on winning 1st and 2nd places in the Really Rubbish Film Festival.
- Ashbourne Rugby Club on winning the All-Ireland Junior Final.
- The three projects (Ballivor Community Library, The Athboy Hub, Ashbourne Main Street) that were shortlisted for the LAMA awards.



Miontuairiscí / Meeting Minutes

4 Disposal of Land in accordance with Statutory Notices circulated pursuant to the provisions of Section 183 of the Local Government Act, 2001

5 Statutory Business

5.1 Community

- 5.1.1 To approve the new member of the Meath LCDC, Margaret Cranney, representing the Department of Social Protection.

Approved on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Bryan Reilly**.

5.2 Corporate Services

- 5.2.1 To note the report on the 2016 Municipal District Allocation.

Noted by the Councillors.

- 5.2.2 To adopt the 2017 Annual Service Delivery Plan.

Des Foley, Director of Services, advised that each year the Council must prepare an Annual Service Delivery Plan as required under the Local Government Reform Act 2014. It was noted that the Corporate Plan provides the framework for the production of the ASDP, and that the document forms the basis of the Council's work programme. Following a request for more time to review the document, it was agreed to defer the item for adoption at the March meeting.

- 5.2.3 To note the NOAC report on the 2015 Performance Indicators in Local Authorities.

Noted by the Councillors.

5.3 Finance

- 5.3.1 To receive in accordance with Article 26 (2) of the Local Government (Financial and Audit Procedures) Regulations 2014, a report on schedule of uncollected rates for 2016.



Miontuairiscí / Meeting Minutes

Received and noted by the Councillors.

6 Reports

6.1 Chief Executive's Report

Councillors sought clarification on a number of matters in the Chief Executive's report. The main issues raised and discussed included:

Library Service: update requested on the open library project.

Housing: Funding of €4m. for the acquisition of houses was welcomed and also the approval for the construction of 32 houses in Athboy. The increase in homelessness figures was noted and the difficulties in regard to renting properties. Housing needs in Laytown/Bettystown were noted and also the timeframe re the delivery of four houses in Navan.

Transportation: Safety on the N2 and the need for bus lanes. Public lighting needed at Rathdrinagh Cross. Appointment of consultants for Slane bypass welcomed. Construction of footpath in Enfield welcomed.

Environment: The timeframe in relation to the Slipways project.

Planning: The potential impact of judicial reviews on future development in the county and on the preparation of County Development Plan.

The Chief Executive and the Management Team provided responses on all matters raised.

6.2 Report from the Corporate Policy Group

The Meetings Administrator advised that the Corporate Policy Group reviewed the agenda for the full Council meeting and received information on the particulars of some items. The report from the Transportation SPC meeting held on the 26th January was noted and the recommendation in relation to the CIS scheme 2017 was considered and approved.

6.3 Report from the Protocol Committee

The Meetings Administrator advised the meeting of the following:

- The Protocol considered the following:

Correspondence from East Border Region in relation to making a presentation to the full Council.

It was agreed that this would be very beneficial and that the presentation would be arranged for the March meeting of the full Council.



Miontuairiscí / Meeting Minutes

- Correspondence from Councillor Joe Fox suggesting that a presentation by Pinergy. It was agreed to refer the matter to the Planning, Economic Development and Enterprise SPC for consideration.
- The Protocol Committee received and noted reports on conferences submitted by Councillors, and a list of conferences relevant to the business of the Council was approved.

7 Correspondence

- 7.1 LG 01/2017 – Department of Housing, Planning, Community and Local Government re. Expenses incurred by Elected Members.

Noted by the Councillors.

- 7.2 Correspondence from the Office of the Minister for Justice and Equality in response to Notice of Motion 9.9 adopted at the November meeting of the full Council re. Laytown Garda Station.

Councillors noted their disappointment with the response and proposed that a full review of the facility at Laytown Garda Station needs to be undertaken.

It was agreed that the response received on the matter would be sent to the Louth and East Meath Oireachtas Members, with a view to arranging a meeting with the Minister.

- 7.3 Correspondence from the Apostolic Nuncio to Ireland re. invitation to Pope Francis to visit County Meath during his visit to Ireland in 2018.

Noted by the Councillors.

- 7.4 Department of Transport, Tourism and Sport 2017 Regional and Local Road Grant Allocations.

Noted by the Councillors. **Councillor Drew** noted that while the increase was welcome, much more funding would be required to address the issues with the local roads.

- 7.5 NTA Sustainable Transport Measures Programme 2017.

Noted by the Councillors. **Councillor Enda Flynn** requested an update on the funding for the Greenway along the Royal Canal and the timeframe for construction.

He also proposed, seconded by **Councillor Alan Tobin**, that the Council would request that the surface on the greenway would be tarmac so as to accommodate all users.



Miontuairiscí / Meeting Minutes

Des Foley, Director of Services, advised that the funding for the Greenway is in place and that the works are expected to be completed in 2017. He also advised that the proposal in relation to the surface would be included in the discussions.

- 7.6 Correspondence from the Department of Arts, Heritage and the Gaeltacht re. "Creative Ireland Programme"

Noted and welcomed by the Councillors.

- 7.7 Correspondence from the Office of the Minister, Department of Health in response to Notice of Motion 9.5 adopted at the December meeting of the Full Council re. Our Lady's Hospital, Navan.

Councillors expressed their disappointment with the response and it was agreed that the correspondence would be referred to the Health Forum for a response.

8 Notice of Question

8.1 Submitted by Councillor Wayne Forde

"What is the update on discussions between Meath Fire and Rescue and the HSE NAS co-responding on all Echo and Delta calls for patient care and safety of people living in Meath?"

Response

Meath County Council Fire Service has held two progressive meetings with HSE- NAS in 2016 and intends advancing the process in 2017.

Noted by the Councillors.

8.2 Submitted by Councillor Noel French

"Can Meath County Council provide figures for the number of litter fines issued during 2016, the number of fines paid, prosecutions taken and a breakdown of these figures between individuals and businesses. What was the total amount spent by the Council in 2016 in litter control and prevention? How many dog fouling fines were issued and how many were paid?"

Response



Miontuairiscí / Meeting Minutes

The imposition of litter fines arises from a number of circumstances including from CCTV footage at the Bottle Banks/Civic Amenity Sites (CAC) or, from complaints or reports submitted by members of the public or where persons were observed throwing litter by the Litter Wardens.

In 2016, the Environment Department dealt with in excess of 1,400 litter and illegal dumping cases, the majority of which were dealt with under the Litter Management legislation, with the balance dealt with under the Waste Management Acts due to the nature and volumes of materials discovered on investigation.

In respect of cases where offenders could be identified, a total of 398 warning letters were issued and fines imposed in another 303 cases of which 97 were paid. A further 36 cases were the subject of Court proceedings from which 11 convictions and fines were imposed – a number of cases are still before the courts. A total of four dog fouling fines were issued in 2016, two of which were paid.

In the case of fines imposed at the Bottle Banks /CACs, the most common offence is where people knowingly, or otherwise, leave domestic household waste which is not accepted at the sites, or deposit litter in an irresponsible manner outside the receptacles. Many fines imposed for such offences are the subject of an appeal including on grounds that they were not aware that they were committing an offence or claim that the receptacles were full. Others in accepting the nature of the offence committed often seek a waiver of the fine on hardship grounds.

In assessing such appeals, the Council agrees to waive or write off the fine only where satisfied that the grounds of appeal are genuine from a first time offender, that the offender can clearly demonstrate that they are ordinarily disposing of their waste in a responsible manner, including availing of an authorised Waste Collection service, and that they accept the clear message that this type of behaviour is not acceptable.

It is pointed out that sufficient evidence of littering is required in order to obtain a prosecution in the courts and in many cases while fines are issued based on information received from members of the public, getting the witness to subsequently attend court to give evidence often proves very problematic. This is particularly so in the case of reported dog fouling incidences.

In all cases consideration has to be given as to whether it is in the public interest to proceed to the courts based on the significant legal costs involved and the difficulties in securing payment of such costs, even where a conviction is obtained based on the circumstances of the offender.

As the Councillors will be aware, the Council initiated a wide range of Anti Litter Activities in 2016 including the following:



Miontuairiscí / Meeting Minutes

- Anti Litter League
- Pride of Place
- Green Schools
- Really Rubbish Film Festival
- Dog Awareness Days
- Clean up Navan and Ashbourne
- Gum Litter Task Force
- 2 Minute Beach Clean
- Keep Cup Campaign
- New Dog Litter Signage and Stencils
- Cinema Advertising – Food Waste, Dog Fouling, Illegal Dumping

In addition to the above, the Council's Dog Wardens maintained a greater presence at a number of popular dog walking locations in 2016 including Blackwater Park Navan, the Beach Areas, the Porche Fields, Trim and Oldbridge.

The total expenditure incurred in 2016 in respect of litter management control prevention and street sweeping was in the order of €1.9m.

Noted by the Councillors.

8.3 Submitted by Councillor Damien O'Reilly

"Can Meath County Council provide a breakdown of the number of inspections in relation to anti-social behaviour in the Council's housing stock in 2016 including a breakdown of inspections per Municipal District for that year?"

Response

Outlined below is a summary of anti social behaviour complaints received in 2016 and actions taken.

Data is not maintained regarding the number of house inspections that are completed on foot of an anti social behaviour complaint. The nature of the complaint determines if an inspection is an appropriate response, for example, if the complaint relates to the condition of the property or lack of maintenance. In such cases, there may be numerous inspections with and without notice.

Where a house inspection is not necessary, the parties central to a complaint can be requested to attend the appropriate Civic Office for interview purposes.



Miontuairiscí / Meeting Minutes

Anti-Social /Breach of tenancy Complaints report: January 1st - December 31st 2016

ASB Complaints	Totals
ASB Complaints received	195
ASB complaints received per MD	
Ashbourne	3
Kells	48
Laytown / Bettystown	18
Navan	56
Ratoath	21
Trim	49

ASB Investigation Cases (One case can include multiple complaints)	Totals
ASB investigation on going	74
ASB investigation completed	108

Action Taken	Totals
No further action required – No ASB found (unfounded / malicious)	20
Action taken – advice given	44
Verbal warning issued	43
First breach of Tenancy Notice	3
Second breach of Tenancy Notice	4
Statutory warning issued	2
Notice to Quit served	0
Exclusion Orders Sought	1
House taken back into possession	1
Total Action Taken	108*
*Note: Total not equal to no. of complaints because some complaints relate to the same house or tenant.	

Tenancy Outcomes	Totals
Repossession commenced (due to ASB)	1
Eviction (Following Repossession Order)	1
Exclusions Orders obtained and in place	0
Possession Orders obtained regarding Illegal Occupants	3

Noted by the Councillors.



Miontuairiscí / Meeting Minutes

8.4 Submitted by Councillor Caroline Lynch

“Can Meath County Council provide a figure for the total number of library staff in the County, the cost of same and a figure for the employment of one full time professional librarian in addition to this figure / An féidir le Comhairle Chontae na Mí figiúr a thabhairt ar an líon fhoireann leabharlainne sa Chontae, an costas a bhaint lena a n-earcaíocht san iomlán agus costas earcaíochta leabharlannaí lán-aimseartha amháin ina theannta le sin a thabhairt?”

Response

There are 49 staff members assigned to the Meath County Council Library Service. This includes staff employed in the following grades: General Operatives, Caretakers, Branch Librarians, Clerical Officers, Library Assistants, Assistant Staff Officers, Senior Library Assistants, Staff Officers, Librarians, Executive Librarians, Senior Executive Librarians, and the County Librarian as the Head of the Library Service.

The cost i.e. the overall annual payroll cost for these staff (based on the appropriate rates of pay) is: €1,687,861.

The professional Librarian grades in Meath County Council are: (1) Librarian, (2) Executive Librarian, (3) Senior Executive Librarian and (4) County Librarian. Assuming that the notice of question is referring to either a Librarian or Executive Librarian the cost of employing a staff member at these grades (based on the median point of these salary scales) is €44,148 and €49,797 per annum respectively.

Noted by the Councillors.

8.5 Submitted by Councillor Sinéad Burke

“Can the CEO confirm if the Council has been informed of the proposed re-instatement of the RAPID programme? If Meath will be included and if so, when the details of the programme will be available? / An féidir leis an bPríomhfheidhmeannach a chinntiú gur chuireadh an Chomhairle ar an eolas maidir le athchur i bhfeidhm an clár RAPID? An mbeidh Chontae na Mí san áireamh agus má tá, cathain a gcuirfear sonraí an chlár ar fáil?”

Response

In the recently launched Action Plan for Rural Development, a number of programmes has been identified, which will assist in the revitalising of our town and village centres and make rural Ireland a better place in which to live and work. These programmes include the Town & Village Renewal Scheme, CLÁR and RAPID and other measures to support people to live in town centres. It is also set out in the Action Plan that ongoing



Miontuairiscí / Meeting Minutes

investment in the LEADER programme will assist in building better communities. There have been no details or confirmation received to date on whether the RAPID programme is to be re-instated in Co. Meath.

Noted by the Councillors.

8.6 Submitted by Councillor Darren O'Rourke

“To what extent did the Department of Housing, Planning, Community and Local Government consult, in any form, with Meath County Council regarding the review of Rent Pressure Zones / Ceist a chur an méid a phlé Roinn Tithíochta, Pleanála, Pobail agus Rialtais Áitiúil an Rialtais, d'aon chineál, athbhreithniú ar chriosanna ardbrú cíosa le Comhairle Chontae na Mí?”

Response

The Planning and Development (Housing) and Residential Tenancies Bill 2016 allows for areas to be deemed as rent pressure zones. Section 36 provides that The Housing Agency, following consultation with the relevant Housing Authority, may make a proposal in writing to the Minister that an area be prescribed by order as a rent pressure zone.

Correspondence was received from the Housing Agency seeking Meath County Council's views in relation to whether specific Local Electoral Areas within the County should be considered as rent pressure zones, in accordance with the criteria set out for such designation.

The Housing Department reviewed the data provided by the Residential Tenancies Board, and conducted an examination of our own private rents data, as obtained from an analysis of RAS and HAP rents paid in the third and fourth quarter respectively of 2016.

Based on this analysis, Meath County Council recommended to the Housing Agency that the Local Electoral Areas (Municipal Districts) of Ashbourne, Laytown-Bettystown and Ratoath be designated as rent pressure zones. The three Local Electoral Areas were designated as rent pressure zones by Ministerial Order on 26th January 2017.

Noted by the Councillors.



Miontuairiscí / Meeting Minutes

9 Notice of Motion

9.1 Submitted by Councillor Caroline Lynch

“That Meath County Council considers the need for additional lighting in areas with dimly lit walkways in terms of personal safety of residents as well as energy efficiency and that where a need is supported by local residents and the Gardaí additional lights are put in place as required / Go ndéanfaidh Comhairle Chontae na Mí machnamh ar an ngá soilsiú breise a chur in áiteanna ina bhfuil siúlbealaigh lagshoilsithe ann ó thaobh slándáil na cónaitheoirí mar aon le héifeachtúlacht fuinnimh de agus in áiteanna ina thacaíonn na cónaitheoirí áitiúla mar aon leis na gardaí leis go gcuirfear na soilse i láthair mar is cuí.”

Supporting Information subject to the motion being proposed, seconded and considered.

Meath County Council has a structured and coherent approach to the provision of lighting. The lighting levels and associated parameters for each specific class of road, street, footpath, cycle track etc. are determined in the lighting design. Such determination takes account of:

- The use of the road, for vehicular, cycle and pedestrian traffic.
- Local amenities such as leisure centres, schools, churches, village halls, shops, public houses, doctors’ surgeries etc. which may affect the night-time use of the road.
- The location of the road, rural, urban etc.
- The environmental aspects.

Each category of road, street, footpath, cycle track etc. will have its own specific requirements, which will affect the level of lighting to be provided. The current Standards for Road Lighting being applied by the Council are BS 5489 and BS EN 13201.

The Council intends to review its policy in relation to the provision of Public Lighting in 2017.

The motion was proposed by **Councillor Caroline Lynch** and seconded by **Councillor Sinéad Burke**. The motion was adopted subject to the supporting information provided.

9.2 Submitted by the Sinn Féin Councillors

Sinn Féin Councillors call for Meath County Council to undertake appropriate, immediate and ongoing assessment of the potential impacts on the economic and social prosperity of the people of County Meath, in regard to the very significant recent



Miontuairiscí / Meeting Minutes

developments in international politics i.e. the statement of Brexit intent by British Prime Minister Theresa May and the inauguration of President Donald Trump in the United States. / Go n-aithneoidh na baill toga an dá fhorbairt suntasach úrnua i gcúrsaí polaitíochta idirnáisiúnta; an léiriú intinne Bhreaitimeacht ag Príomh Aire na Breataine, Theresa May, agus oirniú Uachtarán Donald Trump sna Stáit Aontaithe - agus an féidearthacht impleachtaí a bheith ag na himeachtaí seo ar dul chun chinn sóisialta agus eacnamaíochta muintir na tire."

The motion was proposed by **Councillor Eimear Ferguson** and seconded by **Councillor Sinéad Burke**.

A lengthy debate took place on the matter. The Chief Executive advised the meeting of the ongoing work being done through the various strands of the Council's Economic Strategy, Meath LEO and the Make it Meath campaign. It was also noted that the Council would receive a presentation from the EBR in March.

The motion was noted and it was agreed to refer it to the Planning, Economic Development and Enterprise SPC for further consideration.

9.3 Submitted by Councillor Wayne Forde

"Can I ask the executive to write to the HSE to ask them what plans have they for the Old Meath County Council yard which is a complete eyesore and which is lying idle and derelict for over 10 years adjacent to Our Lady's Hospital in Navan and if the HSE are not forthcoming with a plan to build onto our County Meath Hospital that Meath County Council place a dereliction notice site on the HSE as per the Derelict Sites Act."

Supporting Information subject to the motion being proposed, seconded and considered.

The derelict nature of the HSE owned site has been the subject of various complaints by both Councillors and members of the public, and particularly the condition of the buildings thereon, which it was suggested were in a potentially dangerous state and also the subject of anti-social behaviour. In response to such complaints, the Council raised the matter with the HSE who arranged for the demolition of all such buildings and carried out further remediation of the site in the interests of risk mitigation as well as the prevention of anti social behaviour.

The Council will now make contact with the HSE for a further update on the matter.

The motion was proposed by **Councillor Wayne Forde** and seconded by **Councillor Tommy Reilly**.

Following a short debate on the matter, the motion was unanimously adopted.



Miontuairiscí / Meeting Minutes

9.4 Submitted by Councillor Joe Reilly

“That Meath County Council writes to the Department of Education and Skills seeking clarification on the Department’s current policy regarding the use of school premises, both primary and second level by responsible members/groups of the community in the evenings and at weekends.”

The motion was proposed by **Councillor Joe Reilly** and seconded by **Councillor Sinéad Burke**.

Following a lengthy debate on the matter **Councillor Nick Killian** proposed an amendment to the motion i.e. to include the LMETB when writing to the DES. The amendment was seconded by **Councillor Sinéad Burke** and the motion was unanimously adopted.

9.5 Submitted by Councillor Michael Gallagher

“In light of the recent An Bord Pleanála decision on the North South Interconnector project, elected members of Meath County Council reaffirm their full and unwavering commitment to see this project delivered underground and call on the Minister for Communications, Climate Action and Environment, Denis Naughton, to direct that a full independent assessment of the underground alternative be carried out immediately / I ndiaidh an cinneadh a rinneadh An Bord Pleanála maidir leis an idirnascaire Thuaidh-Theas le déanaí, go n-athdhaingneofar baill tofa Chomhairle Chontae na Mí a lántiomantas an tionscadal seo a chur faoin talamh agus go nglaofar ar an Aire Cumarsáide, Gníomhaithe ar son na hAeráide agus Comhshaoil, Denis Naughton, lánmheasúnú neamhspleách ar an rogha cuir faoin talamh a dhéanamh láithreach.”

Following a lengthy debate on the matter, the motion proposed by **Councillor Michael Gallagher** and seconded by **Councillor Sinéad Burke** was unanimously adopted.

10 Schedule of Chief Executive & Approved Orders (For Information Only)

10.1 Schedule of Chief Executive’s Orders – Transportation

10.2 Schedule of Chief Executive’s Orders – Environment

10.3 Schedule of Chief Executive’s Orders – Housing Construction



Miontuairiscí / Meeting Minutes

10.4 Schedule of Chief Executive's Orders – Community & Enterprise

Noted by the Councillors.

11 Any Other Business

- Councillor Jim Holloway noted that, in preparing the County Development Plan, there should be a serious level of discussion in regard to community facilities.
- Councillor Claire O' Driscoll raised her concerns in regard to the chosen site for the new children's hospital and the costs involved.