



## ***Miontuairiscí / Meeting Minutes***

### ***Ordinary Meeting***

***9<sup>th</sup> April 2018, Council Chamber***

#### **Presiding**

Cathaoirleach, Councillor Gerry O' Connor

#### **Councillors Present:**

Councillors Joe Bonner, Sinead Burke, Eugene Cassidy, Francis Deane, Seán Drew, Eimear Ferguson, Brian Fitzgerald, Pdraig 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, Maria Murphy, Claire O'Driscoll, Maria O' Kane, Damien O' Reilly, Darren O'Rourke, Bryan Reilly, Joe Reilly, Tommy Reilly, Alan Tobin, Sharon Tolan.

**Apologies:** Cllrs. Seán Smith, Sarah Reilly, Gillian Toole

#### **Officials in attendance:**

**Chief Executive:** Jackie Maguire

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

**Meetings' Administrator:** Olive Falsey

**Senior Executive Officers:** Larry Whelan, Dara McGowan

**Finance Staff:** Paul Timoney, Financial Accountant, Sheila Harkin, Management Accountant, Ailie Dempsey, Executive Accountant, Eamon Lynch, Internal Auditor, Ger Soady, Administrative Officer

### **1 Confirmation of Minutes**

1.1 Confirmation of minutes of Ordinary meeting held on 5<sup>th</sup> March 2018.

The minutes of the Ordinary meeting held on 5<sup>th</sup> March 2018 were confirmed on the proposal of **Councillor Pdraig Fitzsimons** and seconded by **Councillor Enda Flynn**.

### **2 Matters arising from the Minutes**



## ***Miontuairiscí / Meeting Minutes***

**Councillor Wayne Harding** requested that the full response in relation to the suspension of Standing Orders would be included in the minutes of the March meeting. This was duly noted and agreed.

### **3 Expressions of Sympathy and Congratulations**

Sympathy was extended to:

- Noirín Murphy, Ashbourne Library, on the death of her father Frank Clarke.
- Ramona McAvenue, Finance Department, on the death of her mother Frances McCann.
- Marie Yore, LEO, on the death of her father-in-law Michael Yore.
- The family of the late Declan Clusker retired fire fighter Dunshaughlin Brigade.
- Teresa Carr, Housing Department, on the death of her brother John (Spike) Maguire.
- The family of the late Thomas Reilly, former employee.
- The family of the late Shaun Lynch, former Councillor.
- The family of the late Pearse Lyons, founder of Alltech, Dunboyne.
- The family of the late Max Mason.
- Sympathy was also extended to the people of Syria who are suffering as a result of the ongoing conflict in the country.

Congratulations were extended:

- Drumconrath N.S. team (Shauna Carolan, Muireann McMahon, Thomas O' Connor, Seamus Hughes) on winning the final of the national Credit Union Quiz, and Slane NS team (Aoife Lynch, Alannah Carroll, Rachel Downey, Ethan Harding) on achieving 6<sup>th</sup> place.
- All involved in the:
  - organisation of St. Patrick's Day parades and festivities across the county.
  - recent launch of the Boyne Valley Flags
- All who entered the LMETB Robert Ballagh art competition 2018 and the winner, Sarah Gordon, Coláiste na hInse, Bettystown.

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

No disposals

### **5 Statutory Business**



## *Miontuairiscí / Meeting Minutes*

### **5.1 Finance**

#### 5.1.1 To receive Draft Annual Financial Statement 2017.

Paul Timoney, Financial Accountant, made the presentation which included information on:

- Cumulative Revenue Deficit 2005- 2017
- Analysis of Annual Expenditure and Income
- Summary of Major Revenue Collections for 2017
- Unfunded Capital balances
- Cumulative Revenue Deficit and Unfunded Capital balances

Head of Finance, Fiona Lawless, noted the following:

- Cumulative loss is now down to €1.2 million from a peak of €10.8m in 2005
- Cumulative unfunded balances are down to €8.3 million from €43m in 2005
- Income and collections continue to improve
- Regular budgetary review of income and costs across all service divisions

Following the presentation, Councillors commended the performance in relation to the management of the Council's finances, but also noted the difficulties in regard to the underfunding of the Council.

#### 5.1.2 To approve (i) additional expenditure for the financial year ended 31st December, 2017 as set out in Table A in accordance with S104 of the Local Government Act 2001 and (ii) transfers to and from Capital as set out in Table B.

- (i) Approved on the proposal of **Councillor Tom Kelly** and seconded by **Councillor Wayne Harding**.
- (ii) Approved on the proposal of **Councillor Maria Murphy** and seconded by **Councillor Joe Fox**.

### **5.2 Corporate Services**

#### 5.2.1 To receive the Audit Committee's Annual Report, 2017.

Frank McLoughlin, Chair of the Council's Audit Committee, provided an overview of the report and informed the meeting of the Audit Committee's objectives for 2018.



## *Miontuairiscí / Meeting Minutes*

The Chair responded to a number of issues raised by Councillors. The Cathaoirleach thanked Frank McLoughlin for attending the meeting, and the report was noted by the Councillors.

5.2.2 To receive an update on Meath County Council's GDPR implementation plan.

Dara McGowan, Senior Executive Officer and Data Protection Officer, made a presentation which included information on:

- Definitions of personal data, processing data etc.
- Data Protection principles
- Lawful processing and sensitive data
- Data Protection policies
- Privacy notice and records of processing
- Data processing agreements
- Liabilities and penalties

Following the presentation, Councillors had an opportunity to ask questions and seek clarification on data protection issues. Responses were duly provided by Dara McGowan and the Chief Executive, Jackie Maguire.

### **5.3 Community**

5.3.1 To receive details of and approve the allocations under the Carranstown Environmental Projects Grants Scheme 2016, as recommended by the Indaver Community Liaison Committee and endorsed by the Laytown Bettystown Municipal District Councillors on 13<sup>th</sup> March 2018.

Approved on the proposal of **Councillor Wayne Harding** and seconded by **Councillor Eimear Ferguson**.

### **5.4 Environment**

5.4.1 To receive a presentation on the preparation of a Climate Change Strategy for Meath County Council.

Larry Whelan, Senior Executive Officer, made the presentation which included information on:

- Obligations on Local Authorities
- Meath County Council's actions to date
- Overview of the draft strategy



## *Miontuairiscí / Meeting Minutes*

- Covenant of Mayors –Energy & Climate Adaptation
- Examples of Council initiatives

Following the presentation, Councillors had an opportunity to comment on the draft strategy, and responses were provided by Larry Whelan on any matters raised.

### 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:

**Housing:**

- Request for updates on the affordable sites in Donore to be included in the Chief Executive's report.
- Request for the number of children and teenagers in emergency accommodation to be included in the Chief Executive's report.
- Update requested re lands in Ashbourne.
- Update requested re purchase of land for housing construction.
- Further clarification and information requested re Part V discussions.

**Transportation:**

- Update requested on the timeframe for proposed works on Navan cantilever bridge.

**Finance:**

- Data on loans noted. Information sought on reasons for 10 refusals.

**Community:**

- Update requested on the changes re management of Comhairle na nÓg.

Responses were provided on the issues raised by the Chief Executive and management team.

#### 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 CPG also noted the report from the Environmental SPC which was held on 29<sup>th</sup> March.

#### 6.3 Report from the Protocol Committee

The Meetings Administrator advised the meeting of the recommendations of the



## *Miontuairiscí / Meeting Minutes*

Protocol Committee having considered the following:

- A request from Óglaigh Náisiúnta na hÉireann (O.N.E.) to make a presentation to the full Council on their work and to raise awareness of their Fuschia Appeal.

Following a discussion, it was agreed to recommend that the Council would receive the presentation at the May meeting.

- A request from Senator John Dolan to make a presentation to the full Council on disability inclusion.

It was agreed to recommend that the Council would receive the presentation at a date to be arranged.

- A request from Councillor Seán Smith to invite representatives of the Gaelscoileanna in Meath to make presentations at Municipal District meetings, and to invite representatives of the Rath Chairn Gaeltacht to make a presentation to the full Council.

It was agreed to recommend that presentations to the Municipal District meetings would be organised at Municipal District level. It was also agreed to defer inviting representatives of the Rath Chairn Gaeltacht to a full Council meeting until the plan for Bliain na Gaeilge was agreed.

- Reports on conferences submitted by Councillors were noted, and a list of conferences relevant to the business of the Council was approved.

## **7 Correspondence**

- 7.1 Circular Letter PL 02/2018 – Department of Housing, Planning and Local Government re. discussion of planning applications at Council meetings.

It was agreed to consider motion 9.11 with this item. The motion was proposed by **Councillor Darren O' Rourke** and seconded by **Councillor Sinéad Burke**.

Following a lengthy debate on the matter, **Councillor O' Rourke** informed the meeting of his decision to withdraw the motion, which was noted by the Councillors.

- 7.2 Circular AQ1/18 – Department of Communications, Climate Action & Environment re. Introduction of a Nationwide Low Smoke Zone (LSZ).

Noted by the Councillors.



## ***Miontuairiscí / Meeting Minutes***

- 7.3 Correspondence from the Department of Health in response to Notice of Motion 9.5 adopted at the March 2018 meeting of the full Council re. criteria for eligibility for the Primary Medical Certificate.

Noted by the Councillors.

- 7.4 Correspondence from Office of the Minister Department of Housing, Planning and Local Government in response to Notice of Motion 9.7 adopted at the March 2018 meeting of the full Council re. proposal for a directly elected Mayor for Dublin.

Noted by the Councillors.

## **8 Notice of Question**

### **8.1 Submitted by Councillor Darren O'Rourke**

*“To ask the Chief Executive if it is the case that there has already been an assessment of the Rath Roundabout to Kilmoon Cross section of the N2 to consider solutions to the current traffic chaos there; if she will provide the detail of who conducted that assessment, when it was conducted, the cost of conducting it and the conclusions it reached / Ceist a chur ar an bPríomhfheidhmeannach an é go bhfuil imscrúdú déanta cheana ar an gcuid thimpeallán an Ratha go Crosaire Chill Mhúna den N2 ar mhaithe do réitigh a fháil ar an anord tráchta ann, an gcuirfeadh sí na sonraí ar fáil maidir le cé a rinne an t-imscrúdú, cathain a rinneadh é agus an costas ar é a dhéanamh mar aon leis na conclúidí a tháinig as?”*

#### **Response**

Arup Consulting Engineers were appointed in 2015 to undertake a junction upgrade study on the N2 between Kilmoon Cross and Rath Roundabout. The report was funded by the TII at a cost of €27,400 including VAT and included traffic surveys and junction counts. It is noted that a copy of the report was previously made available to Councillors via Alfresco. Whilst the report found that the junction upgrade proposals would have some benefits in terms of capacity and safety, it concluded that ‘...for all options (except the N2/L5007 junction), the upgraded junctions would be operating at, or close to, capacity under existing traffic conditions, with no reserve capacity available to accommodate additional growth on the N2 and adjoining roads’

The proposed improvements noted in this report would therefore have a short design life, and the N2 requires a full upgrade to accommodate the projected increase in traffic along the route.



## ***Miontuairiscí / Meeting Minutes***

Noted by the Councillors.

### **8.2 Submitted by Councillor Sinéad Burke**

*“Can the Executive clarify the conditions of the current CIS scheme, namely can this scheme be entered into by housing estates and urban cul de sacs or is it solely a rural scheme? / An soiléireodh an Príomhfheidhmeannach coinníollacha an scéim CIS reatha, go háirithe an féidir le éastáit tithíochta agus cul-de-sacanna uirbeacha leas a bhaint as nó an ar mhaithe don tuath amháin atá sé?”*

#### **Response**

CIS applications can be submitted for any public roads/roads in the charge of the Council. Therefore, if an estate is taken in charge or the road is a public road, then the Community Involvement Scheme can be applied for, once the community agree to the local contribution.

Noted by the Councillors.

## **9 Notice of Motion**

### **9.1 Submitted by Councillor Wayne Forde**

*“To call on Meath County Council to erect signage to prevent any unauthorised vehicles blocking any emergency entrance and exits of slipways in any part of Meath.”*

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

As Councillors will be aware, the Council has advanced proposals for the provision of the 7 slipways on the Boyne and Blackwater, and has submitted a full Natura Impact Statement to An Bord Pleanála for approval, to allow such a development proceed as both rivers are designated Natura Sites.

The development, if approved, will incorporate a mixture of appropriate signage and road markings depending on the location and ground conditions of each site, and which will strongly discourage car parking thereon.

There is no statutory basis for the Council to impose fines. However, pending completion of the aforementioned approval process, the existing signage at each location will be reviewed to see where improvements on a temporary basis can be made.





## ***Miontuairiscí / Meeting Minutes***

The motion, proposed by **Councillor Wayne Forde** and seconded by Councillor **Tom Kelly**, was unanimously adopted.

### **9.2 Submitted by Ashbourne MD Councillors**

*“That Meath County Council vehemently disagrees with Irish Water’s policy of not resolving problems with public wastewater mains where these are located on private property. Whilst awaiting a change in Irish Water policy and continuing to lobby for same, Meath County Council will remediate wastewater issues on public mains on private property in the interim.”*

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

Meath County Council on behalf of Irish Water does and will continue to maintain all main foul sewers whether on public or private property.

In addition, further to Irish Water’s recent clarification (IW’s letter to LAs of 14th March 2018 – see below) the Council now also maintains wastewater service connections in public areas.

Wastewater service connections (including shared services) within private property remain private and hence the responsibility of the property holder/s to maintain.

Since the establishment of Irish Water, the Council is no longer the Water Services Authority for Meath, and does not have the authority or funding to address private drainage issues. Moreover, Irish Water does not intervene to address private drainage issues for legal, regulatory, procurement and use of public funding reasons. It is considered that the Council is similarly constrained.

The motion was proposed by **Councillor Claire O’ Driscoll** and seconded by Councillor **Suzanne Jamal**. Following a lengthy debate on the matter, the motion was unanimously adopted.

### **9.3 Submitted by Councillor Sean Drew**

*“As a consequence of the severe snow and ice that occurred in County Meath in March and its highly detrimental impact on the condition and safety of the roads network throughout the County, this Council requests that an immediate application is made to the Department of Transport, Tourism and Sport for the urgent payment of substantial additional roads restoration funding by means of a Severe Weather Grant”*



## *Miontuairiscí / Meeting Minutes*

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

The Council has received correspondence from the Department of Housing, Planning and Local Government DHPLG requesting local authorities to compile and submit their claims for recoupment of exceptional costs incurred in the response and cleanup to Storm Emma. Claims are to be submitted to the DHPLG by the 20<sup>th</sup> April next. The Department has advised that claims for damage to infrastructure should be discussed with the relevant Government Department in line with its sectoral responsibility.

The Council has been in contact with the Department of Transport Tourism & Sport regarding damage to the road network, following the severe weather. It is now the Council's intention to complete an assessment of the extent of the damage and quantify the cost of repair works with a view to making a formal submission.

The motion was proposed by **Councillor Seán Drew** and seconded by Councillor **Wayne Harding**.

It was agreed to consider Motion 9.4, proposed by **Councillor Damien O' Reilly** and seconded by **Councillor Seán Drew**, in conjunction with Motion 9.3.

A long debate took place on the two motions. Des Foley, Director of Services, provided further information and noted that the Council would be preparing claims for the clean-up costs, and for the damage to the road network. It was also noted that a road condition survey would commence in early May and that, at present, the priority in the Municipal Districts is to concentrate on pothole repairs.

#### **9.4 Submitted by Councillor Damien O'Reilly**

*"I call on Meath County to write to the Minister for Transport, Tourism and Sport, requesting urgent additional funding for damaged roads around the county from the recent Storm Emma."*

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

See Item 9.3 above.

#### **9.5 Submitted by Councillor Sinéad Burke**

*"In recognition of the success of the emergency plan and accompanying out of hours phone line which was active during the recent bad weather, this Council will re-install this emergency phone line as part of its homeless services strategy / Súil caite ar an*



## ***Miontuairiscí / Meeting Minutes***

*méid agus gur éirigh leis an bplean eigeándála agus an líne teileafóin as-uaireanta tionlacain i rith na drochaimsire le déanaí go gcuirfeadh Comhairle Chintae na Mí an líne teileafóin eigeándála ar fáil arís mar chuid dá stráitéis sheirbhísí do dhaoine gan dídeán."*

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

Meath County Council's out of hours phone line is a standard facility, which is available throughout the year in order to deal with out of hours emergencies that may arise, including emergency related homelessness.

In addition, Meath County Council Homeless Service activated a Severe Weather Initiative during the recent severe weather episode, which included promotion of the out of hours number as a means of reporting rough sleepers. This was to provide a humanitarian response to those homeless and those deemed to be potentially vulnerable during this period. A total of seven individuals were dealt with specifically under this initiative.

Following severe weather incidents, normal service engagement, inclusive of client responsibility, is resumed and the out of hours emergency number continues to be available to deal with emergency situations.

The motion was proposed by **Councillor Sinéad Burke** and seconded by Councillor **Eimear Ferguson**. Based on the supporting information provided, the motion was noted.

### **9.6 Submitted by the Fianna Fáil Group**

*"Further to the Funding Submission prepared by this Council in July 2015, and recognising that the NOAC Report published in January 2018 confirms that Meath continues to have the lowest Revenue Expenditure per Capita of all Local Authorities, this Council now agrees that the Funding Submission be updated and that a concerted campaign is undertaken by the Executive and Elected Members to deliver an increase in the level of government grants funding to the County."*

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

The Council will review and update the funding submission previously made to take account of the current financial position, with a view to bringing an updated report to the CPG for their consideration.



## ***Miontuairiscí / Meeting Minutes***

The motion, proposed by **Councillor Wayne Harding** and seconded by **Councillor Damien O' Reilly**, was unanimously adopted.

### **9.7 Submitted by Councillor Trevor Golden**

*“To call on the Transportation SPC to designate HGV routes throughout the county and propose any by-laws required. The purpose of such routes: divert HGV traffic to higher capacity routes (National & Motorway), reduce HGV traffic in towns & villages, improve Road Safety on Regional and Local Roads.”*

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

It is recommended that this matter be referred to the Transportation SPC and that the SPC extend an invitation to Cllr. Trevor Golden to attend the meeting to contribute to the discussion.

The motion, proposed by **Councillor Trevor Golden** and seconded by Councillor **Alan Tobin**, was unanimously adopted.

An extension of time, (15 minutes) was agreed on the proposal of the **Cathaoirleach, Councillor Gerry O' Connor** and seconded by **Councillor Wayne Harding**.

### **9.8 Submitted by Councillor Eugene Cassidy**

*“While welcoming the reduction of contribution from the community for CIS schemes from 10% to 7.5% and being cognizant of the fact that a community contribution has to be made, I'm asking Meath County Council to reduce this further to 5% so as to encourage residents on class 3 roads, that are in the charge of the Council, to participate in this scheme.”*

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

Circular RW 4/2018 regarding Community Involvement Schemes confirmed an allocation of €10m under this scheme nationally for 2018 and requested local authorities to bid directly for this funding.

The Council submitted an application on Friday 23<sup>rd</sup> March 2018 seeking funding for 68 roads costing €3.4m, with the maximum amount of grant funding being sought of 85% of the total cost, which amounts to €2.9m. The remaining 15% of the cost is to be funded by way of a community contribution.



## ***Miontuairiscí / Meeting Minutes***

In other years, the Council has undertaken to pay half of the community contribution, which previously was 20% of the total cost. The amount allocated by the Councillors from own resources in the 2018 Budget, to contribute to the funding of the community element of these schemes is €80,000, and this amount is likely to be sufficient to enable a 5% contribution from residents.

The motion, proposed by **Councillor Eugene Cassidy**, and seconded by Councillor **Joe Fox**, was unanimously adopted.

### **9.9 Submitted by Councillor Noel French**

*“That the Department of Foreign Affairs provide adequate staffing to the passport office to ensure that the notified time frames are being met.”*

The motion, proposed by **Councillor Noel French**, and seconded by Councillor **Sharon Tolan**, was unanimously adopted.

### **9.10 Submitted by Councillor Noel French**

*“That Meath County Council call on the Government to declare 21<sup>st</sup> January 2019 be a public holiday as it is the centenary of the foundation of our democratic institutions / Iarrann Comhairle Contae na Mí ar an Rialtas an 21 Eanáir 2019 a dhearbhu gur laethanta saoire poiblí é mar is é céad bliain ó bunaíodh ár n-institiúidí daonlathacha.”*

The motion was proposed by **Councillor Noel French** and seconded by Councillor **Paddy Meade**. Following a show of hands vote the motion was adopted. (For: 15 – Against: 8)

### **9.11 Submitted by Sinn Féin Councillors**

*“To call on Meath County Council to write to the Minister and Secretary General of the Department of Housing, Planning and Local Government outlining our opposition to, and frustration with, Circular Letter PL 02/2018 and calling for the circular's immediate withdrawal and furthermore, for the initiation of a comprehensive and inclusive process of planning reform with the public interest at its very core / Go nglaofaidh siad ar Chomhairle Chontae na Mí scríobh chuig Aire agus Ard-Rúnaí an Roinn Tithíochta, Pleanála agus Rialtais Áitiúil ag déanamh cur síos ar an méid is a bhfuilimid i gcoinne agus ár bhfrustrachas leis an mbeart deireanach seo agus ag éileamh aisgherradh láithreach den chiorclán agus níos faide, go gcuirfí tús le córas athchóiriú pleanála cuimsitheach le leasa an phobail mar chuid láirneach de.*

**See Item 7.1 above.**



## ***Miontuairiscí / Meeting Minutes***

### **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

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

Noted by the Councillors.

### **11 Any Other Business**

- Councillor Caroline Lynch raised the issue of writing to the Minister for Health to extend the availability on the long term illness scheme of the freestyle libra sensor to all Type 1 diabetics.

The Cathaoirleach advised Councillor Lynch to put forward a motion on the matter.