



Ordinary Meeting

11th June 2018. Council Chamber

Presiding

Cathaoirleach, Councillor Tom Kelly

Councillors Present:

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

Apologies: Cllr. Wayne Forde, Sharon Tolan

Officials in attendance:

Chief Executive: Jackie Maguire

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

Meetings' Administrator: Olive Falsey

Senior Executive Officers: Larry Whelan, David Jones

1 **Confirmation of Minutes**

Confirmation of minutes of Ordinary meeting held on 14th May 2018. 1.1

The minutes of the Ordinary meeting held on 14th May 2018 were confirmed on the proposal of Councillor Eugene Cassidy and seconded by Councillor Ronan McKenna.

2 Matters arising from the Minutes

No matters arising





3 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- The family of the late Councillor Joe Reilly.
- Councillor Wayne Harding on the death of his brother Gary Harding.
- Councillor Sharon Tolan on the death of her father John Donohoe.
- Caroline Rooney, Finance Section and Ken McGuinness, General Operative Navan MD, on the death of their mother/sister Geraldine Lynch.
- Michelle Whelan, Tourism on the death of her father Michael Whelan.
- Pat Barrett, Transportation Department, on the death of his brother-in-law Micheál McKeown.
- Helen McCabe, Finance Department, and Joan Murray, Motor Tax, on the death of their mother Maureen Carry.

Congratulations were extended to:

- All involved in the organisation of, and support for, the following events:
 - o The recent Moylagh 50 mile walk.
 - Unveiling of WW1 memorial to the men of Navan.
 - Unveiling of plaque in Navan to the late Dr. Paddy Randles.
 - Ratoath Awards ceremony held in Dunshaughlin Civic Office.
 - Meath Macra Blue Jean Festival in Athboy.
 - Launch of Meath County Council's Gaeltacht Scholarships
 - o Bellewstown Heritage Group on recent Bealtaine festival.
 - Comhairle na nÓg on recent 'Fun Colour Run' in Blackwater Park.
 - Recent twinning trip to Broccostella, Italy.
- Kentstown N.S. on recent success in Cumann na mBunscoil competition.
- All who voted in favour of repealing the 8th Amendment to the Constitution on 25th May.
- Meath County Council Staff and Civil Defence for their assistance and efficiency during the recent water outages in Ratoath.

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 Finance

5.1.1 To receive an update on the Management Accounts of Meath County Council in respect of Q1 2018.







Received and noted on the proposal of Councillor Maria Murphy and seconded by Councillor Eugene Cassidy.

5.1.2 To receive an update on Meath County Council's funding submission and consultation document on Local Government Funding (Baseline) Review.

It was also agreed to consider Item 7.2 (Consultation Document in respect of Local Government Funding (Baseline) Review dated 28th May 2018, at this time.

Fiona Lawless, Head of Finance, made the presentation and noted that the item of correspondence at 7.2 provided for a baseline review to develop a methodology for the allocation of available funding, taking account of the diverse nature of counties across Ireland. It was noted that the Council is being asked to provide key indicators on how any additional funding may be allocated. It was also noted that the consultation process is open until 3rd July and that Councillors can make individual submissions if they wish to engage in the process.

A lengthy debate took place on the matter and the funding submission was welcomed, acknowledged and unanimously supported by the Councillors. The Chief Executive noted that a final copy would be made available and Councillors could submit any comments for inclusion in the document.

5.2 **Corporate Services**

To receive a report on the performance of certain Reserved Functions and to 5.2.1 approve the right of 'call in' in respect of the N52 Grange to Clontail Scheme (Kells/Ardee Road).

Following a lengthy debate on the matter and advice from Des Foley, Director of Services, the item was approved on the proposal of Councillor Eugene Cassidy and seconded by Councillor Sarah Reilly.

5.3 Community

5.3.1 To consider Arts Funding Awards and Bursaries 2018 recommendations.

Approved on the proposal of **Councillor Sarah Reilly** and seconded by

Councillor Damien O' Reilly.

5.4 **Transportation**

5.4.1 To enter into an agreement with Kildare County Council pursuant to Section 85





of the Local Government Act, 2001, whereby Kildare County Council will exercise the statutory powers, functions and duties of Meath County Council in relation to bridge rehabilitation works to the MH-N52-001.00 County Meath/Westmeath Bridge in the County of Meath which are described in the Schedule to the Agreement.

Approved on the proposal of **Councillor Enda Flynn** and seconded by the **Cathaoirleach Councillor Tom Kelly**.

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:

- Update requested in regard to the purchase of land by the Council.
- Concern noted in regard to homeless figures.
- Clarification sought in regard to housing development in Athboy.

Environment:

- Reports requested on the Staleen to Ratoath pipeline.
- MCC staff acknowledged for their work in responding to the recent water outages in Ratoath.
- Update requested on capital investment programme in regard to burial grounds: Dulane, Rathmore and Nobber.

Planning:

- Update requested on meeting of Executive with the three Government Ministers in relation to the MASP as agreed at the Planning Economic Development and Enterprise SPC on 29th May.
- Concern expressed re the availability of planners for one to one pre-planning meetings.

Community:

• The specific dates/timeframes for the delivery of the Ashbourne Linear Park requested.

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





- 6.2 Report from the Corporate Policy Group
 - 6.2.1 To approve, as agreed by the CPG, on the recommendation of the Transportation SPC:

1. Winter Maintenance Programme

- Meath County Council to tender for a panel of contractors to draw down from during severe weather events
- Meath County Council to continue with the fleet replacement /upgrade programme subject to approval of capital funding, as follows:
 - Replacement of 1 no 18t Tipper Truck (2001) with a new 26t Tipper Truck.
 - Replacement of 1 no 18t Tipper Truck (2000) with a new 18t Tipper Truck.
 - Purchase of two new salters 9cu. M. & 6 cu.m. (Trading in two 5 cu.m. Salters).
- Subject to the above investment, Meath County Council to review and redesign the current 10 salting routes in line with the Council's route prioritisation policy.

Approved on the proposal of **Councillor Seán Drew** and seconded by **Councillor Alan Tobin.**

2. School Wardens

To consider if the setting of criteria for the appointment of school wardens is feasible for inclusion in the Road Safety policy already in place for schools.

Approved on the proposal of **Councillor Trevor Golden** and seconded by **Councillor Enda Flynn.**

6.3 Report from the Protocol Committee

The Meetings Administrator advised that the reports on conferences submitted by Councillors were noted, and a list of conferences relevant to the business of the Council was approved.

It was also agreed to recommend that the section relating to 'Conduct' in Standing Orders should be revised to include a paragraph on conduct of Councillors in relation to





the use of social media and that a draft wording would be drafted on the matter.

The recommendation of the Protocol Committee were approved and noted by the Councillors.

7 Correspondence

7.1 LG 02/2018 – Department of Housing, Planning and Local Government re. Training needs of elected members.

Noted by the Councillors.

7.2 Consultation Document in respect of Local Government Funding (Baseline) Review dated 28th May 2018.

Noted by the Councillors.

7.3 Correspondence from Department of Rural and Community Development re. Community Enhancement Programme for 2018.

Noted by the Councillors.

7.4 Correspondence from Department of Rural and Community Development re. Outdoor Recreation Infrastructure Scheme 2018.

Noted by the Councillors.

7.5 RW 7/2018 – Department of Transport, Tourism and Sport re. Community Involvement Schemes.

Noted by the Councillors. Councillor Drew sought clarification in relation to the timeframes for spending the funding.

8 Notice of Question

8.1 Submitted by Councillor Trevor Golden





"For the years 2014, 2015, 2016 & 2017 what number of applicants did not meet local needs requirements, advised by either an application decision or pre-planning meeting, but were living in the same Municipal District as their proposed development?"

Response:

Section 10.4 of the Meath County Development Plan 2013-2019 sets out the criteria by which planning applications are assessed for local needs. For the period 01/01/2014 to 31/12/2017, 5690 applications were received with 364 of these applications refused for a variety of reasons. The national planning system, iPlan, used to register and record planning applications and decisions, does not have the functionality to record the reason for refusals. In relation to pre-planning meetings, no separate statistics are kept regarding local needs criteria.

Noted by the Councillors.

8.2 Submitted by Councillor Sean Drew

"Can the following information be provided in relation to the Fire Hydrants in County Meath?

- How many fire hydrants are in County Meath?
- Are the fire hydrants inspected and maintained on a systematic basis?
- Is there an inventory of the location of all the fire hydrants in the county?
- Is the location of fire hydrants in the locality readily available to all fire crews when they attend call outs?
- Have Meath County Council considered GPS mapping of all fire hydrants in the • county?"

Response:

- The approximate total number of hydrants on mapped GIS system is 4845 (since • responsibility for surveying now rests with Irish Water. The accuracy of that figure cannot be verified as this is a legacy issue and the number may have changed.
- The provision and maintenance of fire hydrants is the responsibility of Irish Water. Please note Section 29 of the Fire Services Acts, 1981 & 2003 provides for water supplies, and under Section 29 a Sanitary Authority is responsible for maintaining hydrants and a supply of water. A Fire Authority can make representations where it is felt they are insufficient and the Sanitary Authority must do what is agreed in consultation.





- There is a mapped GIS inventory of hydrants within the County. Hydrants are mapped on the water services layer of GIS maps available to Meath Co Council staff.
- In general, fire hydrants are readily available to crews, and where an additional resource for water supply is required a water tanker can be mobilised to any incident. Hydrant maps have been provided for each station area.
- The surveying of fire hydrants is under Irish Water remit, but it is the intention of the fire authority to work with IT/GIS staff to make the hydrant maps easily accessible to crews on the fire appliance using existing tablets carried on front line vehicles.

Noted by the Councillors.

8.3 Submitted by Councillor Nick Killian

"To request the Chief Executive to provide the total contribution amounts of funding collected in 2016 and 2017 from planning permissions granted for housing, for Social, Recreational and Community Facilities and Amenities, as provided for by the Contribution Scheme of Meath County Council under Section 48 of the Planning and Development Act.

In addition, to provide full details as to where these funds were allocated by Municipal District, and for what purpose."

Response:

At the May meeting of the full Council, a presentation was made on the Capital Programme with Amenity levy spend of \in 18.4m made up of balance on hand \in 7.9m. (which includes \in 6.4m. collected in 2016 & 2017), and future estimated collection of \notin 10.5m.

Spending on road levies will be ≤ 12.8 m. made up of levies on hand of ≤ 2.2 m. and estimated future collection of ≤ 10.6 m.

The table below outlines a total capital spend of \notin 302m. with levies funding representing \notin 31.2m.





Expenditure 2018-2020

Income 2018 - 2020

DESCRIPTION	TOTAL EXPENDITURE 2018 - 2020	AMENITY LEVIES TO BE APPLIED	ROAD LEVIES TO BE APPLIED	LOANS	GRANTS	REVENUE PROVISION/ OTHER	TOTAL
Housing & Building	171,393,726	-		15,000,000	155,523,726	870,000	171,393,726
Road Transportation & Safety	74,969,500	-	12,375,000	11,253,250	46,031,250	5,310,000	74,969,500
Water Supply & Sewerage	-	-	-	-	-	-	-
Development Incentives and Controls	3,012,500	1,421,250	425,000	-	266,250	900,000	3,012,500
Environmental Protection	24,275,000	3,475,000	-	3,375,000	9,962,500	7,462,500	24,275,000
Recreation and Amenity	22,462,926	13,534,109	-	-	8,716,817	212,000	22,462,926
Miscellaneous Services	6,000,000	-	-	-	_	6,000,000	6,000,000
	302,113,652	18,430,359	12,800,000	29,628,250	220,500,543	20,754,500	302,113,652

Noted by the Councillors. Councillor Killian sought further clarification, which was provided by Fiona Lawless, Head of Finance.

Submitted by Councillor Caroline Lynch 8.4

"Does Meath County Council have a Health and safety policy in relation to its social housing stock with specific reference to over-occupation. /An bhfuil polasaí sláinte agus sábháilteachta ag Comhairle Chontae na Mí maidir lena líon thithíocht sóisialta ó thaobh thar-áitíocht de."

Response:

Meath County Council's Allocation Scheme is the sole policy document that refers to the matter of overcrowding within our social housing stock.





This reference is in the context of Section 15.0 – Transfers, which makes provision for tenants to make an application for a transfer based on a number of circumstances, including overcrowding.

Allocations are made based on the family composition of the applicant at the time of allocation, and the associated required bedroom unit to fulfil the housing need of the applicant. Thereafter, a material change in the household's composition that would require a larger housing unit to accommodate same is subject to the transfer application process. Applications under the transfer process is time based and subject to the availability of the appropriate housing unit, and transfer applicants need to be in compliance with the requirements as set out in Section 15.0 of the Allocation Scheme.

In addition to the above, the option of a house extension under the Local Authority Adaptation Scheme to alleviate overcrowding can be considered subject to the overall conditions and prioritisations of the Scheme, in addition to available budget.

Noted by the Councillors.

8.5 Submitted by Councillor Francis Deane

"Within many existing graveyards there are large tracks of green areas. With regard to green areas within old graveyards in the charge of Meath Co Council can said green areas be developed as extended burial ground in light of increasing population and lack of suitable ground available for burying the dead?"

Response:

A Burial Grounds survey carried out by the Council in 2013 identified some 231 burial grounds in the County, of which 120 of these are vested in Meath County Council. Of the 120, only 17 are regarded as open for new burials and the remainder either dormant (burials are restricted to situations where family members are already buried there) or closed. The information gathered as part of the study was obtained from inspections and from talking to Caretakers, Community Groups and local Church bodies.

Such communications also focused on potential capacity remaining in each burial ground, including green areas within burial grounds. However, in almost all cases and particularly in the older burial grounds, the general consensus was that such green areas do contain buried remains and that the simple grave markers (wooden crosses, small stone markers, etc.) have disappeared over the passage of time. It may also be the case that these areas may have been used for mass burials e.g. during the famine.

Verification of these burials could only be achieved by excavating trial holes unobtrusive geophysical surveys would most likely not highlight burials given the age of these possible graves. It is also pointed out that there are many archaeological features





such as enclosure banks + ditches, pits, houses, souterrains, previous churches, round towers, holy wells etc. that can be associated with these sites. These have statutory protection, and anyone wishing to dig anything in (or adjacent to) any of these graveyards needs to notify the National Monuments Service / Minister at least two months prior to the excavations.

It is submitted that it would not be appropriate to disturb existing burials regardless of age of the grave or whether or not the grave is marked. The Council is, however, endeavouring to identify and procure suitable sites for replacement burial grounds for a number of locations identified in the aforementioned study, and recently published an advertisement seeking expressions of interest from landowners in the Stamullen and Trim Areas to provide lands in those areas. The Council is also working with local Community Groups with regard to extensions to existing burial grounds where such extensions are deemed feasible.

Noted by the Councillors.

Notice of Motion 9

9.1 Submitted by Councillor Michael Gallagher

"To call on Meath County Council to CPO derelict buildings that are not maintained by the owners and that are causing inconveniences to neighbours and the public at large / Go ndéanfadh Comhairle Chontae na Mí CPO ar fhoirgnimh nach ndéanfar cothabháil orthu ag na húinéirí agus lena cruthaítear míchaoithiúlachtaí do na comharsan agus an pobal go ginéarálta."

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

Each year the Council receives a substantial number of complaints in respect of buildings or structures which are in a ruinous, derelict or dangerous condition and which, in line with the Derelict Sites Act 1990 are in urban areas and detract, or are likely to detract, to a material degree from neighbouring properties, while a smaller number are in respect of sites which would be regarded as being in a neglected, unsightly or objectionable state due to lack of paint, overgrown gardens or sites subject to littering.

The 1990 Act provides the statutory basis to Local Authorities to prevent such sites being or becoming a derelict site and to ensure that owners rectify the site in question. In all cases as a first step, the Council seeks to engage with the owners and in many





cases this results in a desired outcome, without the need to go through the formal process prescribed in the Act.

The Derelict Sites Act prescribes a series of processes to be initiated in tackling derelict sites, one of which can involve the acquisition of the property by the Local Authority either by agreement or compulsorily using CPO and vesting order procedures. It is pointed out however, that use of the CPO procedure has rarely been used and only recently by Local Authorities in the larger urban centres, where sites can be used to deliver social housing and where the necessary capital funding is available.

It is noted that the various processes prescribed in the Act, and culminating in the property being entered in the Derelict Sites Register, provide the necessary authority to deal with the majority of derelict sites without the need to use the CPO procedures, which as aforementioned can often require availability of significant Capital funding.

The motion was proposed by Councillor Michael Gallagher and seconded by Councillor Caroline Lynch.

Following a lengthy debate, advice from Barry Lynch, Director of Services, and based on the supporting information provided, the motion was noted.

9.2 Submitted by Councillor Sinéad Burke

"I call on Meath County Council Arts section to consider the sponsorship of public music recitals in public open spaces during the Summer months, similar to the planned music recital scheme by the OPW at their sites around the country /Éilím ar Roinn Ealaíonta Chomhairle Chontae na Mí machnamh a dhéanamh ar urraíocht a thabairt do cheadail ceoil amuigh faoin aer i rith míonna an tSamhraidh cósúil leis an méid a dhéanann OOP ag a suíomhanna timpeall na tíre."

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

The Arts Office is open to discussion on the provision of music recitals in public spaces during the summer months. However, no provision for such activity has been made in the 2018 budget. We will consider provision for same in 2019 budget submission.

The motion proposed by Councillor Sinéad Burke and seconded by Councillor Caroline Lynch was unanimously adopted.

9.3 Submitted by Councillor Seán Drew





"In order to support the opportunity for experienced local building contractors to successfully bid for Meath County Council social housing projects, this Council agrees that those building firms who fail to attain the minimum recent turnover requirement, will not be automatically prohibited from tendering for Meath County Council building projects of less than 15 new houses."

<u>Supporting Information subject to the motion being proposed, seconded and considered.</u>

The Qualification Criteria as set out in any Request for Tender competition are ultimately present to safeguard public funds and ensure that the capacity (financial, technical and professional ability) exists for any potential successful tenderer in the delivery of the required services/project.

Economic/financial standing qualification criteria are generally set at twice the estimated contract value. These threshold figures are set in this manner to reduce the risk to the contracting authority, and ensure that any successful tenderer has the necessary resources and financial capacity to deliver on the requirements of the tender. Awarding contracts to tenderers who do not have the required financial capacity not only poses a potential risk to the contracting authority but may also result in placing substantial risk and strain on the company's resources, and ultimate viability as a business entity.

Meath County Council is required to meet all aspects of public procurement rules as set out under the various Procurement Directives. The economic/financial standing qualification criteria as currently applied in accordance with said Directives must be adhered to.

In the scenario where a company does not fulfil the economic/financial standing qualification criteria, they are encouraged to consider the option of forming consortiums with other companies by way of attaining the required financial/technical capacities.

Outside of social housing construction projects, there are other opportunities that local building contractors may be in a position to successfully tender for, including the General Maintenance and Building Works contract, which is procured annually'

The motion was proposed by **Councillor Seán Dr**ew and seconded by **Councillor Damien O' Reilly.**

Following a lengthy debate and based on the supporting information provided, the motion was noted.

9.4 Submitted by Trevor Golden





"Calling on Meath County Council to publish on <u>Meath.ie</u> a list of cycle friendly routes, to improve road safety for cyclists. Selection of cycle friendly roads should consider presence of a hard shoulder, width of carriage way for safe over-taking and traffic volumes. The list is to encourage cyclists to use the safest roads available to them and is not intended to prohibit any route."

<u>Supporting Information subject to the motion being proposed, seconded and considered.</u>

The current and proposed rural cycle routes between towns in Meath and adjoining counties are shown on the National Transport Authority's Cycle Network for the Greater Dublin Area which can be accessed on

https://www.nationaltransport.ie/publications/transport-planning/gda-cycle-networkplan/ and this link will be included on meath.ie

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

The motion was adopted following a debate on the matter.

9.5 Submitted by Councillor Noel French

"That Meath County Council encourages the designation of holy wells with significant history as protected structures."

<u>Supporting Information subject to the motion being proposed, seconded and considered.</u>

As per Section 52 (1)(a) of the Planning & Development Acts, Meath County Council encourages the addition to the Record of Protected Structures, of structures, or part of structures, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. Each proposal is assessed according to these criteria.

The motion was proposed by **Councillor Noel French** seconded by **Councillor Gerry O' Connor.**

Following a lengthy debate and based on the supporting information provided, the motion was noted.

9.6 Submitted by Councillor Wayne Forde





"Can I call on the Executive to write a letter to Minister for Health Simon Harris and the Government Party Ministers in Meath regarding receiving an Update as to when the new Regional Hospital for the North East will be built in Navan and can they confirm that they have the funding for this project."

Motion deferred.

9.7 Submitted by Councillor Michael Gallagher

"To call on the Transport Infrastructure Ireland (TII) to review the building of the Ardee bypass on the N52, to include an updated flood risk assessment to the affected areas and assurances that the safety and integrity of the R165 will be maintained /Go néileodh Comhairle Chontae na Mí ar UNB athbhreithniú a dhéanamh ar thógáil seachbhóthar Bhaile Átha Fhirdhia ar an N52 le staidéar measúnaithe riosca i gcás tuilte san áireamh agus go gcinnteofar go gcothabháiltear sábháilteacht agus iomláine an R165."

The motion proposed by **Councillor Michael Gallagher** and seconded by **Councillor Sinead Burke** was unanimously adopted.

9.8 Submitted by Councillor Gillian Toole

"In the best interest of public health & public safety, this Council calls upon the Department of Health & the Health Service Executive to introduce and pay for the compulsory phased dispensing of benzodiazepines, Pregabilin and any other class of medicinal product that is known to be dealt, supplied and / or over- used by increasing numbers of members of the public."

The motion was proposed by **Councillor Gillian Toole** and seconded by **Councillor Enda Flynn.**

Following a debate on the matter, an amendment was proposed by **Councillor Claire O' Driscoll** and seconded by **Councillor Seán Drew** i.e. to remove the word '*compulsory*' from the motion. Following a 'show of hands vote' the amendment was lost (8 For: 12 Against), and the original motion 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
- 10.4 Schedule of Chief Executive's Orders Community & Enterprise

Noted by the Councillors.

11 Any Other Business

- It was agreed that all Councillors would be invited to the JPC event in Wexford on Monday 25th June.
- Following a suggestion submitted by Councillor Gillian Toole in relation to having a structured break during the Council meeting, it was agreed that the matter would be referred to the Protocol Committee for consideration.
- Councillor Damien O' Reilly requested that a follow-up in relation to responses to motions should be undertaken.

