



Ordinary Meeting

4th February 2019, Council Chamber

Presiding

Cathaoirleach, Councillor Tom Kelly

Councillors Present:

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

Apologies: Cllrs. Wayne Forde, Suzanne Jamal,

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: Robert Collins, Larry Whelan

Planning Staff: Wendy Bagnall, SEP, Seán Clarke, SEO

Confirmation of Minutes 1

Confirmation of minutes of Ordinary meeting held on 3rd December 2018 1.1

The minutes of the Ordinary meeting held on 3rd December 2018 were confirmed on the proposal of Councillor Eugene Cassidy and seconded by Councillor Tommy Reilly.

Confirmation of minutes of Special Planning meeting held on 21st January 2019 1.2

The minutes of the Special Planning meeting held on 21st January 2019 were confirmed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Francis Deane.**





2 Matters arising from the Minutes

No matters arising.

3 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- Cllr. Brian Fitzgerald on the death of his sister, Elizabeth Carroll
- Cianan Gallagher, Planning Department, on the death of his mother, Angela Gallagher
- Sarah O'Brien, Duleek Civic Office, on the death of her mother, Margaret O'Dea
- Des Foley, Director of Services, on the death of his son, Colin Foley
- Cllr. Bryan Reilly on the death of his sister, Catherine Curran
- Camilla McCluskey, Motor Tax, on the death of her mother-in-law, Teresa McCluskey
- The family of the late Jimmy Watters, former employee.
- Liz Casey, IT and Barry Quinn, Fire Service, on the death of their mother/mother-inlaw, Phyllis Casey
- Brian Reilly, GSS Dunshaughlin MD, on the death of his father, Jimmy Reilly
- Joan Carroll, Community Department, on the death of her mother, Chrissie St John
- Catherina O'Rourke, Community Department, on the death of her nephew, John O'Rourke
- Gerry Hughes, Trim MD, on the death of his mother, Eileen Hughes
- Maura McCormack, Transportation, and Karen Lawlor, Housing Department, on the death of their mother/grandmother, Mary Lynch
- The families of the four victims of the recent road fatality in Donegal.

Congratulations were extended to:

- Meath County Council and the Environment Department on the recent Tidy Towns National event held in Trim
- Two students, Aoife Forkin and Lara Philips, from Coláiste na hInse selected to represent Ireland in the World Debating Championships
- All involved in the commemoration ceremony of the first Dáil held on 21st January at Buvinda House
- Slane Credit Union and all the children who were involved in the annual quiz for primary schools
- Catherine McEvoy on being the recipient of the 2019 TG4 Gradam Ceoil Award
- All the local musical societies on their forthcoming productions.

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

5.1 Corporate Services

5.1.1 To approve the appointment of a replacement for the late Councillor Joe Reilly to the Board of Meath Arts Centre Ltd.

Councillor Edward Fennessy was appointed to the Board of Meath Arts Centre Ltd. on the proposal of **Councillor Sinéad Burke**, seconded by **Councillor Francis Deane.**

5.1.2 To approve the appointment of a replacement for the late Councillor Joe Reilly to the Joint Policing Committee (JPC)

Councillor Sinéad Burke was appointed to the Joint Policing Committee on the proposal of Councillor Sinéad Burke and seconded by Councillor Darren O' Rourke

5.1.3 To approve the appointment of a replacement for the late Councillor Joe Reilly to the Planning, Economic Development and Enterprise SPC

Councillor Edward Fennessy was appointed to the Planning, Economic Development and Enterprise SPC on the proposal of **Councillor Sinéad Burke**, seconded by **Councillor Eimear Ferguson**.

5.1.4 To approve the appointment of a replacement Councillor to the Transportation SPC, following the resignation of Cllr. Seán Smith.

Councillor Conor Tormey was appointed to the Transportation SPC on the proposal of **Councillor Wayne Harding**, seconded by **Councillor Tommy Reilly.**

5.1.5 To approve a nomination to the Board of Udarás na Gaeltachta in accordance with Section 16(2)(a)(vi) of the Gaeltacht Act 2012

Councillors unanimously resolved, on the proposal of **Councillor David Gilroy** and seconded by **Councillor Sarah Reilly**, to nominate Mr. Cathal Seoighe, Doire Longain, Átha Buí, to the Board of Údarás na Gaeltachta for the two-year period from 2019 to 2021.





It was agreed on the proposal of **Councillor Sinead Burke**, seconded by **Councillor Maria Uí Ruairc**, that the Council would seek clarification from the Department on the legislation and the criteria in regard to a candidate's suitability to be a member of the Board of Údarás na Gaeltachta.

5.1.6 To receive and note the Municipal District Allocation 2018 Report

Received and noted by the Councillors.

5.1.7 To adopt the 2019 Annual Service Delivery Plan

The Annual Service Delivery Plan for 2019 was adopted on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Ronan McKenna**.

5.2 Planning

5.2.1 Having considered the proposed Variation No.5 (to remove the Phasing objective from residential lands off the Staleen Road in Donore to facilitate the supply of social and affordable housing supply in this area) to the Meath County Development Plan 2013-2019, together with the Chief Executive's report on submissions, if thought fit to resolve to make the variation, or to accept the Chief Executive's recommendations with or without further modification, or to refuse to make the variation, in accordance with Section 13 of the Planning & Development Acts 2000-2018

Wendy Bagnall, Senior Executive Planner, made the presentation which included information on the:

- Background to Variation No.5
- Public consultation process
- Details of submissions and the Chief Executive's recommendations

The Councillors resolved to make the variation, in accordance with Section 13 of the Planning & Development Acts 2000-2018 on the proposal of **Councillor Ronan McKenna** and seconded by **Councillor Eimear Ferguson**.

5.3 Finance

5.3.1 To approve the raising of a loan of €5,000,000 from the Housing Finance Agency to provide finance for approved house purchase applications, loan restructuring and other housing loan related activities, as authorised by the Housing Acts 1966-1992.





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

5.3.2 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 2018.

Fiona Lawless, Head of Finance, provided a short briefing on the matter and the report was duly noted by the Councillors.

5.4 Community

5.4.1 To receive a presentation on the Digital Strategy

Cormac McCann, Broadband Officer, made a presentation which included information on:

- Reasons for developing the strategy and the benefits for stakeholders
- EU and National Policy
- The seven pillars of the strategy
- Details of the Digital Strategy Steering Committee
- Engagement, communications and challenges

A lengthy discussion took place following the presentation and Councillors raised a number of issues in relation to the delivery of broadband services across the county. Responses were provided by Cormac McCann on the matters raised.

5.4.2 To approve the Community Amenity Project Scheme 2019

Approved on the proposal of **Councillor Sharon Keogan** and seconded by **Councillor Nick Killian**.

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 discussed included:

Housing:





- The 2018 figures (413 units delivered) were welcomed but concern was raised re the lack of Council land to build houses in 2019
- Update requested on the date for the allocation of houses in Summerhill
- Request for the estates to be named in relation to Approved Part V units
- The reduction in homeless placements was welcomed
- Issues in regard to Anti Social Behaviour were noted and the process to address offenders was discussed
- Query raised in regard to measuring the effectiveness of the various housing schemes currently in place for the delivery of houses
- Inspection of HAP properties should be prioritised as some properties are not in an acceptable condition.

Planning:

• Issues raised on the SID application for an increase in waste intake at Knockharley Landfill facility.

Environment

• The progress re Boyne Slipways was welcomed.

Community:

- Refurbishment of libraries in Duleek, Slane and Kells was welcomed. The need for WIFI in libraries was noted.
- Suggestion that a programme could be introduced in libraries to provide affordable grinds for families

Transportation

- Progress re R150 Laytown to Bettystown Spine Road was welcomed
- Information sought on the Navan Town Scheme in regard to the planning of works and traffic management
- Suggestion to introduce school cycle trains to support sustainable transport
- Improvement works on bridges welcomed

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 reports from the Planning Economic Development and Enterprise SPC meeting held on 19th December and from the Housing, Community and Cultural SPC meeting held on 1st February.

The CPG also received a briefing on the Anti-Fraud and Corruption Policy and Contingency Plan.

6.2.1 To approve, as agreed by the CPG, on the recommendation of the HCCD SPC,





the draft Low Cost Private Site Scheme (Affordability Measure)

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

- 6.3 Report from the Protocol Committee
 - The Protocol Committee considered the following items of correspondence: Randridge Technologies: seeking to make a presentation on electric vehicle charging solutions.
 It was agreed to recommend that the presentation would be referred to the Transportation SPC.
 - A question from Councillor Wayne Forde asking if the Council had plans to hold a civic reception for the members of the Fire Service.
 It was agreed to recommend that a letter of congratulations would be sent to the Fire Service on their achievements in 2018.
 - Motion from Councillor Wayne Forde to consider changing the structure and frequency of Council meetings.
 It was agreed that the Council has statutory obligations in regard to meetings, and no change to the current structure could be recommended.
 - The committee also received a briefing on updates to the protocols on Civic Events, Civic Commemorations, Twinning Arrangements and the Office of the Cathaoirleach
 - A list of conferences relevant to the business of the Council was approved and reports from Councillors who attended recent conferences were noted.

The recommendations of the Protocol Committee were approved on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Gerry O' Connor**

7 Correspondence

7.1 Correspondence from the Office of the Minister, Department of Health in response to Notice of Motion 9.8 adopted at the June 2018 meeting of the full Council re. compulsory phased dispensing.

Noted by the Councillors.

7.2 Correspondence from the Office of the Minister for Justice and Equality in response to Notice of Motion 9.8 adopted at the October 2018 meeting of the full Council re. reform the Irish Legal system.

Noted by the Councillors.





7.3 Correspondence from the Department of Housing, Planning and Local Government in response to Notice of Motion 9.4 adopted at the November 2018 meeting of the full Council re. Local Government funding.

Noted by the Councillors.

7.4 Circular Letter: PL 11/2018 – Department of Housing, Planning and Local Government re. Planning and Development (Amendment) (Fees) Regulations 2018 (S.I. No 501 of 2018) – waiving a fee for the making of observations or submissions on planning applications by elected members.

Noted by the Councillors.

7.5 Correspondence from Transport Infrastructure Ireland re. 2019 National Roads Allocations.

Noted by the Councillors.

7.6 Circular LG 01/2019 – Department of Housing, Planning and Local Government re. Attendance by Elected Members at Out of Region Training Events in 2019.

Noted by the Councillors.

7.7 Department of Transport, Tourism and Sport re. Regional and Local Road Grant Allocations 2019.

Noted by the Councillors.

8 Notice of Question

8.1 Submitted by Councillor Damien Reilly

"What procedures are in place to address the anti-social behaviour of tenants who contravene the rules set out in the Housing Tenancy Agreement and will the Council take action to evict such tenants?"

Response

Meath County Council's Anti Social Behaviour Strategy outlines the procedures to address breaches by tenants of their tenancy agreements in respect to anti social behaviour.





A Housing Authority can seek an order for possession of a house when a tenant breaches his/her tenancy agreement.

The procedures for seeking an order for possession are also set out in Meath County Council's Anti Social Behaviour Strategy (Section 6 refers), in line with the provisions of the Housing (Miscellaneous Provision) Act 2014, and involve the issuing of Notices of Breach of Tenancy and/or Statutory Warning Notice in the first instance. In cases of persistent breaches of tenancy, despite the issuing of warnings, and subject to sufficient evidence, Meath County Council will proceed to seek a possession order. Clear verifiable evidence is required in order for any case to advance to legal proceedings.

In certain cases, where tenants are advised that the Local Authority intends to commence legal proceedings to repossess the house, pre-emptive surrenders of the properties occur.

In general, breaches of tenancy cease in most cases upon investigation and do not reoccur. In more serious cases, the Housing Department will seek the involvement of other statutory agencies to try and address family and social issues.

In 2018, 10 verbal warnings, 25 first Breach of Tenancy Notices, 10 second Breach of Tenancy Notices and 7 Statutory Warning Notices were issued as part of a total of 198 anti social behaviour investigation cases dealt with by Meath County Council's Housing Investigation team.

Noted by the Councillors.

8.2 Submitted by Councillor Francis Deane

"How many Meath applicants have availed of the Rebuilding Ireland Home Loan Scheme in 2018?"

Response

In regard to the Rebuilding Ireland Home Loan Scheme for 2018, Meath County Council approved 114 loan applications. The number of approvals drawn down by applicants for 2018 was 52.

Noted by the Councillors.

8.3 Submitted by Councillor Nick Killian

"Can the Chief Executive outline the new enforcement powers for the collection of commercial rates, which would see Meath County Council imposing daily penalties on businesses in the county not paying rates?"





Response

The "Local Government (Rates) Bill 2018" was published on the 9th August 2018. The bill goes through several stages before enactment. The second stage of this bill is scheduled for the 30th and 31st January 2019 where the general principals of the bill are debated and where it will be decided if the bill will proceed to committee stage.

The additional enforcement options contained in the current bill are the "application of interest on unpaid rates". The bill contains other enforcement options which are in the current legislation such as powers of offset and unpaid rates as a charge on a relevant property and therefore are not new enforcement powers.

It is expected that, at committee stage, there will be further amendments to the bill with the possible introduction of "Recovery by Sheriff" and "Compliance Certificate". These powers are not contained in the current bill and their reintroduction will be determined at committee stage. As the bill progresses through the various stages, Councillors will be updated and any amendments to the current Bill will be advised. Link to Bill <u>https://data.oireachtas.ie/ie/oireachtas/bill/2018/96/eng/initiated/b9618d.pdf</u>

Noted by the Councillors.

8.4 Submitted by Councillor Noel French

"Can Meath County Council provide figures for the number of litter fines issued during 2018, 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 2018 in litter control and prevention? How many dog fouling fines were issued and how many were paid?"

Response

In 2018, the Environment Department issued 158 Litter Fines under the Litter Pollution Act 1997 of which 57 were paid. A further 44 warning letters were issued primarily to people leaving different streams of waste at the Council's bottle banks. Prosecutions have been initiated in 15 cases comprising action against 14 individuals and one business.

The Council spent €1.598m. on litter control and prevention in 2018. A total of 9 dog fouling fines were issued in 2018 of which 3 were paid.

It is noted 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 witnesses to subsequently attend Court to give evidence often proves 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.

In 2018, the Council initiated a wide range of Anti Litter Activities including the following:

- Green Schools Initiatives, including Green Schools Seminar on Litter and Waste, 36 Meath Schools were awarded Green Flags in 2018.
- Secondary Schools The Really Rubbish Film Company, ECO UNESCO Young Environmentalists.
- Community Groups Anti Litter League, Pride of Place, Tidy Towns, Dog Awareness and Behaviour Events.
- Litter Management Support from Meath County Council to Community and other groups in terms of equipment, collection of material.
- Comprehensive Anti Litter and Anti Dumping Campaign Cinema, Radio, Billboards, Social Media.
- ADI Initiatives 5 Projects completed in 2018.
- Provision of signage across county litter, dumping, car litter, dog fouling.
- Dedicated collection days for old toys, mattresses, household hazardous waste.

Noted by the Councillors.

9 Notice of Motion

9.1 Submitted by Councillor Wayne Forde

"Can I call on the Executive to change the Emergency out of hours call Number 1890445335 to a local number as these 1890 numbers are very expensive which is very unfair on poor and vulnerable people with little or no money costing up to \notin 7 or \notin 8 in some circumstances in Meath area."

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

On 4th January 2019, the Commission for Communications Regulation published an information notice, outlining their plan to implement a the new non geographic number (NGN) platform in 2019.

One of the key elements of this plan is that the Geo-Linked retail tariff condition must be implemented by all originating operators. This means that a call to any 1850, 1890, 0818 or 076 NGN must cost no more than the cost of a call to a Geographic Number (GN) i.e. landline number. It is noted that this is a tariff ceiling, so operators are free to charge less.

In light of this, it is not proposed to change the Council's existing emergency out of hours call number, which is routed directly to the emergency service number provider





and answered by an agent, with calls referred to the relevant Meath County Council staff for resolution.

Motion deferred.

9.2 Submitted by Councillor Damien O'Reilly

"I call on Meath County Council to accept every Mortgage to Rent scheme offer from the Housing Agency for any location in County Meath during the Housing Crisis."

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

The Mortgage to Rent (MTR) Scheme involves a number of stakeholders, including borrower, lender, Housing Agency, Approved Housing Body and Local Authority.

There are three stages in the MTR process where Local Authorities have a role, including:

- 1. Demand Check an initial demand check to ascertain if there is a social housing need in the area
- 2. Social Housing Support assessment of the borrower's application for social housing support
- 3. Leasing arrangements for MTR (Payment & Availability Agreement and Capital Leasing Facility Agreement

The Housing Agency administers the MTR Scheme on behalf of the Department of Housing, Planning & Local Government, and engages with the Local Authority on the suitability of the property for the purposes of social housing, including as referenced above, whether there is a long term housing need in the area.

Heretofore, once a unit was accepted into the MTR Scheme, the property becomes a long term social housing unit through the Approved Housing Body Sector, and subject to allocations as vacancies arise over time. The authorised Approved Housing Bodies for the MRT Scheme currently are Icare, Clúid, Túath, Oaklee, NEHA, Respond, Inis, Tintean, Carbery, Cill Dara.

While the vast majority of properties that are put forward for the MTR Scheme are located in urban areas where social housing demand clearly exists, there are on occasion, units located in rural areas being presented for inclusion in the Scheme, where social housing demand, outside of the current occupants, does not exist. In such instances, it is difficult for the Local Authority to recommend inclusion of such units in the Scheme where the criteria in regard to long term social housing demand is not fulfilled.

However, since 17th December 2018, the inclusion of the private sector has been activated, with a new participant now eligible to participate in the Scheme (Home for Life). This new arrangement allows for a property to enter the Scheme through Home





for Life, who acquire the property through private finance and enters into a long term lease for a period of time with the Local Authority concerned, thereby mitigating the need for the property to be accepted as permanent social housing unit.

Accordingly, the consideration of the existence or otherwise of long term social housing need as a qualifying criteria is no longer absolute, and applications for properties in rural areas where social housing need does not exist can now be considered in light of this recent development.

It is important to note that eligibility for social housing support must still be demonstrated for all MTR applications.

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

A lengthy discussion took place on the motion. The motion was duly noted, based on the supporting information and the additional advice offered by the Chief Executive on the matter.

9.3 Submitted by Councillor Caroline Lynch

"That Meath County Council provides solar powered compactor litter bins in all areas but targets this provision in 2019 in smaller centres of population where existing provision and collecting is a problem / Go gcuirfeadh Comhairle Chontae na Mí araidí bruscair Big Bin ar fáil i ngach bardas ach go ndíreofar i 2019 ar na lárionaid daonra níos lú ina bhfuil fadhbanna iad a sholáthrú agus a bailiú."

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

As part of measures to improve the efficiencies of the litter bin emptying service throughout the county, the Council recently engaged in a tender process for solar powered compactor litter bins and replacing some of the current litter bin stock. The tender process provides for submission of both purchase and lease options for the solar powered bins, which incorporate a wireless monitoring system that will notify electronically the spare capacity of the litterbin, thereby reducing collection frequency.

A financial provision has been made for the solar powered bins in 2019, and following evaluation of the tenders submitted, the numbers to be purchased will be decided and strategic locations for them identified, based on a strong business case. Subject to the financial considerations, it is hoped to place orders in quarter one of 2019.

It is noted that a number of Big Belly Bins are already in place at a number of locations throughout the county.





The motion, proposed by Councillor Caroline Lynch and seconded by Councillor Sinéad Burke, was duly noted.

Submitted by Councillor Michael Gallagher 9.4

"We ask the Minister of the Environment to give a completion date on the revision of quidelines on wind farms, and request that he incorporate the effects of light flicker on residence and extend the visual amenity setback / Éilímid ar an Aire Comhshaoil dáta don athbhreithniú ar threoirlíntí na bhfeirmeacha gaoithe a thabhairt, iarraimid go mbeadh tuairisc ar éifeachtaí caochaíl solais mar chuid de agus go ndéanfar an slánachar thaitneamhacht amhairc a shíneadh."

The motion, proposed by Councillor Michael Gallagher and seconded by Councillor Sinéad Burke, was unanimously adopted.

9.5 Submitted by Councillor Michael Gallagher

"We ask the Minister of the Environment for an update and a completion date for the two reports he has commissioned on the North South Inter connector, and call on Meath County Council state its opposition to the Project / Éilímid ar an Aire Comhshaoil uasdhátú agus dáta críochnaithe don dá thuairisc a choimisiúnaigh sé don Idirnascaire Thuaidh Theas a thabhairt agus éilímid ar Chomhairle Chontae na Mí cur in aghaidh an Tionscadal go soiléir."

The motion, proposed by Councillor Michael Gallagher and seconded by Councillor Sinéad Burke, was unanimously adopted.

9.6 Submitted by Councillor Nick Killian

"That Meath County Council calls on the Minister for Housing, Planning and Local Government, Eoghan Murphy, to take immediate action to reintroduce the Affordable Housing Scheme to assist eligible first-time buyers to buy homes."

Following a short debate on the matter, the motion, proposed by Councillor Nick Killian and seconded by Councillor Sharon Keogan, was unanimously adopted.

9.7 Submitted by Councillor Ronan McKenna





"This Council calls on Minister Zappone to engage in meaningful consultation with childcare committees and providers in relation to recently signed regulations amending the Child Care Act 1991."

The motion, proposed by **Councillor Ronan McKenna** and seconded by **Councillor Wayne Harding**, 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
- 10.4 Schedule of Chief Executive's Orders Community

Noted by the Councillors.

11 Any Other Business