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Ashbourne Municipal District

Ordinary Meeting

9.30a.m., 9th February 2015, Ashbourne Civic Offices

An Cathaoirleach, **Councillor Suzanne Jamal**, presided.

Councillors Present: Claire O'Driscoll, Darren O'Rourke, Seán Smith, Alan Tobin.

Apologies: Councillor Joe Bonner

Officials in Attendance:

A/Director of Service: Joe Fahy

Meetings Administrator: Claire King

Senior Executive Engineer: Jim Colwell

Executive Engineer: Janet Murphy

Staff Officer: Triona Keating

Also in attendance: John McGrath, Senior Engineer; Nicholas Whyatt, Senior Engineer; David Jones, Senior Executive Officer; Tom Traynor, Senior Executive Engineer; Bernard Greene, Senior Executive Planner; Aoife Kennedy, Assistant Planner; Pdraig O'Shea, Assistant Planner.

1 Confirmation of Minutes

1.1 Confirmation of Minutes of Ordinary meeting held on 19th January 2015.

The Minutes of the Ordinary Meeting held on 19th January 2015 were adopted on the proposal of **Councillor Claire O'Driscoll** and seconded by **Councillor Seán Smith**.

2 Matters arising from the Minutes

2.1 Councillor Claire O'Driscoll requested that Item 7.4 on the minutes of the January meeting be amended to reflect that the motion was adopted and not unanimously adopted.

2.2 Councillor Darren O'Rourke referred to the clarification received and circulated to Councillors as it related to Item 6.3 on the Minutes of the January meeting and the



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significant variation in the number of social housing units in Ashbourne Municipal District compared to that in other municipal districts.

- 2.3** Councillor Seán Smith raised the issue of outdoor staff allocated to Ashbourne Municipal District and specifically the redeployment of outdoor staff from other municipal districts – Joe Fahy pointed out that additional outdoor staff are being recruited for the Ashbourne Municipal District, that negotiations are ongoing with staff and unions with regard to the new operational structure which will involve reassignments and the other options that will be considered to meet needs arising, including flexible resource allocation and outsourcing. The new structure is to take effect on 16th February.
- 2.4** Councillor Alan Tobin requested an update on moving the school warden to Castle Street.
- 2.5** It was confirmed that a representative from Bus Éireann would attend the March meeting.

3 Expressions of Sympathy and Congratulations

There were no expressions of sympathy or congratulations.

4 To receive a presentation from Stamullen Community Alert.

Ms. Lisa Mellor and Ms. Caroline Mills, Stamullen Community Alert attended the meeting and delivered a presentation that covered issues in Stamullen, including traffic calming measures, pedestrian safety, roundabouts, dog fouling, flooding and derelict sites. It was pointed out that the junction at the Cockhill Road was the key issue that needed to be addressed.

The Cathaoirleach and Councillors thanked Lisa and Caroline for their presentation and assured them of their support in trying to address the issues raised.

5 Statutory Business

5.1 To consider and adopt the 2015 Schedule of Municipal District Works

Joe Fahy provided the background to the Schedule of Municipal District Works (SMDW), including the legislative context and the process for adoption.



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David Jones, Housing Department outlined the categories for housing maintenance and repair and explained the background to the allocations, including those managed centrally. Nicholas Whyatt, SE and John McGrath SE, Transportation Department provided an overview of the breakdown of funding relating to transportation, the sources of funding and how these can be spent, the rationale for the allocations to the Municipal District and the central budgets that are allocated over the six municipal districts.

Matters raised by the Councillors included:

- The need for each of the six municipal districts to receive an equitable distribution of the available funding and the imbalance of allocations to Ashbourne Municipal District, despite funds generated as a result of development levies, local property tax, etc.;
- The absence of any reference to capital investment in housing and roads;
- The long-term plans for social housing provision in Meath;
- The need to create a vision for the county to address historic imbalances;
- The lower commercial rates being paid in the former town council areas.

Responses provided included:

- The SMDW refers only to maintenance and repair based on the adopted budget and did not include capital expenditure, for example the works taking place on Main Street, Ashbourne;
- A capital housing investment plan was being prepared for the Department of the Environment, Community and Local Government in response to the recently launched national housing strategy;
- The changed role of the local authority in social housing provision, moving away from direct provision to a more facilitative role, and the changing housing needs of those living in the county;



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- Information on how the central budgets for transportation are broken down over the six municipal districts will be provided, where possible;
- The reduced funding allocation for roads in 2015 against that received in 2014 with no allocation made for the provision of new roads;
- The Special Improvement Grant replaces the former block grants allocated to the former town councils.

It was proposed by **Councillor Alan Tobin** and seconded by **Councillor Suzanne Jamal** to contact the Department of Transport, Tourism and Sport to request additional funding for the provision of road improvements in Ashbourne. This was unanimously agreed.

It was proposed by **Councillor Darren O'Rourke** and seconded by **Councillor Claire O'Driscoll** that the executive would meet with the Corporate Policy Group or the party whips to discuss the issues raised when all information for each of the municipal districts is available. This was unanimously agreed.

It was therefore agreed to defer the adoption of the 2015 Schedule of Municipal District Works to the March meeting.

It was agreed on the proposal of **Councillor Darren O'Rourke** and seconded by **Councillor Alan Tobin** to extend the meeting by thirty minutes.

5.2 Planning

- 5.2.1 To consider the Chief Executive's Report prepared pursuant to Section 20 (C) (1) of the Planning & Development Act 2000-2014 on submissions and observations received with respect to the proposed amendments to the Ashbourne Local Area Plan 2009-2015. Following consideration of the Chief Executive's Report, to make a recommendation to Meath County Council to accept, or not to accept, the recommendation contained in the Chief Executive's Report to alter the proposed amendments or to alter the amendments other than as recommended in the Chief Executive's Report.

Bernard Greene, Senior Executive Planner and Aoife Kennedy, Assistant Planner attended the meeting and a discussion followed on the Chief Executive's Report circulated to Councillors in advance of the meeting.

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Matters raised by the Councillors, and responses received, included:

- Support was expressed in relation to the manner in which the Framework Plan No. 3 issues had been addressed in the Chief Executive's report;
- The phased release of zoned lands and whether this included extant planning permissions;
- The need for services to provide for residential and commercial development and the role of Irish Water in making related strategic infrastructural decisions – it was pointed out that Meath County Council would be making a submission to Irish Water in terms of infrastructural priorities as part of the impending Irish Water 25 year Strategic Plan and that it would be open to the Ashbourne Municipal District to make a separate submission to same highlighting the needs of Ashbourne;
- The rezoning of lands – it was confirmed that land use zoning changes did not form part of the LAP amendment. As part of the LAP review, Senior Counsel advice is being sought as to what can and cannot be considered regarding existing land use zoning objectives which are now contained in the County Development Plan. It was expected that this legal advice would be available in a couple of weeks.
- The submissions made in relation to flooding – it was confirmed that consultants were being appointed to assess the flooding risks and the catchment area for this study was being decided.

It was pointed out that the report will be presented at the meeting of Meath County Council on 2nd March 2015 for resolution and that each municipal district was being asked to accept the recommendations contained in the report in advance of this meeting.

It was agreed on the proposal of **Councillor Suzanne Jamal** and seconded by **Councillor Seán Smith** to accept the recommendations made in the report.

The revocation of the 30 no. Local Area Plans was also discussed following the circulation of the Chief Executive's report summarising submissions received last week. This included the Kentstown Local Area Plan 2009-2015 and East



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Meath Local Area Plan 2005-2011 which are included in the Ashbourne Municipal District. It was outlined that 3 no. submissions from statutory bodies were received which were acknowledgements rather than submissions. No objection to the proposed revoking of any of the 30 No. Local Area Plans had been received. It was indicated therefore that Meath County Council would make the decision to revoke or not to revoke all 30 no. Local Area Plans at the scheduled March meeting of Meath County Council. This was noted by Councillors.

It was agreed on the proposal of **Councillor Alan Tobin** and seconded by **Councillor Claire O'Driscoll** to extend the meeting by thirty minutes.

6 Notice of Question

6.1 Submitted by Councillor Seán Smith

“Can Meath County Council provide an update on enforcement of Condition 3 on Planning Permission 94/1258 with regards to 3.21 acres of Open Space at Tudor Heights? Can Meath County Council also provide information on their understanding of this area being used as Public Open Space? The condition states the following: The Open Space to be provided shall be finished to the satisfaction of the Planning Authority and agreed in writing prior to the occupation of the first dwelling house. “

A response was provided by the Planning Section, as follows:

Tudor Grove is not taken in charge by Meath County Council nor does it have a request from the developer to do so. The completion of various elements of the estate infrastructure would normally be dealt with in the course of a taking in charge process.

The planning conditions did not require that a landscaping plan be submitted nor do they specify a standard or use for the open space. Open space is generally levelled and seeded so that it is available as an amenity for passive or active recreation. The stakeholders in this process, being the owners of dwellings or the developer, may request the County Council to take the estate in charge.

The response was noted.



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Councillor Smith sought clarification as to whether the public space was brought up to the standards set by Meath County Council and were submissions made to Meath County Council explaining why the area is fenced off.

6.2 Submitted by Councillor Darren O'Rourke

“To ask the executive to detail the process for deciding individual Municipal District budgetary allocations; the factors which are considered in this process and the protocols that apply; the extent to which population, existing and planned council infrastructure, Local Property Tax contribution, rates contribution, development levies contribution and other revenues raised are considered in order to ensure fairness, in terms of service provision, to every resident in the county.”

A response was provided by the Finance Section, as follows:

A county wide budget was completed and approved by the members in November 2014. This is completed using a complex matrix of job codes and account elements. We are now in the process of completing Schedules of Municipal District works which will go to all Districts for their approval. This schedule will outline the allocation methods and basis for allocation.

The response was noted.

Councillor O'Rourke sought clarification on the detail of the decision making process. Joe Fahy responded by saying that the draft Schedule of Municipal District Works referred to Housing and Transportation and that senior management identified the budgetary demands for each department.

6.3 Submitted by Councillor Alan Tobin

“What development levies and other monies have been received or can be expected from Archerstown Demesne (Archerstown Phase 2) and the circa 100 houses on the Milltown Road opposite the golf club and the new planning applications of circa 46 houses on the Archerstown Road?”

A response was provided by the Planning Section, as follows:

Please note the potential yield of Development contributions for the requested housing schemes:



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Archerstown Phase 2

DA130316 – Mullen Developments – Total potential yield € 609,294 which include roads, amenities, water and sewage contributions

99 Houses on Milltown Road

DA101259 – Shane Doherty now Aspect Developments Ltd – Total potential yield €1,548,702 which include roads, amenities, water and sewage contributions

New planning application 46 houses on Archerstown Road

AA150025 – Targeted Investments Opportunities Plc – current application, due for decision on 10th March, 2015, Development contributions not yet imposed.

The response was noted.

Councillor Tobin sought clarification on whether these contributions can be ringfenced to develop a plan for the Milltown Road to the rugby club.

6.4 Submitted by Councillor Claire O’Driscoll

“What is the working budget that each district has for their respective road works project for 2015 and can you advise of any discrepancy that exists in the amounts between the districts?”

A response was provided by the Transportation Section, as follows:

The Department of Transport Tourism and Sport and the National Transport Authority have not yet informed us of our grant allocations for 2015. The National Road Authority has indicated a total allocation of €1,797,030 for National Roads Improvement and Maintenance. In the absence of confirmation from the Department of the Allocations we are drawing up the Roadworks Programme on the basis of a similar level of funding being available as was provided in 2014. Account has been taken of the Municipal District boundaries and the results of the pavement condition survey. When the allocations are known we will be able to finalise budgets and inform the Councillors in each Municipal District.



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The response was noted.

Councillor O'Driscoll expressed her dissatisfaction at the response provided. It was pointed out that notification of Department of Transport grants was received on 3rd February, a day after the agenda, with response, was issued and that Item 5.1 on the Agenda provided the information requested.

7 Notice of Motion

7.1 Submitted by Councillor Seán Smith

“That Meath County Council requests Irish Business Against Litter to include Ashbourne in the 2015 IBAL Anti Litter League Survey.”

Supporting information was provided by the Community Section, as follows:

The participating towns for this year's IBAL programme are yet to be determined, but the number of towns is unfortunately restricted to ca 40, meaning we have to be selective in trying to include all major towns and achieve a suitable representation from each county in the country. It is typically the largest town in a given county which will be included. However, we do pursue a policy of rotation to some extent.

There is no application process as such for inclusion in the I.B.A.L. League. (response from IBAL)

The Department of Environment, Community and Local Government has no role in the selection of towns for the IBAL surveys. It's a matter for IBAL to independently select/deselect the towns to be included in their surveys.

The Department has provided funding to IBAL for its work in this area over the past decade and it is hoped that further funding will be available to IBAL in 2015.

The motion was proposed by **Councillor Seán Smith** and seconded by **Councillor Alan Tobin**.

It was agreed that a letter should be submitted to IBAL on behalf of Ashbourne Municipal District requesting that Ashbourne be included in the 2015 IBAL Anti-Litter League Survey.



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The motion was unanimously adopted.

7.2 Submitted by Councillor Seán Smith

“That Meath County Council meets with the NRA to renegotiate and upgrade the agreement on maintenance and enhancement of the roundabouts at the north and south of Ashbourne.”

Supporting information was provided by the Transportation Section, as follows:

We have had discussions with the NRA previously on this matter and we will be following it up with them again in the coming weeks with a view to resolving the issue as soon as possible.

The motion was proposed by **Councillor Seán Smith** and seconded by **Councillor Claire O’Driscoll**.

The motion was unanimously adopted.

7.3 Submitted by Councillor Darren O’Rourke

“That Ashbourne Municipal District calls for the installation of water meters in the area to cease immediately and affirms it's opposition to the introduction of water charges.”

The motion was proposed by **Councillor Darren O’Rourke** and seconded by **Councillor Claire O’Driscoll**.

A discussion followed on the role of water meters in identifying leakages and water conservation, the role of the Municipal District on influencing national issues and the need for water services to be funded. It was agreed to hold a roll call vote.

The roll call vote, was as follows:

Councillor	For	Against	Abstain	Absent
Cllr. Bonner, Joseph				ABSENT
Cllr. Jamal, Suzanne		AGAINST		
Cllr. O’Driscoll, Claire			ABSTAIN	

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Cllr. O'Rourke, Darren	FOR			
Cllr. Smith, Seán		AGAINST		
Cllr. Tobin, Alan		AGAINST		
RESULT	1	3	1	1

The motion was therefore defeated.

7.4 Submitted by Councillor Alan Tobin

“That Meath County Council applies for funding through the NTA to carry out upgrade works including footpaths and cycle lanes for the Milltown Road and the Archerstown Road L-50191-0 to the Ashbourne Rugby Club and Ashbourne Utd. playing and training grounds. The road is only accessible by car, is poorly lit and has no pedestrian or cycling facilities to either club ground. I am also calling on this council to write to the NRA and request for a written response from the National Transport Authority on this matter.”

Supporting information was provided by the Transportation Section, as follows:

As mentioned in the response to the Notice of Motion from Councillor Sean Smith at the January Municipal District meeting, Meath County Council has included related objectives in the Ashbourne LAP in relation to improvements in this area. The Transportation Section consider that this is not the appropriate time to seek funding from the NTA as our applications for funding for 2015 have been made and the announcement of our allocations is imminent. We anticipate that the NTA will again provide a substantial allocation for Phase 1 of Ashbourne Main Street Refurbishment works and that the next priority for funding in Ashbourne will be to fund phase 2 of the Main Street works. The Transportation Section will seek to progress the design and construction of further improvements on the Milltown Road in line with our objectives when resources and the work programme allows.

The motion was proposed by **Councillor Alan Tobin** and seconded by **Councillor Suzanne Jamal**.

A discussion followed on the timeframe for the submission of funding applications to the NTA and agreement that an application for these works would be submitted in 2015. It was agreed that a design was being worked on and would be presented to councillors when available.



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The motion was unanimously adopted.

7.5 Submitted by Councillor Alan Tobin

“That Meath County Council provides adequate public lighting on the Ballybin Road from the junction with the R135 to the public lighting already provided for adjacent to Ashbourne Business Centre. The lighting is totally ineffective, pedestrians cannot be seen at night and the various junctions are not lit and are poorly marked.”

Supporting information was provided by the Transportation Section, as follows:

Meath County Council’s Public Lighting Engineer has examined the location and has estimated the cost of the works at €20,000 plus VAT. No specific funding is currently allocated to these works. These works could be included on a list of proposed works should funding become available at a later date.

The motion was proposed by **Councillor Alan Tobin** and seconded by **Councillor Darren O’Rourke**.

A discussion followed on the constraints on public lighting provision. It was agreed that a separate presentation would be made at a future meeting.

The motion was unanimously adopted.

7.6 Submitted by Councillor Claire O’Driscoll

“That Meath County Council considers the logistics of some concession with respect to development levies being made on all new properties being built on cul de sacs in light of the effective working decision by the council engineers to carry out significant road maintenance and resurfacing on these roads only through the CIS scheme.”

Supporting information was provided by the Planning Section, as follows:

The basis for the calculation of Development contributions in respect of roads, services and social amenities is on a county at large basis.

Planning conditions reflect the Planning and Development Acts in that payment of contributions is required in respect of public infrastructure and facilities benefitting



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development in the area of the planning authority and that is provided or that is intended to be provided by or on behalf of a local authority.

Roads contributions are not imposed on a location specific basis. They are used for the benefit of all roads users in the county and are generally applied as the local funding element of major road improvement works. On the other hand road maintenance works, including resurfacing works are funded from the Councils revenue budget which is not drawn from development contributions. CIS schemes are funded from the revenue budget as are all other maintenance works.

In conclusion there is no link between roads contributions paid by residents on any class of road with maintenance works carried out on that road.

The motion was proposed by **Councillor Claire O'Driscoll** and seconded by **Councillor Seán Smith**.

A discussion followed on the role of the CIS, the need to prioritise roads for funding, the cost of providing services to rural dwellings and the development contribution scheme.

The motion was adopted.

7.7 Submitted by Councillor Claire O'Driscoll

"That reflective bollards be placed on the R152 (road from Kilmoon Cross to Duleek) at the L5010."

Supporting information was provided by the Transportation Section, as follows:

As part of the Ashbourne MD schedule of work reflective bollards at the junction of the R152/L5010 will be included in the maintenance works.

The motion was proposed by **Councillor Claire O'Driscoll** and seconded by **Councillor Suzanne Jamal**.

The motion was unanimously adopted.



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8 Correspondence

- 8.1** Correspondence received from the Community Department, Meath County Council - Launch of 2015 Anti Litter Initiative.

The correspondence was noted.

9 Any Other Business

- 9.1** Councillors reported issues with accessing emails and it was agreed to refer this to the IT Department.
- 9.2** Councillor Alan Tobin queried as to whether a community grant of €500 could be made available for the purchase of flags for the France and England Irish Women's International rugby games taking place in Ashbourne on 13th and 27th February respectively – it was agreed that this request should be submitted to the Community Department.

This concluded the business of the meeting.

Signed:

Cathaoirleach