



Miontuairiscí / Meeting Minutes

Navan Municipal District

Ordinary Meeting

10:00 a.m., 24th February 2016, Navan Civic Offices

An Meára, **Councillor Joe Reilly**, presided.

Councillors Present: Sinéad Burke, Francis Deane, Wayne Forde, Jim Holloway, Tommy Reilly.

Apologies: Councillor Shane Cassells

Officials in Attendance:

Director of Service: Kevin Stewart

Meetings Administrator: Claire King

Senior Executive Engineer: Fiona Beers

Executive Engineer: Noel Finnegan

Staff Officer: Triona Keating

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary meeting held on 20th January, 2016.

The Minutes of the Ordinary Meeting held on 20th January 2016 were adopted on the proposal of **Councillor Francis Deane** and seconded by **Councillor Sinéad Burke**.

2 Matters arising from the Minutes

There were no matters arising.

3 Expressions of Sympathy and Congratulations

Sympathy was extended to:



Miontuairiscí / Meeting Minutes

- The family of the late Jimmy Browne, Claremont Avenue, Navan.

4 To meet with Adrian O’Loughlin, Bus Éireann to discuss the current public bus routes servicing the town of Navan.

Adrian O’Loughlin, Services Manager, Bus Éireann attended the meeting and outlined the role of the NTA, the key services in Meath/Navan (109, 109A, 110, 190 & 107). Reference was made to the proposed route changes, due to commence provisionally in May, including the extension of the 109A to a 24 hour service and the introduction of the 109X service, operating every 20 minutes from Navan to Dublin via the M3. Full details of the service changes would be circulated when available. Other issues referred to were the proposed bus hub in Navan and the need to adapt the service following its introduction, and the impact of illegal parking.

Matters raised by Councillors included:

- Access by wheelchair users – it was confirmed that advance notice was required due to the restrictions on the wheelchair space available and bus stop accessibility.
- The need to ensure passenger safety in accessing bus stops, e.g. at Johnstown – it was confirmed that Bus Éireann works with the local authority in relation to bus stop provision.
- The possibility of extending the bus service in Johnstown to include the Kentstown Road – it was agreed to review this suggestion to see if it would be feasible.
- The importance of the 190 route in accessing Drogheda hospital.
- The possibility of providing a bus shelter on the Dublin Road at the Ardboyne – the means by which bus shelters are provided was outlined and it was pointed out that the width of the footpath at this location prevented the installation of a shelter.
- The provision of a bus stop at Liscarton – it was confirmed that this location had been assessed and it was agreed to check what the issue was in relation to same.
- The discretion of drivers to stop at certain locations – it was confirmed that drivers cannot stop if it is not safe to do so.



Miontuairiscí / Meeting Minutes

- The need to reduce fares – it was pointed out that fares are set by the NTA, taking into account a number of issues, including frequency, usage, hedging of fuel prices, etc.
- The need to ensure that the Navan town service is meeting user needs and is promoted adequately.

The Mayor and Councillors thanked Adrian for attending. It was agreed that he would return to discuss any feedback on the new timetables one or two months following their introduction.

5 Statutory Business

5.1 Community

- 5.1.1 To consider the Draft Local Economic Community Plan (LECP).

Aine Bird, Administrative Officer, Community Department delivered a presentation to the meeting, including the background to and overview of the plan, an outline of the sections and objectives, and the next steps. The plan was endorsed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Francis Deane**.

5.2 Transportation

- 5.2.1 To receive a Progress Report on works undertaken/planned for Navan Municipal District.

The report had been circulated in advance and matters raised by Councillors included:

- The recurrence of illegal dumping in Belcourt estate and the need to erect 'No Dumping' signs on the Slane Road – it was agreed to check this.



Miontuairiscí / Meeting Minutes

- Update on the fencing at O'Brien's – it was confirmed that discussions had taken place with the landowner and works were commencing, following which the Council works could take place.
- The flooding at Durhamstown – it was confirmed that investigation on third party lands was ongoing.
- The possibility of using a local company for the hanging baskets.
- The possibility of removing the tree at Casey's Cross to improve visibility, particularly for school traffic – it was confirmed that this junction was included in this year's work programme.

5.3 Corporate Services

5.3.1 To note Municipal District Allocations submitted by Councillors on behalf of Navan Municipal District.

The list of allocations, circulated in advance, was noted.

5.4 To consider and adopt the 2016 Schedule of Municipal District Works.

David Jones, Housing Department outlined the categories for housing maintenance and repair and explained the background to the allocations, including those managed centrally. It was pointed out that the 2016 budget for Housing had increased significantly on 2015.

Matters raised by Councillors included:

- Breakdown of expenditure relating to halting site maintenance.
- The funding sources for voids and pre-let repairs.

John McGrath, Senior Engineer, 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



Miontuairiscí / Meeting Minutes

central budgets that are allocated over the six municipal districts. The three year road programme for the restoration improvement grant was also outlined.

Matters raised by Councillors included:

- The continuation of the CIS – it was confirmed that an allocation would be made in 2016.
- A number of locations requiring works, but which have not been included.
- The need for funding to reflect Navan as the county town, to maintain and enhance the town centre infrastructure, and to undertake works in housing estates.
- The implications of delaying the adoption of the Schedule of Municipal District Works, the funding available under the capital programme and the possibility of accessing alternative funding sources, e.g. BIDS.
- The timescale for the adoption of the Schedule of Municipal District Works.

It was agreed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Wayne Forde** to defer further consideration of the 2016 Navan Schedule of Municipal District Works and 2016-2018 Roadworks Programme until a special meeting to be arranged in the coming weeks to deal specifically with this issue.

6 Notice of Question

6.1 Submitted by Councillor Francis Deane

“Can I please ask for information in relation to the seven housing estates that will officially be taken in charge at the end of this month:

- When will work commence?
- Regarding Ferndale estate, will the works be carried out on a phased basis and what is the proposed completion date?”

Response:



Miontuairiscí / Meeting Minutes

The Council can confirm that we are currently liaising with Irish Water, whose responsibility it will be to fund water services improvements by way of a site resolution plan. The Council cannot confirm a commencement date for these works until a site resolution plan has been agreed with Irish Water. It is envisaged that the majority, if not all the works listed in the schedules attached to the reports, will be carried out. The Council has appointed Consultants to prepare tender documents for the appointment of contractors and to oversee the contract works. The appointment of contractors to carry out the works will require a separate procurement process and will be informed by the site resolution plan to be agreed with Irish Water. The Council cannot therefore identify a definitive timeframe for works to commence but will endeavour to commence work at the earliest opportunity.

The response was noted. Councillor Deane sought clarification as to whether the site resolution plan must be prepared first and whether the works in Ferndale would be undertaken on a phased basis. It was agreed to refer this to the Planning Department.

6.2 Submitted by Councillor Sinéad Burke

“Can the Executive confirm what budget is available for house repairs in our housing stock in 2016 and how does this compare to funds available in 2015? Is it intended to roll out any refurbishment plans in any Local Authority estates, e.g. central heating upgrades, replacement of windows and doors, and insulation?”

Response:

The information sought under this Notice of Question will be provided under Item 5.3 – 2016 Schedule of Municipal District Works at the February meeting of Navan Municipal District.

The response was noted.

7 Notice of Motion

7.1 Submitted by Councillor Wayne Forde

“I call on the support of my fellow Councillors for the erection of barriers going up the Boreen Keel on the left hand side as far as the pedestrian crossing from St Patrick’s



Miontuairiscí / Meeting Minutes

Terrace to Emmet Terrace, for public safety, and a gap halfway up the hill for pedestrians to cross into the car park and playground area.”

Supporting information subject to the motion being proposed, seconded and considered:

Both the road width and footpath width are narrow on Boreen Keel and the request for a guardrail is understandable as traffic can drive very close to pedestrians. However, the installation of a guardrail would further reduce the width of the footpath and it may make it impossible for wheelchairs or prams to pass. In addition, the Design Manual for Urban Roads and Streets states that:

“Segregated design solutions (particularly where the car is dominant) have tended to fail as places, increase car dependency and reduce pedestrians and cyclist activity”.

It also states that:

“The use of guardrails may be counterproductive as:

- It may increase vehicle speeds and aggressive behaviour.*
- Create a false sense of safety for both drivers and pedestrians (guardrails will only stop vehicles travelling at very low speeds).*
- Block visibility between drivers and children.*
- Result in pedestrians/cyclists being trapped on the carriageway or found in locations that are not anticipated by drivers.*
- Reduce the width and capacity of footways and crossings.*
- Create a collision hazard for cyclists where built in close proximity to cycle lanes.”*

Meath County Council recommends that the provision of guardrails or barriers is not a suitable solution to the problem, and that an alternative solution would have to be sought.



Miontuairiscí / Meeting Minutes

The motion was proposed by **Councillor Wayne Forde** and seconded by **Councillor Francis Deane**.

The supporting information was noted and it was agreed that an alternative solution should be considered.

The motion was noted.

7.2 Submitted by Councillor Wayne Forde

"That the Executive write to the Garda Commissioner with a view to the possibility of a full time Garda station in Johnstown."

The motion was proposed by **Councillor Wayne Forde** and seconded by **Councillor Francis Deane**.

It was agreed that this motion be submitted to the JPC and a letter of support be requested.

The motion was adopted.

7.3 Submitted by Councillor Joe Reilly

"Following the heavy rains, a number of estates in the town suffered from sewerage leaking into back gardens, causing smells and possible danger to public health. Irish Water and Meath County Council have informed me they share no responsibility for sewerage leakages on private property. Traditionally Meath County Council maintained the systems.

Due to public health concerns, I am calling on Meath County Council to convene a meeting of Irish Water, the public health section of the HSE and local residents to investigate possible solutions to this public health and structural issue."

Supporting information subject to the motion being proposed, seconded and considered:



Miontuairiscí / Meeting Minutes

Meath County Council is no longer the Water Services Authority for County Meath. Irish Water now has the responsibility for the provision of water services nationally. Meath County Council acts as an agent for Irish Water and provides services on behalf of Irish Water in accordance with their procedures and protocols.

While previously the Council did, on occasion, assist property owners with sewer blockages on their properties, it is now Irish Water's clear policy that they are only responsible for the maintenance of public sewers. So I regret to advise that Meath County Council is unfortunately not in a position to assist the property owners where such issues occur within private properties.

It is suggested that the matter should be raised directly with Irish Water at the next Councillor Clinic. The purpose of these clinics is for councillors to raise issues and concerns directly with the Irish Water representatives.

It was agreed to consider Item 7.9 – Notice of Motion at this time.

The motions were proposed by **Councillor Joe Reilly** and seconded by **Councillor Tommy Reilly**.

A short discussion followed on the role of Irish Water and Meath County Council in relation to water and sewerage issues, that cases would be dealt with individually where issues of danger to public health arise, and the forum available for Councillors to raise issues with Irish Water.

The motions were adopted.

7.4 Submitted by Councillor Joe Reilly

“In recent times, the felling of trees in estates has been a source of conflict between local residents and Meath County Council. Residents in the affected estates have maintained their estates to the highest standard (some winning Pride of Place prizes) and view the felling of the trees as a form of vandalism by Meath County Council and damaging to their environment. I call on Meath County Council to provide a full report to Navan Municipal District on why estates recently taken in charge are subjected to tree felling, the regulations in which County is operating under and what plans Meath County Council may have to replace felled trees.”



Miontuairiscí / Meeting Minutes

Supporting information subject to the motion being proposed, seconded and considered:

Meath County Council is the roads authority for County Meath and, as defined under the Roads Act 1993 (including revisions), the local authority is responsible for the maintenance and construction of all local roads.

Meath County Council has a duty under the Roads Act to secure the provision of a safe and efficient road network. Part 70 of the Roads Act places a duty on Meath County Council to deal with dangerous structures, trees etc.

Part 70: Dangerous structures, trees, etc.

(2) (a) The owner or occupier of land shall take all reasonable steps to ensure that a tree, shrub, hedge or other vegetation on the land is not a hazard or potential hazard to persons using a public road and that it does not obstruct or interfere with the safe use of a public road or the maintenance of a public road.

(9) Where a road authority considers that a structure (or the use of such structure), tree, shrub, hedge or other vegetation presents an immediate and serious hazard to persons using a public road it may, notwithstanding the provisions of subsections (1) to (8), take immediate action to reduce or remove the hazard.

Trees planted in the wrong locations are a hazard and can render a public lighting unit useless. Tree removal is only carried out where absolutely necessary in accordance with the requirements of the Roads Act. Unfortunately this will continue to take place where trees have been planted in locations where they impact on the provision of a safe road network (which includes for adequate public lighting provision). Where an estate has been taken in charge, Meath County Council, as the owner/occupier of the property (the public areas) and as the Road Authority, is duty bound to address the impact of trees on the public lighting system. This duty to provide an adequately lit safe road extends to every road user in the public areas (pedestrians, cyclist, motorists, etc). In some cases, there are housing estates around the county where the developers are no longer in operation or have not complied with their planning conditions and Meath County Council has been forced to take the estates in charge and carry out remedial works to bring the estates up to standard; this includes the removal of trees.



Miontuairiscí / Meeting Minutes

For your information, please see below an extract from recent correspondence to Councillors with regard to tree planting:

Subject to funding and resources being available, it is submitted that a programme of tree planting can be carried out on a phased basis and complimenting the series of actions contained in the recently adopted County Meath Biodiversity Action Plan 2015 - 2020 in enhancing biodiversity and playing a crucial role in mitigating climate change. The Council's current Climate Change Strategy and Energy Management Action Plan, which is currently being reviewed, also lists future actions as follows:

- Introduce a tree planting policy (carbon sequestration). Planting trees is one of the easiest ways to offset the local authority's carbon footprint and become carbon neutral. Trees absorb carbon dioxide to produce oxygen and wood, both of which are very useful for humans and other animals. In addition to offsetting our CO2 emissions, it will provide wildlife habitats, enhance the natural landscape and increase our native tree species.*
- Use of council owned lands for tree planting initiatives.*
- The Council will work with schools, local communities and other stakeholders in promoting awareness and appreciation of trees and tree planting and, where practicable and in association with tree organisations, identify or provide locations which are suitable for particular tree species and which respect the local landscape.*

It was agreed to consider Item 7.8 – Notice of Motion at this time.

The motions were proposed by **Councillor Joe Reilly** and seconded by **Councillor Sinéad Burke**.

It was agreed that communication with residents should be improved.

The motions were noted.



Miontuairiscí / Meeting Minutes

7.5 Submitted by Councillor Jim Holloway

“Because of the collapse of the concrete boundary fencing structure at The Green, Clonmagadden Fort, that Meath County Council will, in the interest of safety and visual amenity, have the concrete structure removed and replaced by suitable metal fencing.”

Supporting information subject to the motion being proposed, seconded and considered:

The location of this concrete post and panel fencing has been clarified as being along the green area adjacent to Tara Court Park. The replacement of this fencing has been added to the list of required maintenance works and will be considered when prioritising works if and when funding becomes available.

The motion was proposed by **Councillor Jim Holloway** and seconded by **Councillor Francis Deane**.

The motion was adopted.

7.6 Submitted by Councillor Francis Deane

“I call on Navan Municipal District to write to An Taisce with a request for funding to upgrade the Ramparts towpath from Spicers to Stackallen Bridge and also to ask An Taisce to engage in mediation with the stakeholders. This trail is a good tourist attraction and has suffered terrible damage recently due to storms and flooding.”

The motion was proposed by **Councillor Francis Deane** and seconded by **Councillor Wayne Forde**.

The motion was adopted.

7.7 Submitted by Councillor Francis Deane

“Taking into consideration the health and safety issues associated with dog fouling throughout Blackwater Park, I am calling on Navan Municipal District to investigate the cost involved in providing a controlled area for use as a dog run. Dog fouling is proving to be problematic in Blackwater Park in the common areas, on the football pitches and in the children's playground.”

Miontuairiscí / Meeting Minutes

Supporting information subject to the motion being proposed, seconded and considered:

Models of good practice operated by other Local Authorities in mitigating against the issue of dog fouling in public amenities spaces will be investigated, with the view of possible local replication, in order to deal with the issue identified in Blackwater Park.

The motion was proposed by **Councillor Francis Deane** and seconded by **Councillor Joe Reilly**.

The motion was adopted.

7.8 Submitted by Councillor Sinéad Burke

“That the Executive clarify their role and responsibilities in removing trees and shrubs in estates taken in charge and in estates not yet taken in charge; clarify the distances between trees and lighting and the way these are measured by the Council; that the type of trees suitable for long term growth in estates are noted in planning permissions granted and, in cases where trees and shrubs have been removed against residents wishes, the Council work with residents to replant more suitable vegetation.”

Supporting information subject to the motion being proposed, seconded and considered:

The Council’s Transportation Department, through its Public Lighting section, are preparing a draft policy on public lighting. The most recent meeting of the Transportation SPC received an update on that process and it is envisaged that a policy will be recommended for adoption later in 2016.

The taking in charge process considers a wide variety of criteria in arriving at a schedule of works to be completed prior to an estate being taken in charge. Public lighting is an important element of that process. With the creation of a dedicated public lighting section in recent years , Meath County Council now has a resource to examine public lighting proposals and the effect landscaping plans will have on public lighting as part of the planning decision making process. The availability of this additional resource has ensured that future housing schemes will be cognisant of the longer term impact of landscaping / tree planting on the efficiency and efficacy of public lighting standards.



Miontuairiscí / Meeting Minutes

See Item 7.4 – Notice of Motion.

7.9 Submitted by Councillor Jim Holloway

“Following on from the recent problem with discharge of sewerage from dwellings at specific locations within Silverlawns Estate, Navan, that Navan Municipal District requests Irish Water to reconstruct Inspection Chamber at No. 68 Silverlawns and ensure connection from this to main sewerage line and to investigate further the situation within Silverlawns to ensure sufficient capacity in mains sewerage network.”

Supporting information subject to the motion being proposed, seconded and considered:

It is suggested that the matter should be raised directly with Irish Water at the next Councillor Clinic. The purpose of these clinics is for councillors to raise issues and concerns directly with the Irish Water representatives.

See Item 7.3 – Notice of Motion.

8 Correspondence

- 8.1 Correspondence received from Irish National Foresters Brass Band re Municipal District Allocation.

The correspondence was noted. It was agreed that an email would circulate to Councillors confirming that this group was eligible under the 2016 Municipal District Allocation Protocol.

9 Any Other Business

- 9.1 Councillor Jim Holloway raised the following issues:

9.1.1 The flooding caused by blocked gullies.

9.1.2 The need to restore the ramps at Kilfernin.



Miontuairiscí / Meeting Minutes

- 9.2 Councillor Tommy Reilly raised the following issue:
- 9.2.1 The need to have the surface of the childrens playground in Blackwater Park restored.
- 9.3 Councillor Sinéad Burke raised the following issue:
- 9.3.1 That a request be submitted to the Returning Officer to have the side gates at the school polling station in Johnstown open during voting hours to facilitate pedestrian access.
- 9.4 Councillor Francis Deane raised the following issues:
- 9.4.1 Potholes on Hanlonstown Lane and Farganstown Lane.
 - 9.4.2 That a letter be issued to Irish Rail concerning the overgrown hedges and the condition of the fence at Glenveigh Estate.
 - 9.4.3 The ongoing smell arising from sewerage issues at the former Spicers site.

This concluded the business of the meeting.

Signed:

An Meára