



Miontuairiscí / Meeting Minutes

Ashbourne Municipal District

Ordinary Meeting

10:00 a.m., 15th June 2015, Ashbourne Civic Offices

An Cathaoirleach, **Councillor Claire O’Driscoll**, presided.

Councillors Present: Suzanne Jamal, Darren O’Rourke, Seán Smith, Alan Tobin.

Apologies: Councillor Joe Bonner

Officials in Attendance:

Head of Finance: Fiona Lawless

Meetings Administrator: Claire King

Senior Executive Engineer: Jim Colwell

Executive Engineer: Janet Murphy

Staff Officer: Triona Keating

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary meeting held on 18th May.

The Minutes of the Ordinary Meeting held on 18th May 2015 were adopted on the proposal of **Councillor Suzanne Jamal** and seconded by **Councillor Seán Smith**.

2 Matters arising from the Minutes

Councillor Claire O’Driscoll requested that Item 9.2.1 be reworded as follows: “Called on Councillors and officials to share their knowledge regarding the erection of bollards between Garden City and Alderbrook.”

Councillor Alan Tobin requested an update in relation to Item 9.1.1 – it was confirmed that only one bin could be re-used and that the remainder were to revert to the contractor. Councillor Tobin also asked that the commemorative stone erected during the Special Olympics be reinstated.



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3 Expressions of Sympathy and Congratulations

Congratulations were extended to:

- St. Andrew's Athletic Club on celebrating 60 years.
- The local cycling club on their events held as part of Bike Week.
- Ashbourne Men's Shed, which opened on Wednesday.

4 To receive a presentation from the FAI Development Officer.

Mark Scanlon attended the meeting and delivered a presentation to Councillors on participation rates, programmes and partnership initiatives.

Matters raised by the Councillors included:

- The role of Meath County Council in promoting soccer – it was confirmed that a partnership approach between relevant agencies and groups is vital in terms of facilities development and increasing participation rates, for example the Community Garda could get involved in late night leagues;
- The need for greater cooperation between sports and clubs;
- The options available to potential international players in Meath and the targeting of older teenagers.

The Cathaoirleach and Councillors thanked Mark for attending and for his presentation and wished him well in his new role.

5 Statutory Business

5.1 Corporate Services

- 5.1.1 To receive a presentation on the preparation of a Draft Polling Scheme for County Meath.



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Olive Falsey and Sheila Sheridan attended the meeting and delivered a presentation to the meeting that covered the current polling scheme, the purpose of the review, the format and the process, and some issues specific to Ashbourne Municipal District. It was pointed out that a revised draft would be presented to municipal district meetings in September for approval, following which it would go before the full Council for adoption. If adopted, the new Polling Scheme will take effect from 15th February 2016.

Councillors were asked to submit any suggestions to Corporate Services by 4.00pm on Friday 31st July 2015.

A query was raised as to how electoral divisions might be changed and if a proposal to change an electoral division were to be made, to whom should such a request be directed. It was agreed to check this out.

The Cathaoirleach and Councillors thanked Olive and Sheila for attending and for their presentation.

5.2 Transportation

5.2.1 To receive an update on the establishment of the Transportation Operations Section.

John McGrath, Transportation Operations and Ger Murphy, HR attended the meeting and provided Councillors with an update on the establishment of the Transportation Operations Section, including the context for the reform programme and the municipal district structures with a focus on operations and customer service.

Matters raised by the Councillors included:

- Welcomed the new approach being adopted, particularly around customer service;
- The need to provide a clear and transparent system in housing services;



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- The need for equal distribution of resources across the municipal districts, for example the town enhancement scheme – it was advised that the related funding for this scheme must be provided for in municipal district budgets;
- The provision of road sweeping in rural villages – it was confirmed that this may be provided on a rota system.

The Cathaoirleach and Councillors thanked John and Ger for attending and for their update.

- 5.2.2 To receive an update on the proposal to change the placename of Broadmeadow Street to ‘Thomas Ashe Street’, as per Item 7.3 on the draft minutes of the May monthly meeting.

Paul Monahan attended the meeting and outlined the update, which was circulated at the meeting.

Councillor Darren O’Rourke expressed his frustration at the perceived lack of progress on this matter. As outlined in the report, it was pointed out that there are legal considerations in terms of the process, that work was ongoing on the compilation of necessary information, and that a draft list of qualified electors was being prepared. It was agreed that the process would continue in respect of the street known as Broadmeadow Street (otherwise Broadmeadow Castle), Ashbourne i.e. the street that links Frederick Street and Castle Street. The reference to Broadmeadow Castle is being made to avoid any confusion over the street that is the subject of the Motion as, even though the street was taken in charge as Broadmeadow Street, current maps from different sources, including a local community newsletter, refer to the street as Broadmeadow Castle.

- 5.2.3 To receive a Progress Report on works undertaken/planned for Ashbourne Municipal District.

The report had been circulated in advance of the meeting.

Matters raised by the Councillors included:



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- Road sweeping at various junctions – Councillors were asked to submit locations to the district engineer.
- The specific planning contribution of €60,000 due to be paid by the Department of Education and Skills for Castle Street by December 2015 – it was agreed to request an update from the Planning Department on the planning contribution and land agreements including access, etc.
- The need to agree the projects to be funded by the NPPR funding of €150,000 – after a short discussion, it was agreed to prioritise the following:
 1. Pedestrian crossing on Castle Street, Ashbourne
 2. Footpath and two pedestrian crossings in Stamullen
 3. Footpath and ducting for public lighting in Kentstown
- The possibility of providing dog waste bins and/or bag dispensers in appropriate locations.
- The timeframe for carrying out road markings – it was confirmed that this would follow the roadworks programme.

6 Notice of Question

6.1 Submitted by Councillor Seán Smith

“Can Meath County Council outline the actions available to deal with and penalise developers once established that Planning Permission has been granted with false information submitted as part of the planning process, particularly with regards to Public Green Space?”

Response:

It should be noted that a grant of planning permission does not in itself empower a person to implement permission. There may be other statutory consents and legal rights



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necessary to access the lands and services. The Planning process is a consultative process involving the Planning Authority, the applicant, statutory agencies as appropriate and interested 3rd parties.

The planning application process requires the publication of notices so that all parties that may have an interest in the proposed development can feed into the decision making process. However once planning permission is granted based on the plans and particulars submitted with the application, the developer cannot be deprived of the right to implement that permission on planning grounds, once he has a legal right to the lands and other statutory consents as necessary.

Of course a grant of planning permission may be appealed to An Bord Pleanála within a specified timeframe by parties that participated in the original planning application process. In short, unless false information or factual error is pointed out prior to the Planning Authority making its decision, it is not practical to seek to address any error, omission or mistruth afterwards.

All parties to an application should be very careful as to the information or statements they place in the public domain. Participants in the process do not have privilege from charges of defamation.

The response was noted.

6.2 Submitted by Councillor Alan Tobin

“Does Meath County Council intend to erect street signs and / or wall plates within the main thoroughfares of Ashbourne?”

Response:

The Council, in principle, is amenable to providing street signs and / or wall plates on the main thoroughfares of Ashbourne. This question is not unrelated to a previous Notice of Motion adopted at the Ashbourne Municipal District May monthly meeting to rename one of the streets in the town. Accordingly if there are proposals to change street names in Ashbourne then any changes will have to be formalised before any works are carried out and signs erected.



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The actual process of changing place names and the legal authority to do so is a complex one and the Council is currently seeking clarity on these issues from its law agent. Pending receipt of this advice, it is our understanding that a resolution to change a name, street or otherwise, is a function of the Full Council and not the Municipal District members. This does not prevent Municipal District members making recommendations to the Full Council.

An update on the matter will be provided as soon as possible.

The response was noted. However Councillor Tobin requested confirmation as to when the signs would be erected. It was confirmed that no budget allocation had been made in 2015 but that it could proceed if funding were available later in the year; otherwise, an allocation would have to be made in the 2016 budget. The need for consistency was noted. It was agreed to look at this issue separately.

7 Notice of Motion

7.1 Submitted by Councillor Darren O'Rourke

“That Meath County Council agrees that the provision of a public playground in Stamullen would be a very positive development for the local community and commits to working with local residents to explore the possible options for financing and delivering a playground within a reasonable timeframe.”

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

The Community Department will explore the provision of a playground facility in Stamullen, cognisant of demand for, and potential use of such a facility, and funding streams.

The motion was proposed by **Councillor Darren O'Rourke** and seconded by **Councillor Seán Smith**.

The motion was adopted.



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It was agreed on the proposal of **Councillor Suzanne Jamal** and seconded by **Councillor Alan Tobin** to extend the meeting by ten minutes.

7.2 Submitted by Councillor Seán Smith

“With regards to Planning Permission AA141073, that the full Development Levies for Social Infrastructure €1.223m be spent on purchasing lands for the purpose of a large Community Park adjacent to the site and the full Development Levy for Road Infrastructure €1.376m be allocated towards a connection road from Ballybin to the Ratoath Road R125, passing along the back of the new development.”

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

Meath County Council has recently granted permission to Argentum Property Holdings One Ltd. for a residential development on the former Kealahill Developments site at Churchlands. Conditions 2 and 7 of that permission are relevant to this motion. That decision of 21st May 2015 is still within the appeal period and an appeal may be lodged by the developer or 3rd parties.

The decision required the payment of development contributions in accordance with the Development contribution scheme. I have previously advised that development contributions are conditioned on a county at large basis and are not ring fenced for infrastructure within or immediately abutting the site.

Please be advised that Meath County Council is working with landowners and developers in the area of Killelland west with a view to delivering the recreational area originally envisaged in the Killelland west area action plan. The most recent permission granted under AA141073 included requirements to omit a number of proposed dwellings (condition 2) and that the public open space be made available in association with phase 1 of the development (condition 7). The Council has also engaged with the Department of Education and Skills with a view to obtaining lands for the public park envisaged within that land holding. The Department have advised that they will consider disposing of lands when they are no longer required for educational uses and will advise the Council in the first instance when that time comes.



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Meath County Council has committed to the delivery of the park and has included this project within its capital programme for the period 2015-2020. That said, the most appropriate mechanism to deliver the park is through the development management process supplemented by direct works from the Council where appropriate.

The provision of a road linking the Churchlands development with the Ballybin Road is not included in the capital works programme nor is it provided for within the Ashbourne LAP. Meath County Council has no plans to deliver such a road at this time.

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

A discussion followed, with Councillor Smith outlining the background to the motion. It was agreed to discuss this matter with the Planning Department and to revert to Councillors with any update.

The motion was noted.

7.3 Submitted by Councillor Alan Tobin

“I call on Meath County Council to put in a footpath, be it with a cheap temporary surface on the right of way from Milltown Estate to the Rugby club to allow young people to travel safely to training instead of relying on lifts or walking on a dangerous country road.”

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

Meath County Council can confirm that a new tarmacadam footpath has been requested from a utility provider as part of their finishing works to ducting in that area. We anticipate it should be in place over the summer months.

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

The motion was noted.



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7.4 Submitted by Councillor Alan Tobin

“That Meath County Council provides a scheduled works programme for roadside grass cutting on public roads for the Summer/Autumn period.”

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

We are in the process of tendering for verge cutting to verges at major/busy junctions and we anticipate that this process will be complete within the next week.

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

The motion was adopted.

8 Correspondence

8.1 Correspondence received from Mr. Philip Browne, Chief Executive, IRFU in response to Item 2 on the draft minutes of the May monthly meeting.

The correspondence was noted.

9 Any Other Business

9.1 Councillor Alan Tobin raised the following issues:

9.1.1 The assistance that can be provided by Meath County Council to businesses on Killegland Street, Declan Street and High Street, for example if the road was taken in charge, property management charges would not apply – it was agreed to refer this to Planning for an update re taking in charge.

9.1.2 The erection of signage regarding the disposal of domestic waste in the big belly bins – it was agreed to refer this to the Environment Section.

9.2 Councillor Claire O’Driscoll raised the following issue:



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- 9.2.1 An update on the pedestrian link between Frederick Street and Main Street – it was confirmed that this would form part of Phase II of works being undertaken.

This concluded the business of the meeting.

Signed:

Cathaoirleach