



Miontuairiscí / Meeting Minutes

Kells Municipal District

Ordinary Meeting

4:30p.m., 15th June 2015, Kells Civic Offices

An Cathaoirleach, **Councillor Bryan Reilly**, presided.

Councillors Present: Eugene Cassidy, Seán Drew, Michael Gallagher, David Gilroy, Johnny Guirke, Sarah Reilly.

Officials in Attendance:

Director of Service: Kevin Stewart

Meetings Administrator: Claire King

Senior Executive Engineer: Fiona Beers

Executive Engineer: Aaron Smith

Staff Officer: Triona Keating

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary meeting held on 18th May 2015.

The Minutes of the Ordinary Meeting held on 18th May 2015 were adopted on the proposal of **Councillor Sarah Reilly** and seconded by **Councillor Michael Gallagher**.

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 families of the late Paul Smith, Rathmore, Athboy and the late Bryan Keane, Mullaghea, Kells.

Congratulations were extended to:

- Those involved in the Moylagh JFK 50 Mile Challenge.

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:

- Facilities development and, specifically the lack of a permanent facility for Blackwater FC – it was confirmed that the FAI Facilities Development Department assists clubs in putting the facilities in place once suitable land has been secured.
- Available funding – it was confirmed that the FAI can assist in making applications for the sports capital grant and the need for clubs to be specific when making grant applications. It was also suggested that it would be useful to hold a workshop for clubs, providing advice on applications, pitfalls to avoid, etc.

The Cathaoirleach and Councillors thanked Mark for attending and for their presentation.

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.

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 issues specific to the Kells Municipal District. It was pointed out that a revised draft would be



Miontuairiscí / Meeting Minutes

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.

Councillors raised queries around the register of electors and the possibility of encouraging registration in schools and clubs. The need to explain the proportional representation system of voting was also expressed.

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 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.

It was agreed to circulate a copy of the presentation to Councillors.

The Cathaoirleach and Councillors thanked John for attending and for his update.

- 5.2.2 To receive a Progress Report on works undertaken/planned for Kells Municipal District.

The report had been circulated in advance of the meeting.

Matters raised by the Councillors included:



Miontuairiscí / Meeting Minutes

- The Gateway staff were complimented on the works carried out in Athboy.
- The need to repair the brackets and provide hanging baskets on Farrell Street – it was agreed to check this.
- Update on the security bollards in Athboy – it was confirmed that the contract had been awarded and that, whilst no date was yet available, it would take place in the coming months.
- The timeframe for the completion of the roadworks programme – it was confirmed that it was hoped to complete the programme by the end of August / beginning of September, depending on the weather, and that the CIS may be added to the initial contract, and would be undertaken when the contractor was in the relevant area.
- The availability of outdoor staff to undertake pothole repairs.
- The quality control measures in place for the use of sub-contractors.
- Issues relating to the play area in Bridgewater estate in Kells – it was confirmed that a meeting had taken place with residents and fencing was being considered, subject to available funding.

5.3 Planning

5.3.1 To consider taking in charge the following estate and the making of a declaration that the roads within the estate shall be public roads in accordance with Section 11 Roads Act 1993 and the Planning & Development Act 2000-2014.

- Townparks Manor, Kells

Supporting information:

Meath County Council takes this opportunity to attempt to clear up any misunderstanding that may have arisen in relation to the scope of works that a



Miontuairiscí / Meeting Minutes

developer must undertake to comply with the terms and conditions of his planning permission. The Planning Department has put in place an inspection protocol to identify and cost a schedule of works and the compliance matters, to which the developer must adhere. The standards and scope of works to be completed are benchmarked against the development permitted by the planning permission and the conditions attached thereto, at the date of grant of permission.

The Council acknowledges that it may be desirable in certain cases to request additional works to be undertaken, but it has no statutory mechanism to compel the developer to do so. Such requests are essentially dependant on the goodwill of the developer. It is very important that such additional requests do not frustrate the statutory Taking in Charge process as the developer has a reasonable expectation in law that, having complied with the demands of the planning authority that his development will be taken in charge.

In effect, while the taking in charge of an estate is a reserved function vested in the members of each municipal district, members should only have regard to the planning compliance matters detailed in the Planning Permission in reaching their decision.

The Council does acknowledge the wishes of the members in this case and believes them to be well intentioned. It is important to always bear in mind that additional works may in some circumstances require a separate planning permissions in their own right.

In this instance the Planning Department confirms that it has revisited the compliance status of the development. Separate follow-up inspections have been undertaken by a number of suitably qualified inspectors. The Council is satisfied that the developer has complied with all requirements under the Taking In Charge process for the development known as Townspark Manor, Kells and has also complied with the conditions of planning permission granted under reference KA/30293.

The Council notes the Members wish to request the developer to undertake further works outside the requirements of the Taking In Charge process and awaits the outcome of those discussions.



Miontuairiscí / Meeting Minutes

Councillors referred to communications received from residents regarding possible sewerage problems in the estate and queried whether the developer had complied with the planning condition relating to the erection of continuous fencing around the boundary of the entire site. It was agreed that these issues should be referred to the Planning Department for discussion with the developer and that a new report was needed before the decision would be taken in relation to taking the estate in charge. Councillors were reminded that only those conditions contained in the planning permission could be considered when deciding to take the estate in charge.

Updates were also requested on Cluin Loinn, Oldcastle regarding taking in charge and Cloran Court, Athboy regarding a bond release – it was agreed to refer these to Planning.

6 Notice of Question

6.1 Submitted by Sarah Reilly

“To ask the Executive for a progress report on the assistance being provided to Kells Scouts to secure a site for the provision of a new Den.”

Response:

A report on possible locations in Kells for a new scout den was prepared by the Planning Department and issued to 5th Meath Kells Scouts on 20th February 2015. The planners looked at a number of sites in both private and public ownership and assessed them against the development plan and other relevant criteria.

5th Meath Kells Scouts replied on 2nd April 2015, stating that they were considering all options proposed. Meath County Council also responded to a query raised in this letter, relating to space required for the proposed walkway at the rear of the swimming pool.

The response was noted.

It was proposed by **Councillor Sarah Reilly** and seconded by **Councillor Bryan Reilly** that Kells Municipal District contact the Department of Education and Skills requesting that they dispose of the lands behind the swimming pool, as referred to in the Planning report, to the 5th Meath Kells Scouts if the group wishes to proceed with this option. It



Miontuairiscí / Meeting Minutes

was pointed out that the scouts group should also contact the Department requesting same.

7 Notice of Motion

7.1 Submitted by Councillor Eugene Cassidy

“That Meath County Council develops a Town Design Statement for the town of Kells, to involve a collaborative approach between Meath County Council personnel working in partnership with experts in a range of disciplines. This will ensure that the Town Design Statement can have real influence on any new development within Kells Town. A Town Design Statement will enable the town of Kells to develop and move forward in a structured manner.”

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

The proposal to prepare, and in due course to adopt, a Town Design Statement for Kells is broadly welcomed. The potential benefits of such a statement were outlined to Kells residents, business people and local public representatives at a recent seminar in the town. Simon Wall, Town Architect, Westport outlined the journey taken there to revitalise the town over a 20 year period and he identified the importance of a strong, publicly accepted Town Design Statement in that process.

While a town design statement is a non-statutory document the adopted Kells Development Plan 2013-2019, contains a number of policies and objectives that will be of benefit in terms of framing an outline of a draft statement that would form the basis of a public consultation document. Consideration will have to be given to the format of public engagement and a representative steering group put in place.

The preparation of this statement is not currently included in the Planning Departments work programme for 2015 nor is there a dedicated budget available at this time. It is likely that we would need to invite consultants to prepare the statement through a public procurement process and that it would be well into next year at least before a statement was through the consultation process. You may recall that Mr Wall indicated that the process took over 18 months to complete in Westport given the levels of public consultation involved.



Miontuairiscí / Meeting Minutes

In summary this motion is welcome and should it be adopted we will examine the level of resources needed and set out a process and possible timeframe for the production of a draft statement and report back to the Council in due course.

The motion was proposed by **Councillor Eugene Cassidy** and seconded by **Councillor Sarah Reilly**.

A short discussion followed on the possible timeframe for the trial of the one-way system in relation to the preparation of the town design statement and the possible cost and timeframe for the preparation of the statement.

The motion was adopted.

8 Correspondence

- 8.1 Correspondence received from the National Parks and Wildlife Service in response to submission made on the Review of Section 40 of the Wildlife Acts, as agreed at the December 2014 meeting under Item 8.3.

The correspondence was noted.

9 Any Other Business

- 9.1 Councillor Johnny Guirke raised the following issue:

9.1.1 The broken glass and graffiti in the playground in Oldcastle and the possibility of installing CCTV at the nearby bring bank - it was agreed to refer this to the Environment Section.

- 9.2 Councillor Michael Gallagher raised the following issue:

9.2.1 The issue around Meath County Council staff, on contract to Irish Water, being instructed not to enter private property to deal with water or wastewater issues relating to multiple connections – it was agreed to refer this to the Water Services section for forwarding to Irish Water.



Miontuairiscí / Meeting Minutes

9.3 Councillor Bryan Reilly raised the following issues:

9.3.1 The possible inclusion of Castletown in the 2016 roadworks programme, following a meeting between Castletown Tidy Towns Association, the Chief Executive and the district engineer.

9.3.2 Works needed from Fletcherstown Cross to Clongill Cross and from Fletcherstown Cross to Bog Cross.

9.3.3 The pedestrian safety concerns arising at the junction in Oristown – it was confirmed that this junction was included in the 2015 Low Cost Safety Scheme.

9.4 Kevin Stewart raised the following issue:

9.4.1 Welcomed the news that Facebook has lodged a planning application for a data centre in Meath.

This concluded the business of the meeting.

Signed:

Cathaoirleach