



Miontuairiscí / Meeting Minutes

Kells Municipal District

Ordinary Meeting

15th September 2014, Kells Civic Offices

An Leas-Chathaoirleach, **Councillor Bryan Reilly**, presided.

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

Officials in Attendance:

Director of Service: Kevin Stewart

Meetings Administrator: Claire King

Administrative Officer: Fiona Skehan

Resident Engineer: Fiona Beers

Senior Executive Planner: Bernard Greene

Executive Planner: Fergal O'Bric

Clerical Officer: Fiona Casserly

Apologies: Councillor Eugene Cassidy

It was agreed on the proposal of **Councillor Sarah Reilly** and seconded by **Councillor Johnny Guirke** that Councillor Seán Drew would chair the meeting from 5.00pm, when Councillor Bryan Reilly had to leave.

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary meeting held on 21st July, 2014.

The Minutes of the Ordinary Meeting held on 21st July 2014 were adopted on the proposal of **Councillor Seán Drew** and seconded by **Councillor Michael Gallagher**.

2 Matters arising from the Minutes

There were no matters arising.



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3 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- The McInerney, O'Rourke, Yore, Kavanagh, Dolan, Nevin and Kenny families on their recent losses.

Congratulations were extended to:

- Jass Foley on his production 'The Hit Producer', which recently won 8 Awards of Excellence from TheIndieFEST Film Awards and features scenes shot in Kells; a private fundraiser screening is to take place in the SVDP Hall on 27th September.
- Gary McConnell, who won the Inter All Ireland Championship.
- Seamus Smith, Moynalty Cycling Club, who completed the Around Ireland Race.

4 Statutory Business

4.1 Corporate Services

- 4.1.1 To adopt the Standing Orders for the meetings of Kells Municipal District.

The Standing Orders for the meetings of Kells Municipal District were adopted on the proposal of **Councillor Seán Drew** and seconded by **Councillor Sarah Reilly**.

4.2 Planning

- 4.2.1 To receive a presentation on the proposed revocations of relevant Local Area Plans, following the making of Variation No. 2 of the Meath County Development Plan 2013-2019 in May 2014.

Fergal O'Bric, Executive Planner, delivered a presentation on the following:

Proposed revocation of the following Local Area Plans –

- Athboy Local Area Plan 2009-2015
- Carlanstown Local Area Plan 2009-2015
- Carnaross Local Area Plan 2009-2015



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- Crossakiel Local Area Plan 2009-2015
- Drumconrath Local Area Plan 2009-2015
- Gibbstown Local Area Plan 2009-2015
- Kilmainhamwood Local Area Plan 2009-2015
- Moynalty Local Area Plan 2009-2015
- Nobber Local Area Plan 2009-2015
- Oldcastle Local Area Plan 2009-2015
- Rathcairn Local Area Plan 2009-2015

The proposed revocations to the respective Local Area Plans are to give effect to the requirements of Core Strategy Objective CS OBJ 3 of the Meath County Development Plan 2013-2019.

Following the presentation, Councillors raised the following issues:

- The reasons for and the effects of the revocation process;
- The impact on the land use zoning objectives and the review of the County Development Plan;
- The impact of Variation No. 2 on land use zoning;
- The LAP review process.

Responses were provided by the Executive Planner and Senior Executive Planner on the matters raised.

4.3 Finance

- 4.3.1 To receive a report on the options proposed and correspondence received in connection with paid parking.

Fiona Skehan delivered a presentation to the meeting and it was agreed to circulate the report to Councillors. Matters raised included:

- Were parking machines paid for;
- The impact on service provision if parking charges were to be reduced / eliminated;



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- The need for a full Council decision on the paid parking receipt as part of the budgetary process;
- No changes can be made to the adopted budget for 2014 and can only be considered as part of the 2015 budget;
- The parking bye-laws that exist;
- The ability to retain the income locally if managed centrally;
- The availability of any evidence that abolishing parking charges would increase trade.

It was agreed that this issue would be discussed in October as part of the budgetary process and that the report prepared should be sent to Kells Local Heroes as a response to their earlier correspondence.

5 Notice of Question

5.1 Submitted by Councillor Sarah Reilly

“To ask the Executive how many Dog Litter Wardens are assigned to Kells Municipal District, how many fines were issued to residents in the area in the last 5 years and what plans are afoot to alleviate this ongoing health and safety issue.”

A response was provided by Larry Whelan, Senior Executive Officer, Environment Section, as follows:

Over the last 5 years, Meath County Council issued 105 fines under the Control of Dogs Act 1986 of which 17 were in respect of the Kells Municipal District area.

The issue of dog fouling, and the associated Health and Safety risks, was the subject of a Notice of Motion before the full Council in June 2013 and I enclose for the Members information a copy of the response to that motion. (see below).

Since that time there have been a number of developments which have enhanced the levels of activity with regard to dog control in the county and, noting that over 3100 dog licences were issued to dog owners in County Meath in 2013, these developments include:

- *The appointment of a second Dog Warden which serves to spread the considerable workload that previously existed and enabling particular focus be paid to Dog Licensing and Enforcement as well as education and awareness initiatives which are seen as crucial in addressing the dog fouling issues.*



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- *Environmental advertisements taken out with LMFM include Dog Control measures such as Licensing and Dog Fouling.*
- *Leaflets distributed as part of environmental campaigns on Waste, Litter, Brown Bins etc. also seek to promote responsible dog ownership including cleaning up after their dog.*
- *Three areas have now signed up to the Green Dog Walkers programme referred to in the response to the Notice of Motion namely Kells, Duleek and Ashbourne.*
- *Meath County Council recently adopted Parks and Playground Bye Laws designed to regulate the use of such facilities for the enjoyment of the public and such bye-laws include requirements for the control of dogs.*
- *The putting in place of audio messages in relation to Dog Fouling in the new park in Navan and in Ratoath has proved to be extremely successful with initial figures suggesting a 50% reduction in dog fouling at these locations.*
- *Reminders being sent out to dog owners where licences are soon to expire.*

The Council are also looking at initiating joint campaigns with the HSE in respect of the health implications of dog fouling and will consider any other suitable initiatives which both address the dog fouling and licensing issues.

Environment & Water Services

27th June 2013

To the Chairman and

Each Member of the Council

Report on item 9.1 Submitted by Councillor Willie Carey

"In the interest of public health and to keep our paths and green areas clean, Meath County Council introduce measures (e.g. Bye-Laws) preventing the serious and increasing problem of dog fouling in public places which is prevalent around the County"

Response

Dear Member,

The issue of dog fouling in public places is something that the Environment Department of the Council receive quite a number of complaints about every year.

While the primary legislation in relation to the control of dogs is the Control of Dogs Act 1986 as amended , offences in relation to dog fouling are contained in the Litter



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Pollution Acts 1997- 2003 and specifically under Section 22 which makes it an offence to allow a dog under your control to foul a public place .

This means the owner/person in charge of the dog is required to remove dog faeces and dispose of them in a suitable, sanitary manner and failing which an on the spot fine of €150 may be imposed or a €3000 maximum fine if not paid and a conviction is secured in the District Court. Any person can make a complaint to the District Court under the litter laws against an owner or someone in charge of a dog who allows that dog to foul public places and who fails to act responsibly.

It is submitted therefore that the legislation is already in place in respect of dog fouling and what is required is enforcement of same and including members of the Public being prepared to give evidence where they witness irresponsible behaviour on the part of dog owners.

In recent times there has been a major emphasis placed on the need to educate people in relation to the public health issues associated with dog fouling, as serious infections can spread from dogs to humans via infected faeces and with young children being particularly at risk through contact with contaminated ground while playing and putting their hands in their mouths.

Meath County Council in recent weeks has signed up to the Green Dog Walkers Programme (GWD) with Fingal, South Dublin, Dun Laoghaire Rathdown and Wicklow County Council. The GWD is a community based scheme adopted and promoted by local community volunteers and aiming to change attitudes towards the issue of dog fouling while looking at non- confrontational and friendly ways of raising awareness and the importance of picking up after your dog.. Volunteers wear a Green Dog Walkers armband which signifies that they have taken the pledge to always clean up after the dog, carry extra dog waste bags and be a friendly reminder to other dog walkers to clean up after their dogs.

An Cathoirléach of Meath County Council Councillor Niamh McGowan recently launched the GWD programme in Ashbourne and further launches and awareness campaigns are planned for some of the larger population centres in the County.

The Council as part of engagement with local Communities in tackling this problem provide on an ongoing basis "Clean up after your Dog" signs to Residents associations, Community Groups etc as well as distributing appropriate dog litter bags at strategic locations.

It is pointed out that this matter was the subject of recent discussion at the Environment SPC and further discussions are planned including feedback on participation in the above mentioned Green Dog Walkers Programme.

Yours sincerely,



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Larry Whelan

Senior Executive Officer

Councillor Sarah Reilly expressed her disappointment at the number of fines issued and requested clarification on the possibility of appointing Gateway staff to assist in this area. Kevin Stewart pointed out that evidence was required in order to issue fines and agreed to look into the issue of Gateway staff.

6 Notice of Motion

6.1 Submitted by Councillor Johnny Guirke

“That Meath County Council provide a 50% reduction on commercial rates for a period of five years on any commercial unit that has remained closed for more than 12 months to encourage renewed retail activity, reinvigorate towns and villages and increase employment.”

The motion was proposed by **Councillor Johnny Guirke** and seconded by **Councillor Michael Gallagher**.

Supporting information was provided by Ger Soady, Administrative Officer, Finance Section, as follows:

Similar schemes were operated by Trim and Kells Town Councils prior to their dissolution. These were over a 3 year period subject to certain criteria. From this experience the numbers that availed of the scheme were very low and the incentive did not appear to be a deciding factor in locating in a vacant premises. Meath County Council is now the single rating authority for whole County of Meath, and, given the previous experience of the Town Councils, there are no plans to introduce any such scheme county wide.

Kevin Stewart pointed out that there was no legal basis for a rates reduction but that town councils had provided a grant towards start up costs for certain retail businesses, subject to restrictions. However the take-up was small and did not appear to be a deciding factor for businesses. To operate a similar scheme on a countywide basis would require considerable resources, should be considered in the context of budgetary decisions and would require the approval of the full Council.

The Notice of Motion was noted.



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6.2 Submitted by Councillor Johnny Guirke

“That Kells Municipal District calls on Meath County Council to allocate a minimum of 34% of all available roads funding to Kells Municipal District in future budgets.”

The motion was proposed by **Councillor Johnny Guirke** and seconded by **Councillor Michael Gallagher**.

It was agreed that that Fiona Beers would provide Councillors with a comparative breakdown of the road survey information for the six Municipal Districts. The discussion that followed emphasised the need for funding for roads in the Kells Municipal District but acknowledged that the support of other Municipal District Councillors would be required to achieve this. It was agreed on the proposal of **Councillor Michael Gallagher** and seconded by **Councillor Johnny Guirke** that the following Notice of Motion be submitted to Meath County Council;

“That Kells Municipal District calls on Meath County Council to provide increased funding to reflect the very poor condition of the roads in Kells Municipal District.”

Councillor Seán Drew took over the chairing of the meeting.

6.3 Submitted by Councillor Sarah Reilly

“That all roads within Kells Municipal District, including cul de sacs, graded in the 1- 4 pavement survey condition index rating be prioritised for restoration and repair.”

Supporting information was provided by Fiona Beers, Area Engineer, Kells Municipal District, as follows:

National and regional roads form the arteries between cities, towns and villages. They carry the most traffic and this traffic is generally travelling at higher speeds. Most of the national and regional roads are rated higher than 4. It is important that these roads are maintained in reasonable condition and it would be unadvisable to omit repairs on these roads in favour of small local roads and cul-de-sacs.

Restoration Maintenance protects the structural integrity of the road by way of surface dressing and is carried out on roads graded 5 to 8. Therefore funding allocated to Restoration Maintenance should be spent on roads within these ratings.

It is likely that most of the roads that will be put forward for Restoration Improvement under the restoration programme next year will be in the 1 to 4 category. However, there will be insufficient funding to restore all roads in the 1 to 4 category, so the remaining roads will have to be considered, along with all other roads, in order to prioritise repairs. To limit repairs only to the roads in the 1 to 4 category would



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completely remove the flexibility that is required to carry out the most appropriate maintenance works on the roads that are in our charge in the Municipal District.

A discussion followed around how roads are prioritised for restoration and repair, the decisions required on what to include and omit and the importance of surface dressing to maintain road conditions and avoid deterioration. Councillor Michael Gallagher informed the meeting that Councillor Eugene Cassidy was arranging a meeting with the Minister for Transport.

The Notice of Motion was noted.

7 Correspondence

7.1 Correspondence from Paudie Coffey T.D., Minister of State – Wind Energy Guidelines

Councillors requested that a further letter be sent requesting a substantive reply. Kevin Stewart informed the meeting that Meath County Council had received formal notification that An Bord Pleanála has accepted the North Meath wind farm application as a Strategic Infrastructure Project.

8 Any Other Business

8.1 Fiona Beers informed the meeting that the ESB had contacted Meath County Council seeking views on a proposal to install overhead power lines (<10kv) over lands at Lloyd to service a business off the Oldcastle Road. The plan was for standard roadside posts with a maximum distance between poles and that the ESB do intend to cost an alternative route. Whilst this was not a reserved function, Kells Town Council had previously expressed its concern that the lands at Lloyd would be protected for the future use by the people of Kells. Councillors expressed their reservations to the proposal due to the possible visual impact, the impact on walkways planned and the amenity value of the area, and archaeological factors. Whilst they acknowledged the benefits to the business concerned, they hoped an alternative solution could be found.

8.2 Other matters raised included:

- Verge cutting at Boggan, Moynalty and the old N3 at Rathbracks, Carnaross where sightlines were affected;



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- The pollution at Lough Ramor had been referred to the Water Services Section – Councillors were reminded that issues in relation to water and waste water should be referred to Irish Water;
- The Stop sign at Ballyhoe was to be replaced;
- Yellowford Bridge at Woodtown, Drumconrath, over the River Dee, had been partially damaged and was now considered dangerous;
- The need for TDs to visit Kells Municipal District to view potential sites to locate an IDA business – a discussion followed that referred to the IDA strategy, the efforts being made by Meath County Council including targeted promotional material, the recent two jobs announcements for Kells, the Economic Strategy being prepared, the importance of small business to North Meath, and the ability of IDA to give grant aid to this region.
- The provision of a walkway from the Gardenrath area to the schools campus;
- Speed limit reviews will commence when national guidelines are issued (due in November) –97 locations have been identified;
- Unsuitable dogs being kept in local authority estates and the need to include conditions in tenancy agreements;
- The plans for winter planting - it was confirmed that this would be done if funding remained;
- It was agreed that the Councillors who were on the board of Meath Tourism would invite Meath Tourism to deliver a presentation to a future meeting of Kells Municipal District.

This concluded the business of the meeting.

Signed:

Cathaoirleach