



Miontuairiscí / Meeting Minutes

Ashbourne Municipal District

Ordinary Meeting

9:30 a.m., 10th October 2016, Ashbourne Civic Offices

An Cathaoirleach, **Councillor Alan Tobin**, presided.

Councillors Present: Claire O'Driscoll, Suzanne Jamal, Darren O'Rourke, Seán Smith.

Apologies: Councillor Joe Bonner.

Officials in Attendance:

Head of Finance: Fiona Lawless

Meetings Administrator: Claire King

Executive Engineer: Janet Murphy

Staff Officer: Triona Keating

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary Meeting held on 12th September, 2016.

The Minutes of the Ordinary Meeting held on 12th September 2016 were adopted on the proposal of **Councillor Seán Smith** and seconded by **Councillor Darren O'Rourke**.

2 Matters arising from the Minutes

Councillor Seán Smith expressed his dissatisfaction at the pace of progress relating to the Linear Park and asked that an update be provided at each meeting – it was confirmed that work was ongoing in relation to progressing the park as previously outlined, including at the September meeting, and that a brief update would be provided at each meeting. It was also pointed out that construction work was still expected to commence next summer. A commitment was given to providing an overview of the steps and timeframe for the delivery of the park.



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Councillor Seán Smith requested an update on the provision of a large public park in Ashbourne – it was confirmed that, whilst this had been discussed, no specific funding commitment had yet been made but consideration would be given to this issue if an opportunity were to arise.

3 Expressions of Sympathy and Congratulations

There were no expressions of sympathy or congratulations.

4 To receive a presentation from Deerpark Residents Association.

The meeting was informed that the group had requested that this item be deferred to the November meeting and this was agreed.

5 Statutory Business

5.1 Environment

5.1.1 To receive an update on the Ashbourne Flood Prevention Works.

David Keyes, Senior Executive Engineer, Environment Department outlined the progress report that had been circulated in advance and confirmed that protection works would commence on the embankment in Milltown next week followed by works at Rath Lodge to commence by mid-November. Contact would be made this week with those in the area.

Matters raised by Councillors included:

- The commencement of Phase II works – it was confirmed that the detailed design was not yet finalised but that works may commence in late February/early March with consultation with residents to be undertaken.
- The diversion of the sewer at Brookville – it was confirmed that contact with Irish Water was ongoing with a view to carrying out this work when the OPW was on site.



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The Cathaoirleach and Councillors thanked David for the update.

5.2 Transportation

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

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

- Donaghmore Church – it was confirmed that extra road markings would be installed and further measures considered.

5.3 Housing

5.3.1 To receive an update on housing issues within Ashbourne Municipal District.

David Jones, Senior Executive Officer, Housing Department attended the meeting and delivered a verbal update on the main housing programmes, providing the figures as they relate to Ashbourne Municipal District. It was agreed that this information would be circulated to Councillors.

Matters raised by Councillors included:

- The factors that affect adequate housing provision specific to Ashbourne Municipal District;
- Part V requirements – these were outlined;
- The provision of information by Councillors regarding possible suitable landbanks;
- The Mortgage to Rent Scheme.

The Cathaoirleach and Councillors thanked David for the update.



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5.4 Planning

- 5.4.1 To receive and consider the Chief Executive's Report in accordance with Part 8 of the Planning & Development Act 2000-2015 and the Planning & Development Regulations 2001-2015 for the new construction of a footpath link between the estates of Kilbreck and Gracemeadows in Stamullen.

Padraig Maguire, Senior Executive Planner, and Jennifer Maguire, Assistant Planner, attended the meeting and outlined the key points contained in the report.

This was approved on the proposal of **Councillor Darren O'Rourke** and seconded by **Councillor Alan Tobin**.

Councillors urged that works commence as quickly as possible.

- 5.4.2 Matters Arising

There were no matters arising.

5.5 Economic Development

- 5.5.1 To receive a report on EU Funding Opportunities.

Ciara OhAodha, Economic Development & Enterprise, delivered a presentation on a number of relevant EU funding programmes and the current status of applications made. The approach to be followed was outlined, as were the challenges and requirements.

Matters raised by Councillors included:

- The availability of programme documentation – it was confirmed that documentation could be circulated on a particular programme of interest.
- The funding available for town twinning – it was agreed to circulate the relevant information.



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- Welcomed the approach being taken by Meath County Council in relation to EU funding opportunities.

The Cathaoirleach and Councillors thanked Ciara for the information.

5.6 Corporate Services

5.6.1 To note Municipal District Allocations submitted by Councillors on behalf of Ashbourne Municipal District.

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

6 Notice of Question

6.1 Submitted by Councillors Alan Tobin and Suzanne Jamal

“Who is responsible for the inspection of timber boards on balconies in apartments throughout the county?”

Response:

Construction standards in Ireland are given effect in the Building regulations and the Building Control regulations. These instruments deal with design standards, methods of construction, fire safety requisites and ancillary matters to construction activity.

The 2014 Building regulations introduced a new regulatory regime whereby a person or company proposing to construct a building shall engage the services of a suitably qualified individual to design the building. The developer must the appoint a competent builder to undertake the works and retain the services of a suitably qualified individual (the assigned certifier) to certify that the building is being constructed in accordance with the design and in line with industry best practice.

When all these stages have been completed the developer will submit a completion certificate to the Planning Authority.

A building control authority is required to carry out during construction inspections on not less than 15% of the new buildings commenced in each calendar year. Following



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construction the developer/ owner- occupier as the case may be, is responsible for the maintenance of the structure.

The Building Control Authority may request the owner to demonstrate compliance with the relevant building standards, if the complaint is received within 5 years of completion of the building.

In summary, the responsibility to demonstrate compliance with Building control standards rests with the owner at all times.

The response was noted.

6.2 Submitted by Councillor Darren O'Rourke

“To ask for a breakdown of the housing activity in the Ashbourne Municipal District for the period August 2015 to August 2016 i.e. The total number of housing applications at end August 2015 and end August 2016; the number of individuals and families who were successfully housed in social housing, RAS and HAP accommodation in that period; and the number of newly acquired/built social housing units owned by Meath County Council in the Ashbourne Municipal District.”

Response:

Currently there are 506 applicants on Meath County Council's social housing waiting list with a first area of choice preference located within the Ashbourne Municipal District (revised data will shortly be available on completion of the 2016 Housing Needs Assessment).

For the period 1st September 2015 to 31st August 2016, 50 households have had their accommodation needs met by Meath County Council (Rental Accommodation Scheme – 10, Housing Assistance Payment – 31, Casual Vacancies – 9).

Since the commencement of the Acquisition Programme under the Social Housing Strategy 2020, nine units have been acquired in the Ashbourne Municipal District area.

The response was noted.



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6.3 Submitted by Councillor Claire O'Driscoll

“The Planning and Development Act, 2000 suggests the preservation of public rights of way by listing them in an appendix on a County Development Plan and marking them on a map contained within the County Development Plan. What recourse does the Council have where age old, actively used public rights of way have not been listed or marked to date on our County Development Plan in Ashbourne Municipal District?”

Response:

I refer to the enquiry from Councillor O Driscoll on the interaction between public rights of way and the County Development Plan

*It is important in the first instance to recognise that the public rights of way which may be included in the County Development plan are those which give access to “**seashore, mountain, lakeshore, riverbank, or other place of natural beauty or recreational utility**”*

There is no provision to include rights of way which do not fulfil these criteria.

it is also important to recognise the rights of landowners who may object to such designations. Landowner’s property rights are recognised in section 14 of the Planning and Development Act where a right of appeal exists to the Circuit Court against the inclusion of a public right of way in the Development plan. Public rights of way continue to exist outside of the Development plan process. The Act states that “nothing in this section shall effect the existence or validity of any public right of way which is not included in the Development plan”

Meath Co Council will consider if additional public rights of way should be added to the County Development plan during the forthcoming statutory review scheduled to commence in December 2016. Interested parties may make submissions to the statutory review process in that regard.

The response was noted.

7 Notice of Motion

7.1 Submitted by Councillor Alan Tobin



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“To introduce a "special 30km speed limit" in the following areas:

- Castle St, Ashbourne, L-50192-0;
- Johnswood Rd, Ashbourne;
- Milltown Rd Ashbourne from Batchelor's Walk to Milltown Bridge;
- Hunter' Ln Ashbourne;
- Racehill, Ashbourne.”

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

The Transport Section of Meath County Council is currently finalising its assessment of the 258 number submissions received regarding the county wide Special Speed Limit review. Castle Street, Johnswood Road and Milltown Road in Ashbourne are already on the schedule of areas for review and it is intended that staff from the Transport Section will meet with the elected members of each Municipal District in the coming weeks to discuss any proposed speed limit changes. It should be noted that any new Special Speed Limit will have to be in accordance with the National Guidelines for Setting and Managing Speed Limits in Ireland.

Hunter's Lane and Racehill in Ashbourne are not contained within the current schedule of submissions received and these locations will be added for review as part of a subsequent speed limit review for County Meath.

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

Councillor Alan Tobin highlighted his concerns, particularly as they relate to the schools. It was agreed to invite Nicholas Whyatt to the November meeting to discuss this and other relevant issues – Councillors were asked to submit issues of concern in advance.

The motion was adopted.



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7.2 Submitted by Councillor Alan Tobin

“With increases in illegal dumping reaching crisis point across the district, can I ask Meath County Council Environment section with specific input from Ashbourne District Councillors to produce a document to be distributed to householder explaining rules and regulations on waste, fines that can be imposed, responsible recycling and where waste can be brought and prices charged.”

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

While there is no specific funding allocation for the provision and dissemination of such a document, it is pointed out that education and awareness are already integral components of the Council's anti-dumping and litter prevention programmes.

The Council's Education & Awareness Officer, and other staff assigned to the Environment Department, are constantly involved in promoting the anti-dumping message and raising awareness of the economic and environmental costs associated with illegal dumping as well as the personal costs/fines which may be incurred and as provided for in the Waste Management Legislation.

As the Members will be aware, many anti litter and dumping initiatives are organised on an ongoing basis and including the schools whereby, through awareness raising, it is hoped to shape the habits of the current and future generations.

The Environmental campaigns involve a wide use of social media and other such platforms in promoting anti dumping and littering messages and other mechanisms used include advertisements in cinemas, support for recycling days at local level including Ashbourne and Ratoath, press releases, consultation with particular bodies including the IFA, etc. Such campaigns also highlight the locations in the county where materials can be brought including Civic Amenity Sites, Bottle and Clothes banks etc.

It will be appreciated that education and awareness on its own will not serve to deter some of the small number involved in such activity and while the levels of proof in dumping cases required by the Courts is quite high, it is the Council's policy to vigorously enforce the provisions of the Waste Management legislation to the greatest extent possible and to include seeking orders to have all offending material removed from the site.



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It is recognised that local Councillors play a very active and hands on role in promoting and supporting environmental groups at local level including in clean ups, etc and any supports possible will be given by the Council in this regard.

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

A short discussion followed on the benefits of circulating such documentation, the costs and effectiveness of enforcement and the role of the local authority in carrying out spot checks in relation to domestic waste disposal. It was agreed to provide Councillors with information on the number and outcome of related court cases.

The motion was noted.

7.3 Submitted by Councillor Claire O'Driscoll

“That this Municipal District supports the remediation of culverts on the N2 to prevent further flooding to affected residents at Balrath and Primatestown and that this work be funded by the TII.”

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

The matter is noted and will be discussed by Transportation with TII in terms of requirements and funding for necessary works, if any.

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

The motion was adopted.

8 Correspondence

There was no correspondence.

9 Any Other Business



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- 9.1 Ashbourne & District Community Council Ltd. – Redevelopment of Ashbourne Community Centre
- 9.1.1 It was provisionally agreed that a meeting between ADCC Ltd. and Ashbourne Municipal District Councillors would take place on Monday 24th October at 3.00pm in Ashbourne Civic Offices to discuss any outstanding issues and that Councillors would submit any queries or other issues to Corporate Services in advance to inform the agenda for this meeting.
- 9.2 Councillor Seán Smith raised the following issue:
- 9.2.1 Requested that updates be provided on the Local Area Plan and the Public Realm Plan at the November meeting.
- 9.3 Councillor Darren O'Rourke raised the following issue:
- 9.3.1 The deputation from Meath County Council to meet with TII regarding the N2 – Councillors agreed to submit their interest in joining this deputation with Councillors O'Driscoll, Jamal and O'Rourke confirming same at the meeting.
- 9.4 Councillor Alan Tobin raised the following issue:
- 9.4.1 The need for parking bye-laws to allow enforcement by the Gardaí – it was agreed to refer this to Transportation.
- 9.4.2 The need to consider possible funding sources for street signage – it was pointed out that this should form part of the Public Realm Plan.

This concluded the business of the meeting.

Signed:

Cathaoirleach



comhairle chontae na mí
meath county council



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