



Miontuairiscí / Meeting Minutes

Ordinary Meeting

5th December 2016, Council Chamber

Presiding

Cathaoirleach, Councillor Maria Murphy

Councillors Present:

Councillors, Joe Bonner, Sinéad Burke, Eugene Cassidy, Francis Deane, Seán Drew, Eimear Ferguson, Brian Fitzgerald, Padraig Fitzsimons, Enda Flynn, Wayne Forde, Joe Fox, Noel French, Michael Gallagher, David Gilroy, Trevor Golden, Johnny Guirke, Wayne Harding, Jim Holloway, Suzanne Jamal, Tom Kelly, Sharon Keogan, Nick Killian, Caroline Lynch, Stephen McKee, Ronan McKenna, Paddy Meade, Gerry O'Connor, Claire O' Driscoll, Maria O' Kane, Damien O' Reilly, Darren O'Rourke, Bryan Reilly, Joe Reilly, Sarah Reilly, Tommy Reilly, Seán Smith, Alan Tobin, Sharon Tolan, Gillian Toole.

Apologies:

Officials in attendance:

Chief Executive: Jackie Maguire

Directors of Service: Kevin Stewart, Des Foley, Fiona Lawless, Barry Lynch

Meetings' Administrator: Olive Falsey

Senior Executive Officers: Dara McGowan, Larry Whelan, David Jones, Brian Murphy

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary meeting held on 7th November 2016.

The minutes of the Ordinary meeting held on 7th November 2016 were confirmed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Ronan McKenna**.

1.2 Confirmation of minutes of Preliminary Budget meeting held on 21st November 2016.

The minutes of the Preliminary Budget meeting held on 21st November 2016 were confirmed on the proposal of **Councillor Claire O'Driscoll** and seconded by **Councillor Ronan McKenna**.



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1.3 Confirmation of minutes of Statutory Budget meeting held on 21st November 2016.

The minutes of the Statutory Budget meeting held on 21st November 2016 were confirmed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Gillian Toole**.

2 Matters arising from the Minutes

No matters arising.

3 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- The family of the late Joe Horan, former County Manager, Meath County Council and South Dublin County Council.
- The family of the late Dan Norton, former employee.
- Councillor Francis Deane on the death of his aunt, Sr. Odile de Ste Gertrude (nee Bridget Deane).
- The family of the late Seán Curran, former employee.
- Margaret Carroll, Corporate Services on the death of her aunt Mary B. Butler.

Tributes were paid by the Councillors and the Chief Executive to the late Joe Horan and he was acknowledged for his dedication, leadership and vision in relation to County Meath.

Congratulations were extended to:

- All those involved in the following activities:
 - Warrenstown Memorial Event.
 - Meath Business and Tourism Awards including the winning and runner-up entries.
 - The funding secured under the CLÁR programme.
 - Ashbourne Main Street Project (winning entry in Chambers Excellence in Local Government Awards)
 - The Primary Schools' Christmas performances in Solstice Theatre.
 - The organisation of Enterprise Week.



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- All Island Pride of Place (winners – Meath River Rescue & Carlanstown Village).
- Harvest Festival team on turning on Christmas lights in Dunshaughlin.
- Syddan Foróige Club
- The following GAA clubs on their recent success: St. Colmcille's Laytown/Bettystown including Gráinne Rice, Royal Gaels, Oldcastle and Ratoath.
- Superintendent John O' Dwyer, Kells, on his retirement.
- Councillor Enda Flynn on completing the New York marathon.
- Councillor Sharon Keogan on being appointed Chair of East Border Region committee.

4 Disposal of Land in accordance with Statutory Notices circulated pursuant to the provisions of Section 183 of the Local Government Act, 2001

5 Statutory Business

5.1 Housing

- 5.1.1 To adopt the draft Housing Allocation Scheme under S.22 of the Housing (Misc. Provisions) Act, 2009.

David Jones, Senior Executive Officer, made the presentation on the details of the scheme. A long debate took place on the matter and responses were provided to the Councillors' queries and questions by David Jones.

Following a 'show of hands' vote the Housing Allocation Scheme was adopted. Result:
For: 25; Against: 6

5.2 Environment

- 5.2.1 To receive an update in respect of the temporary increase of waste intake at Knockharley Landfill, Kentstown.

Larry Whelan, Senior Executive Officer, provided a report on the matter.



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It was agreed to consider Motion 9.4, proposed by **Councillor Darren O' Rourke** and seconded by **Councillor Claire O' Driscoll**.

An amendment to the motion was proposed by **Councillor Gerry O' Connor**, seconded by **Councillor Sharon Tolan** i.e. to insert the word 'national' before environmental and to remove the word 'authorities'

A long debate took place on the issue and responses were provided by Larry Whelan. The Chief Executive also provided clarification in relation to the initiation of S.56 of Waste Management Act.

The amended motion was unanimously adopted.

6 Reports

6.1 Chief Executive's Report

Councillors sought clarification on a number of matters in the Chief Executive's report. The main issues raised and discussed included:

Housing: emergency accommodation, estate management policy, anti-social behaviour, purchase of land/landbank sites, affordable site scheme.

Transportation: CIS Scheme, installation of chicanes in housing estates.

Planning: Development contributions, focus on 15% for green space infrastructure.

Environment: illegal dumping and enforcement.

The Chief Executive and the Management Team provided responses on all matters raised.

6.2 Report from the Corporate Policy Group

The Meetings Administrator advised that the Corporate Policy Group reviewed the agenda for the full Council meeting and received information on the particulars of some items. The report from the Planning, Economic Development and Enterprise SPC held on the 11th November was noted.

6.3 Report from the Protocol Committee

The Meetings Administrator advised the meeting of the following:

- The committee considered correspondence from Gerald O'Connor to make a presentation on behalf of the Irish Falun Dafa Association in relation to the harvesting of human organs in China. It was agreed that this presentation would



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be made at the January meeting.

- Correspondence from Councillor Noel French to issue an invitation to Pope Francis to visit County Meath during his visit to Ireland in 2018.

It was agreed that the invitation would be sent to the Papal Nuncio.

- Councillor Brian Fitzgerald proposed that a presentation would be made to the full Council on the National Planning Framework. It was agreed that this would be arranged early in 2017.
- The Meetings Administrator also advised that the Protocol Committee received and noted reports on conferences submitted by Councillors, and a list of conferences relevant to the business of the Council was approved.

7 Correspondence

- 7.1 Correspondence from Department of Transport, Tourism and Sport in response to Notice of Motion 9.9 adopted at the September meeting of the Full Council re. 2015 Vehicle Clamping Act.

Noted by the Councillors.

- 7.2 Correspondence from Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs in response to Notice of Motion 9.10 adopted at the November meeting of the full Council re. Post Office Network.

Noted by the Councillors.

- 7.3 Correspondence from Department of Communications, Climate Action & Environment re. Digital Skills for Citizens Grant Scheme.

Noted by the Councillors.

8 Notice of Question

8.1 Submitted by Councillor Francis Deane

“Who is responsible for clearing wastewater blockages if the said blockage is contained in an alleyway which is in the charge of Meath Co Council?”



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Response

Responsibility regarding clearing wastewater blockages depends on whether the wastewater pipe in question is private or public.

Under Irish Water policy, where the pipeline is public and has been taken in charge, Meath County Council on behalf of Irish Water will attend to the blockage.

Noted by the Councillors.

9 Notice of Motion

9.1 Submitted by Councillor Noel French

“That new bye laws be enacted by Meath County Council to deal with abandoned cars and vehicles in public and private housing estates and public areas.”

Supporting Information subject to the motion being proposed, seconded and considered.

The very significant increase in the number of abandoned vehicles being reported in 2016 has been the subject of presentations to the last two Environment SPC meetings and a draft policy document on dealing with the challenges which such increases present was submitted for consideration. The matter has also been the subject of discussion at recent Joint Policing Committee meetings.

The presentations and the draft policy document are summarised as follows:

1. That Legislation is already in place to deal with abandoned vehicles primarily through the Road Traffic Acts and the Waste Management Act, and Regulations made thereunder – such legislation sets out a definition of an abandoned vehicle.
2. The numbers of vehicles reported to Meath County Council as being abandoned to date in 2016 is 155 compared to 32 for the whole of 2015.
3. The increases are thought to relate to significant reductions in the value of scrap metal and the resultant decrease in exports and authorised treatment facilities (ATFs), having no capacity to take in any further vehicles.
4. The draft policy document sets out a clear distinction of responsibility between Meath County Council and the Gardaí, in terms of responsibility for dealing with abandoned vehicles.



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5. Sets out situations where vehicles are not deemed to be abandoned or the responsibility of the Council e.g. creating a traffic hazard, suspected stolen or used in criminal activity, neighbours dispute where vehicle parked outside the owner's house, broken down, in place less than a month, located within a private estate, etc.
6. The draft policy sets out the procedure to be adopted from the time a report is first received about an abandoned vehicle to conclusion of the case including:
 - Inspection of the vehicle to determine if is abandoned.
 - Obtain confirmation from the Gardaí that the vehicle is not stolen or a matter of interest to them.
 - Determination of ownership and service of the resultant notification to have the vehicle removed (registered post and notice placed on vehicle).
 - Re-inspection after a period of 6 weeks has elapsed – the Road Traffic Act 1968 provides that abandoned vehicles cannot be disposed of until the expiry of a 6 week period.
 - Where the vehicle is not removed, arrange for a Contractor to have the vehicle removed to licensed premises and Invoices issued to the registered owner in respect of the towing and disposal costs.

Notwithstanding the timeframe provided for in the above procedure, the Council will arrange to have vehicles removed where they present an immediate environmental pollution threat.

A copy of the draft policy document has been submitted to the Gardaí for their comments or observations, and a meeting in respect of same will be held in the coming weeks. A financial provision has been included in the recently adopted budget to cover the costs of towing and disposal of the increased number of vehicles being abandoned. While every effort will be made to recoup costs arising, this may not always be possible where the registered owner cannot be traced.

The National Waste Enforcement Steering Committee has identified End of Life Vehicles, including abandoned cars, as one of the enforcement priorities for Local Authorities in 2017.

The motion was proposed by **Councillor Noel French** and seconded by **Councillor Sharon Keogan**.

Based on the supporting information, the motion was noted.



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9.2 Submitted by Councillor Eugene Cassidy

“The preparation of the new speed by-laws has drawn attention to the need for careful consideration to be given to traffic management measures that may be required to support new speed limits, including the 30kph limits in housing estates. I'm calling on Meath County Council to seek funding from the Department so these safety measures can be implemented.”

The motion, proposed by **Councillor Eugene Cassidy** and seconded by **Councillor Gerry O' Connor**, was unanimously adopted.

9.3 Submitted by Councillor Claire O' Driscoll

“That this Council calls on the Department of Housing Planning and Local Government with the Department of Finance to implement a tax relief scheme for homeowners who have a private well or/and DWWTS and who are paying for desludging and water testing as recommended by the EPA.”

The motion was proposed by **Councillor Claire O' Driscoll** and seconded by **Councillor Wayne Harding**.

A long debate took place on the motion and an amendment was proposed by **Councillor Gillian Toole**, seconded by **Councillor Wayne Harding** to insert the wording *“who are providing evidence of payment for desludging”*..

The amended motion:

“That this Council calls on the Department of Housing Planning and Local Government with the Department of Finance to implement a tax relief scheme for homeowners who have a private well or/and DWWTS and who are providing evidence of payment for desludging and water testing, as recommended by the EPA.”

Following a 'show of hands' vote, the motion was adopted.

Result: For: 28; Against: 3; Abstain: 2

9.4 Councillor by Councillor Darren O' Rourke

“That the elected members of Meath County Council, on behalf of the public of County Meath and in particular the community of Knockharley/Kentstown, recognise the events which made it necessary to recently accept an additional 80,000 tonnes, approx., of waste at the Knockharley Landfill site as an abject failure of proper National environmental planning and a dereliction of duty of those responsible; and call for



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written assurances from the Minister for Environment detailing the measures to be undertaken to ensure a crisis such as this is never repeated/Go n-aithneodh baill tofa Chomhairle Chontae na Mí ar mhaithe pobal Chontae na Mí agus go háirithe pobal Knockharley/Bhaile Ceannt na h-imeachtaí lenar cruthaíodh gá le glacadh thart ar 80,000 tona dramhaíola breise ag láithreán dramhaíola Knockharley mar teip iomlán ó thaobh pleanáil timpeallachta cheart de agus mar dearóiliú freagrachta ag na hÚdaráis freagracha; agus go nglaofar ar an Aire Timpeallachta dearbhuithe scríofa a thabhairt ó thaobh na mbearta a chuirfear i bhfeidhm ionas nach mbeadh an ghéarchéim chéanna ann arís“

(See 5.2.1)

9.5 Submitted by Councillor Wayne Forde

“Can I call on all Councillor's in Meath to fully support the retention of our emergency department 24/7 in Navan Hospital for patient care and safety of our constituents living in a County Meath and a letter to this effect be sent to the Minister for Health, Simon Harris.”

The motion was proposed by **Councillor Wayne Forde** and seconded by **Councillor Sharon Keogan**.

Following a debate on the matter, an amendment to the motion was proposed by Councillor Lynch, seconded by Councillor Sinead Burke.

The amended motion, as follows, was unanimously adopted.

“Can I call on all Councillors in Meath to fully support the retention of our emergency 24/7 in Navan hospital for patient care and safety of our constituents living in Co. Meath by asking the Minister to delete all policy directions within the small hospital framework document to reduce services at Our Lady's hospital Navan from a level 3 hospital to a level 2 hospital immediately, and to maintain all services at the hospital until a new regional hospital is built.”

10 Schedule of Chief Executive & Approved Orders (For Information Only)

10.1 Schedule of Chief Executive's Orders – Transportation

10.2 Schedule of Chief Executive's Orders – Environment

10.3 Schedule of Chief Executive's Orders – Housing



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10.4 Schedule of Chief Executive's Orders – Community & Enterprise

Noted by the Councillors

11 Any Other Business