



## ***Miontuairiscí / Meeting Minutes***

### ***Ordinary Meeting***

***12<sup>th</sup> January 2015, Council Chamber***

#### **Presiding**

Cathaoirleach, Councillor Jim Holloway

#### **Councillors Present:**

Councillors Joe Bonner, Sinéad Burke, Shane Cassells, Eugene Cassidy, Francis Deane, Seán Drew, Eimear Ferguson, Brian Fitzgerald, Enda Flynn, Wayne Forde, Joe Fox, Noel French, Michael Gallagher, David Gilroy, Trevor Golden, Johnny Guirke, Wayne Harding, Suzanne Jamal, Tom Kelly, Sharon Keogan, Nick Killian, Caroline Lynch, Ronan McKenna, Paddy Meade, Maria Murphy, 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:** Councillor Stephen McKee

#### **Officials in attendance:**

**Chief Executive:** Jackie Maguire

**Directors of Service:** Kevin Stewart, Fiona Lawless, Tadhg McDonnell, Des Foley, Joe Fahy

**Meetings' Administrator:** Olive Falsey

**Senior Executive Officers:** Larry Whelan, Ger Murphy,

**Senior Engineer:** John McGrath

**Administrative Officer:** Caroline Power

**Planning Staff:** Pat Gallagher, Senior Planner, Fiona Redmond, Senior Executive Planner, Loreto Guinan, Heritage Officer

#### **1 Confirmation of Minutes**

1.1 Confirmation of minutes of Ordinary meeting held on 1<sup>st</sup> December, 2014.

The minutes of Ordinary meeting held on 1<sup>st</sup> December, 2014, were confirmed on the proposal of **Councillor Francis Deane** and seconded by **Councillor Paddy Meade**.

1.2 Confirmation of minutes of Preliminary Budget meeting held on 24<sup>th</sup> November 2014.



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The minutes of Preliminary Budget meeting held on 24<sup>th</sup> November 2014, were confirmed on the proposal of **Councillor Shane Cassells** and seconded by **Councillor Wayne Harding**.

### 1.3 Confirmation of minutes of Statutory Budget meeting held on 24<sup>th</sup> November 2014.

The minutes of Statutory Budget meeting held on 24<sup>th</sup> November 2014, were confirmed on the proposal of **Councillor Brian Fitzgerald** and seconded by **Councillor Gillian Toole**.

## **2 Matters arising from the Minutes**

**Councillor Sarah Reilly** noted that her expression of congratulations to Lauren Carroll who had performed on the Late Late Toy Show in December had been omitted from the minutes. It was agreed to note the expression of congratulations.

## **3 Expressions of Sympathy and Congratulations**

Sympathy was extended to:

- The people who lost family members as a result of the attack on the offices of Charlie Hebdo in Paris. It was agreed, on the proposal of **Councillor Shane Cassells** seconded by the **Cathaoirleach**, that a condolence letter would be sent to the French Embassy.
- Pat Shore, Transportation Department on the death of his mother-in-law Marie Crinion.
- Kim Crosby, Finance Department on the death of her father Tom Leahy.
- Theresa Russell, Corporate Services and Alan Russell, Environment Section on the death of their sister/aunt Margaret Smith.
- Sheila and Maeve Sheridan, Corporate Services, Angela Fahy, Human Resources, Declan Grimes, Environment, Rose Grimes, Library Service and Dick Connell, former Revenue Collector on the death of Monica Connell.

Congratulations were extended to:



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- Tess O' Neill, Lauren Murphy and Maeve O' Sullivan (Laytown/Bettystown) on their success in the BT Young Scientist competition.
- The Cathaoirleach welcomed John McGrath, Senior Engineer and congratulated him on his appointment to the staff of Meath County Council.

#### **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 Finance**

5.1.1 To approve the raising of a loan of €3,000,000 from the HFA to finance approved Housing Loan applications, as authorised by the Housing Acts 1966-1992.

**Councillor Seán Drew** sought clarification, which was provided by the Head of Finance.

Approved on the proposal of Councillor **Gerry O' Connor** and seconded by **Councillor Eugene Cassidy**.

##### **5.2 Planning**

5.2.1 To receive presentation on the Draft Meath Economic Strategy.

Dr. Patrick McCloughan, PMCA Economic Consulting, made the presentation, which included information on:

- The overall Assessment of Economic Performance
- The Economic Vision for County Meath
  - Formulation,
  - Overall Employment Growth
  - Sectoral Employment Growth
  - Key Targets
  - Actions for Achieving Economic Vision



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- Implementation and Monitoring

Following the presentation, Councillors had an opportunity for questions/comments and responses were provided by Dr. McCloughan and the Chief Executive. There was consensus amongst Councillors that the focus should now be on the delivery of the Plan and that the Executive should immediately commence implementation of the Strategic Actions.

- 5.2.2 To receive presentation on the Draft County Meath Heritage Plan 2015-2020 and agree to place on public display.

Loreto Guinan, Heritage Officer, made the presentation, which included information on:

- The value of heritage assets and resources
- The public consultation phase
- County Meath Heritage forum – Workshops
- Proposed draft actions for inclusion in the Draft Meath Heritage Plan

Following the presentation, Councillors raised a number of issues and responses were provided by the Heritage Officer and the Chief Executive.

It was agreed to place the Draft Heritage Plan on public display on the proposal of **Councillor Gillian Toole** and seconded by **Councillor Paddy Meade**.

- 5.2.3 To receive presentation on the Draft County Meath Biodiversity Plan 2015-2020 and agree to place on public display.

Loreto Guinan, Heritage Officer, made the presentation, which included information on:

- The importance of Biodiversity
- The international, national and local policy framework
- The Draft Meath Biodiversity Action Plan 2015-2020

Councillors welcomed the presentation and noted the achievements in the area of Biodiversity.

It was agreed to place the Draft County Meath Biodiversity Plan 2015-2020 on public display on the proposal of **Councillor Paddy Meade** and seconded by **Councillor Ronan McKenna**.



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### 6 Reports

#### 6.1 Corporate Policy Group

The Meetings' Administrator reported that the CPG reviewed the Council Agenda and noted the reports presented following the recent SPC meetings.

#### 6.2 Protocol Committee

The Meetings' Administrator presented the recommendations agreed by the Protocol Committee as follows:

- That the presentations requested by Cultúr, Túath Housing and Bus Éireann would be made to the relevant SPC.
- That Meath Tourism would make a presentation at the February meeting and that the last Annual Report for Meath Tourism would be circulated in advance to Councillors.
- That consideration would be given to having a special meeting in April to accommodate presentations.
- That Ciarán Mangan, County Librarian, would present the Draft Programme of commemorate activities regarding the 1916 Rising to the full Council at the February Meeting.
- That, following a motion passed at the Navan Area Meeting in April 2014, the entrance lane to St. Patrick's Classical School would be named Liam Murphy Avenue.

The recommendations were agreed on the proposal of **Councillor Francis Deane** and seconded by **Councillor Gerry O' Connor**.

### 7 Correspondence

#### 7.1 Department of Environment, Community and Local Government re. Revised Accounting Code of Practice and Accounting Regulations for Local Authorities in Ireland.

Noted by the Councillors.

#### 7.2 LG 26/2014 - Department of Environment, Community and Local Government re. Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014.



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Noted by the Councillors.

- 7.3 LG 27/2014 and FIN 21/2014 – Department of Environment, Community and Local Government re. Schedule of Municipal District Works (SMDW).

Noted by the Councillors.

### **8 Notice of Question**

#### **8.1 Submitted by Councillor Francis Deane**

*“In 2014 what was the total amount of emergency funding received by Meath County Council to cover allocation for flood and storm damage to bridges, coastline and infrastructure?”*

**Response:**

The following approvals were received from the Department of Environment, Community and Local Government for funding for repairs and associated costs following the two severe weather periods from 13<sup>th</sup> December 2013 to the 27<sup>th</sup> January 2014:

- €80,300 (€75,000 for Coastal Protection Repairs, €2,800 for Roads Infrastructure, €2,500 Tourism Infrastructure).
- €13,121 for costs of response, clean-up works and necessary immediate works.
- €100,000 for damage to roads infrastructure and bridges.

Recoupment claims have been submitted to the Department for the approved allocations except the €75,000 for Coastal Protection Repairs. It is anticipated that this work will be carried out in 2015 and a claim will be made then.

The response was noted by the Councillors.

#### **8.2 Submitted by Councillor Sean Smith**

*“Can Meath County Council provide information on actions taken by the Council with Irish Water and the Environmental Protection Agency on improving Treatment Standards at the Waste Water Treatment sites at Stamullen, Navan and Enfield which failed the EPA Urban Waste Water Report 2013, announced in December?”*

**Response:**



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The EPA report is founded on information supplied almost two years ago, and although the findings do not make for satisfactory reading, the Water Services Section of Meath County Council, with its own additional staff resources and the assistance and expertise of Irish Water are continuously making improvements to address the exceedence issues.

At the Navan WWTP, process optimisation and investment in new plant has taken place since 2013 that will result in compliance for the 2014 report.

At Stamullen WWTP, process optimisation has remarkably improved the exceedence levels and there are further investments planed for Stamullen in 2015 to address compliance issues.

Since 2013 there has been no exceedences at the Enfield WWTP following the alteration of dosing measures at the plant.

Asset Needs Briefs have been submitted by Meath County Council to Irish Water for continuous infrastructural investment to improve the performance waste water infrastructure throughout the county in order to comply with the Urban Waste Water Treatment Regulations, including the recent more stringent EPA Technical Amendments (June 2014) to a number of waste water treatment plant licences within the County.

The response was noted by the Councillors

### **8.3 Submitted by Councillor Caroline Lynch**

*“To ask the Chief Executive to list all Town Council assets that have been sold in the past 12 months and to list those that are being considered for sale / Ceist a chur ar an bPríomhfheidhmeannach liosta a dhéanamh de gach sócmhainn Chomhairle Baile a dhíoladh sa 12 mí deireanacha agus liosta a dhéanamh dóibh siúd a bhfuil plé á dhéanamh ar iad a dhíoladh?”*

#### **Response:**

As you are aware, the Local Government Reform Act 2014 came into effect on 1<sup>st</sup> June, 2014 and included in its provisions was the replacement of the former Town Councils in Navan, Trim and Kells with the new Municipal District Structure. From the 1<sup>st</sup> June, 2014 all assets and liabilities of the former Town Councils transferred to Meath County Council. In the period between January-June 2014, there were no formal disposals of assets (land and/or buildings) in Navan, Trim and Kells Town Councils. Please note that the disposal of land and/or buildings is a Reserved Function of the Councillors and such a resolution comes before a statutory meeting of the Council following a minimum of 10 days notice as prescribed under Section 183 of the Local Government Act 2001.

The response was noted by the Councillors

### **8.4 Submitted by Councillor Darren O'Rourke**



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*“To ask the Chief Executive if the comprehensive protocol for the use of the Members Discretionary Fund has been drafted and/or when it will be available / Ceist a chur ar an bPríomhfheidhmeannach an bhfuil an prótacal cuimsitheach maidir le úsáid Chiste Lánroghnach na gComhairleoirí dráchna go fóill, agus muna bhfuil cathain ‘s a bheidh sé ar fail?”*

**Response:**

A protocol in respect of the Councillors’ Discretionary Fund is in the course of being drafted and it is intended to place the draft protocol on the agenda for the February Corporate Policy Group meeting and the February Monthly Meeting for consideration. It is also intended to place this item on the agenda for each Municipal District Meeting in February.

The response was noted by the Councillors

### **8.5 Submitted by Councillor Joe Reilly**

*“To ask the Chief Executive to provide a full update on Meath County Council workforce planning/resource redistribution changes scheduled for 2015, including the timeframe for same / Ceist a chur ar an bPríomhfheidhmeannach le haghaidh tuairisc chun dáta ar athruithe phleanála fórsa oibre / athdháileadh achmhainne Chomhairle Chontae na Mí atá sceidealaithe do 2015, mar aon leis an spriocdháta do na hathruithe seo?”*

**Response:**

Please see attached copy of correspondence which was circulated to each Councillor on 22<sup>nd</sup> December, 2014 and which sets out the workforce planning / resource distribution changes scheduled for 2015. Any further proposals in this regard will be notified to Councillors in due course.

The response was noted by the Councillors

### **8.6 Submitted by Councillor Shane Cassells**

*“Can the Chief Executive inform members exactly how much each relevant department in Meath County Council will be deducted in order to account for the shortfall in income of nearly €700,000, recorded in the Navan 2014 Budget as a result of over estimation of parking income for the same year, and given the huge magnitude of this figure relevant to our overall budget, is there now going to be a reassessment of the budgetary figures adopted by the elected members in November 2014 for the year ahead?”*

**Response:**

The budget for 2015 was prepared on the basis of estimated income and expenditure across all departments and was approved by the Councillors at the meeting of the 24<sup>th</sup>





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November 2014. There is no reason to reassess the budget figures for 2015 as the item raised was discussed at length during the process and the budget for 2015 reflected all relevant information. There has been no material change since the budget and no additional information that would require any reassessment of the budget 2015 figures. The Annual Financial Statement for 2014 will be completed in the first quarter of 2015 and will be presented to the Councillors. As indicated to the Councillors during the recent budget process, Meath County Council expects to report an overall surplus for 2014.

The response was noted by the Councillors

### **9 Notice of Motion**

#### **9.1 Submitted by Councillor Wayne Forde**

*"Can I call on the Management of Meath County Council, to explore the possibility of providing a free Fire Service call out charge, to people living in rural parts of Meath."*

#### **Supporting Information**

Currently Meath County Council implements charges for Fire Services in accordance with the provisions of Section 35(3) of the Fire Services Act, 1981, the Local Government (Financial Provisions) (No. 2) Act, 1983, and Local Government (Financial Provisions) Act, 2000.

Fire Brigade charges are payable for the attendance of the Fire Brigade at fires in domestic, commercial and industrial premises, and also for other special services i.e. attendance at road traffic accidents, flooding etc.

The invoiced costs by Meath County Council in relation to attendance at incidents is subsidised, and does not cover the full costs of running a Fire Service. Any changes to such charges would have implications on the recently adopted budget.

Owners and occupiers of homes generally recover the costs associated with fire damage from insurance policies, and in addition, the Council operates a claim for waiver scheme in cases of acute hardship.

It is not recommended that the Council operates a free Fire Service call out charge, as proposed in the motion.

The motion was proposed by **Councillor Wayne Forde** and seconded by **Councillor Ronan McKenna**.

Following a short discussion the motion was noted.

#### **9.2 Submitted by Councillor Eugene Cassidy**



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*“Further to Mairead McGuinness’ (MEP) recent letter to Minister Donohoe regarding the possibility of a coordinated approach by his Department, in conjunction with Local Authorities, to secure funding from the European Investment Bank (EIB) towards the delivery of a National Cycle Network; and given the fact that the National Trails Advisory Committee is also currently working on a new Trails Strategy that may provide the national framework with which the EIB would favour funding, I call upon Meath County Council to continue to engage with the Department to secure the necessary funding to deliver the Boyne Valley to Lakelands County Greenway.”*

### **Supporting Information**

Meath County Council has already met with Ms. Mairéad McGuinness MEP and the Department of Transport on the matter of European funding sources for the Boyne Valley to Lakelands County Greenway (BVLCG). The Council welcomes the prospect of the EIB as a possible funding source for Greenway type projects and awaits the publication of the Trails Strategy and the EIB’s reaction to same. The BVLCG remains an important project for the Council and it will continue to engage with the Department and other partners to seek to secure funding to deliver the scheme.

The motion was proposed by **Councillor Eugene Cassidy** and seconded by **Councillor Sarah Reilly**. Following a discussion and advice from the Chief Executive, the motion was unanimously adopted.

A time extension of 30 minutes was agreed on the proposal of **Councillor Joe Fox** and seconded by **Councillor Ronan McKenna**.

### **9.3 Submitted by Councillor Paddy Meade**

*“I call on Meath County Council to seek a detailed report from Irish Water on its protocol in regard to any past, current and future potential leaks from all water treatment and sewerage plants within the catchment area of the River Boyne in County Meath.”*

The motion, proposed by **Councillor Paddy Meade** and seconded by **Councillor Sharon Tolan** was unanimously adopted.

### **9.4 Submitted by Councillor Wayne Forde (carried over from December meeting)**

*“I call on Management of Meath County Council, and seek the full support of my fellow County Councillors, to write to the Garda Commissioner, seeking a meeting to discuss the huge increase in anti social behaviour, with a view to seeking, more Gardaí for all parts of County Meath.”*

The motion was proposed by **Councillor Wayne Forde** and seconded by **Councillor Paddy Meade**.

Following a short discussion, Kevin Stewart, Director of Services, advised that the new guidelines for the setting up of Joint Policing Committees were currently being



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considered and that there would be further information provided at the February meeting.

The motion was noted.

### **9.5 Submitted by Councillor Sean Drew (carried over from December meeting)**

*"I move that Meath County Council call on Minister Jimmy Deenihan, the first ever Minister for the Irish Overseas and Diaspora, to exert all diplomatic and political efforts on President Barack Obama in the formulation of the impending Executive Order on Immigration due to be signed by him in the coming weeks, to ensure the provision for a 'humanitarian visa' that would allow the estimated 50,000 undocumented Irish as well as the estimated 12 million undocumented people - living in the United States to leave and return to the US if they are in need to travel to their home countries to be with family members in times of distress, illness or bereavement."*

The motion, proposed by **Councillor Seán Drew** and seconded by **Councillor Sharon Keogan** was unanimously adopted.

### **9.6 Submitted by Councillor Sinéad Burke (carried over from December meeting)**

*"That Meath County Council condemns the ongoing programme of direct provision in Meath and across the state and calls on the Minister to end this project immediately/  
Go gcáineann Comhairle Chontae na Mí an córas leanúnach soláthar díreach i gContae na Mí agus trasna an stáit agus go n-éilíodh sí ar an Aire Deireadh a chur leis an gcóras láithreach."*

The motion was proposed by **Councillor Sinéad Burke** and seconded by **Councillor Darren O' Rourke**.

An amendment to the motion was proposed by **Councillor Sharon Tolan** and seconded by **Councillor Sharon Keogan**.

The amended motion i.e.

*"That Meath County Council asks the Minister to ensure swift action is taken when the Working Group, established to identify what improvements should be made to the State's existing Direct Provision and Protection Process, finalises its report and makes its recommendations."*

The amended motion was unanimously adopted.

### **9.7 Submitted by Councillor Noel French**



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*“That Meath County Council requests the Minister for Finance to support a personal micro-finance scheme through the Credit Unions to provide small loans to those on low incomes as an alternative to moneylenders.”*

The motion was proposed by **Councillor Noel French** and seconded by **Councillor Enda Flynn**. A lengthy discussion took place on the motion and, following a show of hands vote, the motion was adopted.

### **9.8 Submitted by Councillor Sharon Keogan**

*“The members of Meath County Council call on the Minister Joan Burton from the Dept of Social Protection to reinstate the Bereavement Grant, immediately.”*

The motion, proposed by **Councillor Sharon Keogan** and seconded by **Councillor Sharon Tolan** was unanimously adopted.

***Due to time constraints, it was agreed on the proposal of the Cathaoirleach to defer the remaining motions to the February meeting.***

### **9.9 Submitted by Councillor Damien O’Reilly**

*“The members of Meath County Council support the relocation of the site of the National Children’s Hospital from St. James’s Hospital to the James Connolly Hospital, Blanchardstown, as this is the most accessible site for the children of Meath and children across Ireland.”*

**This is a matter for the Councillors.**

(Motion deferred to February meeting)

### **9.10 Submitted by the Sinn Féin Councillors**

*“That Meath County Council opposes any attempt by central Government to involve the Council in the collection of water charges from our tenants, and calls on the Minister for Environment Alan Kelly to withdraw his proposal to place a legal obligation on Councils to recoup water charge arrears from Council tenants /Go gcuireann Comhairle Chontae na Mí i gcoinne iarracht ar bith ón rialtas lárnach baint a bheith ag an gComhairle i mbailiúcháin mhuirir uisce ónár dtionóntaí agus éilíonn sí ar an Aire Comhshaoil Alan Kelly a mholadh maidir le oibleagáidí dlíthiúla i gcomhair riaráistí a fhorchúitiú ó thionóntaí an Chomhairle a chur ar Chomhairlí a aistarraingt.”*

**This is a matter for the Councillors.**



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(Motion deferred to February meeting)

### 9.11 Submitted by Councillor Johnny Guirke

*“That Meath County Council will prepare a position paper, same to be prepared by the end of March 2015, to consider the possibility of introducing a scheme whereby those people with outstanding development levies for one-off houses would get a percentage reduction if they agreed an immediate/timely payment schedule*

*/ Go n-ullmhóidh Comhairle Chontae na Mí páipéar seasaimh roimh dheireadh Mhí na Márta 2015 maidir le féidearthacht scéim a thabhairt isteach ionas go bhfaighidh daoine le tobhaigh forbartha gan íoc do thí aonuaire íslíú céatadánach má thagann siad ar réiteach maidir le sceideal aisíoc láithreach/ tráthúil.”*

#### **Supporting Information**

Section 11 of the Meath Development Contribution Scheme 2010-2015 deals with the payment of development levies. Development levies can only be attached to grants of planning permission in accordance with the terms of the adopted scheme. The Planning Authority currently facilitates the phased payment of contributions.

Meath County Council’s current procedure is as follows:

#### Current applications

- Payment is required to be made in full by condition of planning permission prior to commencement of development. An amendment to the Development Contribution Scheme introduced in March 2013 allows that if levies are paid in full within 28 days of the invoice date a 10% discount applies.
- Payment must be paid in full before the final mortgage draw down has been received.
- Payment can be accepted over the lifetime of the draw downs of the mortgage and can include monthly payments by direct debit / Standing Order etc. or lump sums to service the debt.

Older files / files which have received enforcement correspondence or where the applicant has already received the final draw down of their mortgage and they have not paid

- An agreement can be made for payment of the levies in full covering a period of 24 months without the submission of their financial documentation. Agreements can be facilitated to extend this period beyond 24 months in cases of genuine financial hardship, where sufficient financial documentation is provided to the Planning Authority in support of same.

The Development Contribution Scheme 2010-2015 will be reviewed in 2015. The adoption of the scheme is a reserved function and members can consider any further changes to the current scheme in that context.



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(Motion deferred to February meeting)

### **10 Chief Executive's Report and Schedule of Chief Executive & Approved Orders (For Information Only)**

Noted by the Councillors.

#### **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 Construction**

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

Noted by the Councillors.

### **11 Any Other Business**