



Miontuairiscí/Meeting Minutes

Ordinary Meeting 12th April 2010, Council Chamber

An Cathaoirleach, Councillor William Carey presided.

Members Present:

Councillors Joseph Bonner, Ray Butler, Sirena Campbell, Shane Cassells, Eugene Cassidy, Francis Deane, Anne Dillon Gallagher, Regina Doherty, Jimmy Cudden, John V Farrelly, Jimmy Fegan, Brian Fitzgerald, Oliver Fox, Wayne Harding, Jim Holloway, Eoin Holmes, Suzanne Jamal, Nick Killian, Noel Leonard, Tracy McElhinney, Niamh McGowan, Jenny McHugh, Maria Murphy, Seamus O'Neill, Bryan Reilly, Joe Reilly, Tommy Reilly, Catherine Yore.

Officials in Attendance:

County Manager Tom Dowling

Directors of Service: Tadhg McDonnell, Fiona Lawless, Kevin Stewart, Eugene Cummins, Brendan McGrath, Liam Henry, Michael Killeen.

Meetings Administrator Bill Sweeney

Planners: Pat Gallagher, Wendy Bagnall, Mairead Maguire.

Senior Executive Officers: Martin Rogers, Michael Griffin, Larry Whelan

Administrative Officers: Olive Falsey, Ger Murphy

Apologies:

1.0 Confirmation of Minutes

- 1.1 Confirmation of Minutes of monthly meeting held on 1st March 2010.
The minutes of the monthly meeting held on the 1st March 2010 were confirmed on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Noel Leonard**.

Confirmation of Minutes of Special Planning meeting held on 9th March 2010
The minutes of the Special Planning meeting held on 9th March 2010 were confirmed on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Ann Dillon-Gallagher**.

2.0 Matters arising from the minutes

3.0 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- The family of Danny O' Brien, former Cathaoirleach of Trim Town Council on his recent death.
- Councillor Joe Bonner on the death of his mother.
- The Polish community in Co. Meath on the tragic deaths of President Lech Kaczynski and other officials.

Congratulations were extended to Dunboyne GAA Club and Scoil Mhuire, Trim on their recent sporting success.



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4.0 Correspondence

4.1 Correspondence from Kells Town Council re Notice of Motion adopted by the elected Members.

It was agreed that there would be a common debate under Notice of Motion 9.1

4.2 Circular SHIP 2010/08 - Social Housing Investment Programme Allocation 2010
Brendan McGrath DOS, informed the Members that the allocation was a very significant sum in the current climate and that it was a clear indication of the Council's track record in delivering across the whole spectrum of the housing programme.

5.0 E.U. Correspondence

5.1 EU News Bulletin – Number 68 – February 2010

6.0 Report from Protocol Committee

No formal report.

Good wishes were extended to Bill Sweeney on his forthcoming retirement and both the Co. Manager and Members thanked him for his dedication to the role of Meetings' Administrator and for his assistance to the elected Members.

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

8.0 Other Statutory Business

8.1 Planning

8.1.1 To consider taking in charge report of the following estates as recommended by the Members of Trim Electoral Area at their meeting of 18th January 2010 and if thought fit declaring that the roads within these estates be public roads.

Estate	Location
Glen Aibhainn	Enfield, Co Meath
Glen Aibhainn (phase 1)	Enfield, Co Meath
Innwood	Enfield, Co Meath
Rathdale	Enfield, Co Meath
De Lacy Court	Trim, Co Meath
De Lacy Crescent	Trim, Co Meath



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St John's Estate	Friarspark, Trim Co Meath
De Granville Court	Trim, Co Meath

Approved on the proposal of **Councillor Jimmy Fegan** and seconded by **Councillor Ray Butler**

- 8.1.2 To receive a presentation on proposed Variation No 10 of the Meath County Development Plan 2007-2013. The purpose of this variation is two fold: To delete Paragraph 10.3.1.1 of Chapter 10 of Volume 1 of the CDP which currently addresses the issue of rural design and to incorporate the Meath Rural House Design guide as an appendix to the County Development Plan as a replacement to Paragraph 10.3.1.1 of Chapter 10 of Volume 1 of the CDP.

To resolve if thought fit to place the proposed variation on public display, in accordance with Section 13 of the Planning & Development Act 2000 as amended.

A presentation was made by Wendy Bagnall and the Members resolved to place the proposed variation on public display on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Nick Killian**.

- 8.1.3 Following consideration of the report on submissions received in respect of the Draft County Meath Biodiversity Action Plan 2008-2012, to resolve to adopt the plan.

A presentation was made by Mairéad Maguire and the Plan was adopted on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Noel Leonard**.

8.2 **Infrastructure**

- 8.2.1 To adopt the 2010 Roadworks' Programme.

The Roadworks' Programme was adopted on the proposal of **Councillor Shane Cassells** and seconded by **Councillor John V. Farrelly**

The issue of the provision of footpaths on roundabouts, provided as part of the construction of the M3, was raised by Members. Eugene Cummins, DOS informed that all footpaths listed in the EIS and additional sections included as conditions by An Bord Pleanála will be constructed. Works will be carried out, if not by the contractor, by Meath County Council or by others. Both the NRA and Meath County Council are committed to providing these sections of footpaths. It was agreed that a list of the footpaths to be constructed would be forwarded to the Members.



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- 8.2.2 To consider the submissions/objections (if any) received in response to the display of the “Draft” Road Traffic (Special Speed Limits) (M3/M2) County of Meath Bye-Laws (No.1) 2010 and to resolve to make the said Bye-Laws in accordance with the Draft subject to such variations or amendments as considered appropriate.

This item was deferred with the agreement of the Members.

- 8.2.3 To resolve to enter into an Agreement in the terms set out with Offaly County Council pursuant to Section 85 of the Local Government Act 2001 whereby Offaly County Council will exercise the statutory powers, functions and duties of Meath County Council in relation to the carrying out of rehabilitation works at MH-N02-002.00- Slane Bridge (Meath), as described in the schedule to the Agreement and to affix the seal of the Council to the said Agreement (copy of draft Section 85 Agreement attached).

Approved on the proposal of **Councillor Ann Dillon Gallagher** and seconded by **Councillor Seamus O’ Neill**.

- 8.2.4 Extension of Rail Line from Dunboyne to Navan.

Members were informed that Iarnód Eireann have confirmed the selection of Route A as their preferred option for the Dunboyne-Navan rail line. A lengthy discussion and debate took place with some Members expressing disappointment at the choice of Route A while Route B had been identified as the Council’s preferred route. Other Members expressed a view that the Council should not put any obstacles in the way of this important development for the County. The Co. Manager advised that a decision has been made by other National bodies and it is now a matter for the Council to ensure that there is a rail line delivered for Navan.

It was agreed that the Manager will commence the variation process on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Shane Cassells**.

8.3 **Environment**

- 8.3.1 To consider, and if thought fit, to resolve to adopt the Neagh-Bann International River Basin Management Plan 2009-2015 in accordance with the European Communities (Water Policy) Regulations 2003 (S.I. No.722 of 2003) as amended.

A presentation was made by David Byrne and Emmet Conboy and the Plan was adopted on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Maria Murphy**.

- 8.3.2 To consider, and if thought fit, to resolve to adopt the Shannon International River Basin Management Plan 2009-2015 in accordance with the European Communities (Water Policy) Regulations 2003 (S.I. No.722 of 2003) as amended.



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A presentation was made by David Byrne and Emmet Conboy and the Plan was adopted on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Oliver Fox**.

8.4 **Housing Social Community & Cultural**

8.4.1 To approve funding allocations to community groups / organisations under the Meath County Council / Knockharley Landfill Community Liaison Committee – Environmental Community Projects & Works Scheme 2009 in respect of applications received and as recommended by the Navan Electoral Area Committee and Knockharley Landfill Community Liaison Committee. (Report to follow).

Approved on the proposal of **Councillor Maria Murphy** and seconded by **Councillor Jim Holloway**.

8.4.2 To consider and if thought fit to approve, Meath County Council Arts, Bursaries & Awards 2010 Recommendation.

Approved on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Oliver Fox**.

8.5 **Corporate Services**

8.5.1 To receive report from Audit Committee.

The Co. Manager acknowledged the Annual Report from the Audit Committee and commended it to the Council. He thanked the Committee, both past and present members, for their work. He informed the Council that he discussed the report and recommendations with the Chairman and outlined that there are agreed actions in the specific areas of :

- Internal Audit
- Internal Control
- Risk Management
- Housing Department
- Planning Department
- Water Rates

The Management Team appreciate and support the objectives for 2010 and appreciate the comments and acknowledgement of the work being done to bring about savings and efficiencies and also appreciate the recognition of the circumstances (human and financial) we are working under.



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- 8.5.2 To nominate two Members to the Meath Conhairle na nÓg Steering Committee.

Councillors Maria Murphy and Jenny McHugh were nominated on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Oliver Fox**

- 8.5.3 To nominate two Members to the Joint Policing Committee.

Councillors Ann Dillon-Gallagher and Noel Leonard were nominated on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Sirena Campbell**.

- 8.5.4 To nominate one Member to the Forum of East Border Region.

Councillor Willie Carey was nominated on the proposal of **Councillor John v. Farrelly** and seconded by **Councillor Oliver Fox**.

- 8.5.5 To nominate two Members to Meath Arts Forum.

Councillors Maria Murphy and Ray Butler were nominated on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Sirena Campbell**.

- 8.5.6 To nominate one Member to Meath Heritage Forum.

Councillor Willie Carey was nominated on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Oliver Fox**.



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9 Notice of Motion

9.1 Submitted by Councillor Francis Deane:

“Ireland and the UK are the only countries in Europe in which upward-only rent reviews are standard practise in commercial rent agreements.

I call on the Minister for Justice, Equality and Law Reform, Mr Dermot Ahern T.D. to act quickly in providing legislation that will remove the terms in existing retail contracts which allow landlords to revise rents upwards. This is providing to be a huge problem in our area. High rents are forcing Meath retailers to the wall. There will have to be provision for downward rental reviews.

A significant amount of retail/commercial property has been moved to NAMA, yet 30,000 jobs have been lost in the retail sector in the past year. Landlords must provide flexibility to tenants. Urgent action is required. The Minister cannot be allowed to delay any longer on this matter. It is in the public interest and in the interest of every local authority that steps are taken very soon in regard to this issue”.

The motion, proposed by **Councillor Francis Deane** and seconded by **Councillor Brian Fitzgerald**, was adopted. Councillor John V. Farrelly requested that the motion would be forwarded to the Oireachtas Committee.

9.2 Submitted by Councillor Brian Fitzgerald:

“This meeting of Meath County Council calls on the County Manager to outline how he proposes to deal with the major shortfall in funding from development levies of approx. €70 million needed to fund capital projects and the serious concerns expressed by the Local Government Auditor in his letter dated 7th December 2009 of the shortfall of approx. €40 million for work already committed, to allow the members of the Council to consider and decide”.

The motion was proposed by **Councillor Brian Fitzgerald** and seconded by **Councillor Nick Killian**.

Fiona Lawless, Head of Finance explained that the letter of the 7th December 2009 referred to by Councillor Fitzgerald relates to the 2008 audit “The Statutory Audit Report to the Members Of Meath County for the Year Ended 31 December 2008 “ was approved by the Members in February 2010 .

Section 5.6 of this report deals with the Three Year Capital Program 2009-2010 . program for the 3 years 2010- 2012 was revised to reflect changed economic circumstances . This capital program reflected a revised spend of €267 million , and the levies required amounted to €31 million

The plan is to prudently manage the existing finances rather than raising a loan that cannot be afforded through the revenue account.



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10 Schedule of Manager's Orders (For Information Only)

- 10.2 Schedule of Manager's Orders - Infrastructure
- 10.3 Schedule of Manager's Orders - Environment
- 10.4 Schedule of Manager's Orders – Housing Construction
- 10.5 Schedule of Manager's Orders – Community & Enterprise

Noted

11 Presentations from Other Bodies

12 Any Other Business

Liam Henry, DOS, Planning informed the Members of the changes to the delegation order for planning decision making with effect from May 1st. Decisions previously delegated to Area Managers will now be assigned to senior planning department staff (i.e. director, senior executive officer and senior planner).

This change is a logical follow on to centralisation of planning administration, which took place in 2009 and which has contributed to improving the service to the public.