



Miontuairiscí / Meeting Minutes

Ordinary Meeting 6th September 2010, Council Chamber

An Cathaoirleach, Councillor Ann Dillon-Gallagher presided.

Members Present:

Councillors Joseph Bonner, Ray Butler, Sirena Campbell, William Carey, Shane Cassells, Eugene Cassidy, Jimmy Cudden, Francis Deane, Regina Doherty, John V Farrelly, Jimmy Fegan, Brian Fitzgerald, Oliver Fox, Wayne Harding, 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, Kevin Stewart, Eugene Cummins, Brendan McGrath, Fiona Lawless.

Meetings Administrator Martin Rogers

Planners: Wendy Bagnall

Conservation Officer: Jill Chadwick

Senior Executive Officers: Larry Whelan, Michael Griffin, Ger Murphy (Acting)

Apologies: Councillor Jim Holloway

1.0 Confirmation of Minutes

- 1.1 Confirmation of Minutes of monthly meeting held on 5th July 2010.
The minutes were confirmed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Shane Cassells**.
- 1.2 Confirmation of Minutes of AGM meeting held on 5th July 2010.
The minutes were confirmed on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Wayne Harding**.
- 1.3 Confirmation of Minutes of Special Meeting held on 19th July 2010.
The minutes were confirmed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Shane Cassells**.

Suspension of Standing Orders

Standing orders were suspended on the proposal of **Councillor John V. Farrelly** seconded by **Councillor Willie Carey** to allow discussion on the cessation of acute surgical services in Navan Hospital.

Following a lengthy discussion during which Members expressed concern over the future of services in the hospital the following Notice of Motion was passed on the proposal of Councillor John V. Farrelly and seconded by Councillor Tommy Reilly:

“We, the Members of Meath County Council immediately seek a meeting with Mary Harney TD, Minister for Health & Children and Noel Dempsey TD, Minister for Transport to discuss how the present services at Our Lady’s Hospital in Navan can be protected. In addition as part of the discussions to ascertain (a)



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the reasons behind the decision to cease emergency & acute surgical services at the hospital and (b) the current status of the development of the regional hospital at Navan."

2.0 Matters arising from the minutes

There were no matters arising from the minutes

3.0 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- Christy Clarke, Infrastructure, on the death of his mother
- John O'Reilly, Clerk of Works, Kells on the death of his mother-in-law.
- Peter Kierans, Meath VEC on the death of his brother.

Congratulations were extended to:

- Trim Tidy Towns Committee and Trim Town & Area Council on their high finish in the IBAL litter league
- Gaelscoil Na Rithe, Ratoath on the opening of the school.

4.0 Correspondence

- 4.1 Houses of the Oireachtas Joint Committee on European Scrutiny EU Scrutiny Report No. 31 – EPA Code of Practice on Single Houses and Wastewater. Members noted that there was no additional funding available to the Council.
- 4.2 Correspondence from An Bord Pleanála re Meath-Tyrone 400 KV Interconnector.
- 4.3 Correspondence from HSE re Cathaoirleach/Leas-Cathaoirleach of the Regional Health Forum.
- 4.4 Correspondence from Department of Environment, Heritage & Local Government – Draft Statement of Waste Policy – For Consultation.
- 4.5 Correspondence from Department of Environment, Heritage & Local Government F 17/303/14 re Proposal to Purchase new Class B Water Tender 2009 Capital Programme.
- 4.6 Correspondence from Waterways Ireland in relation to Draft Waterways Ireland Bye-laws (Phase 1 Public Consultation on Legislative Proposals).
- 4.7 Correspondence from the three co-ordinating authorities in relation to the publication of the River Basin Management Plans incorporating amendments by the Minister for Environment, Heritage & Local Government (letters from the three co-ordinating authorities & Minister's letter to co-ordinating authorities attached).
- 4.8 Briefing note received from Dublin City Council in relation to Dublin Region Major Water Source Study.



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5.0 E.U. Correspondence

- 5.1 EU News Bulletin – Number 72 – June 2010
- 5.2 EU Policy Review – Number 2/10 – Summer 2010

6.0 Report from Protocol Committee

Councillor Cassells advised the meeting of the response from the British Embassy to the letter from the Cathaoirleach inviting the Queen to Meath as part of her proposed state visit to Ireland. Members noted the response.

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 Proposed Additions and Deletions to the Record of Protected Structures in the Meath County Development Plan 2007-2013

“Having considered the proposal, any observations from the Minister for Environment, Heritage and Local Government and the Manager’s Report on submissions received on the proposed additions and deletions to the Record of Protected Structures in the Meath County Development Plan 2007-2013, to resolve whether or not the proposed additions and deletions should be made in accordance with Section 55 (4) of the Planning & Development Act 2000”.

Councillors Noel Leonard and Nick Killian indicated that they would prefer if the proposals could be placed before the Area Committees before coming before the Council. Councillor Eugene Cassidy asked why these proposals could not be postponed until next year and dealt with as part of the review of the County Development Plan. In response Tadhg McDonnell, Director of Planning Services indicated that there was a deadline difficulty and there was not sufficient time to revert to the Area Committees and then to the full Council. He further stated that it would not serve the best interests of the Council to postpone the matter. A presentation was then made by Jill Chadwick, Meath Conservation Officer. It was noted that the Record of Protected Structures (RPS) for the County contains 1064 structures and it was proposed to delete 23 of these and to make 29 new additions. The proposed additions and deletions had been on public display from Monday 24th May 2010 until Tuesday 6th July 2010. A total of 18 submissions had been received:

Submission 1 – Mr Thomas Canty

Addition: MH036-137, 7 Arch Bridge, Knightsbrook

Summary: The owner of the structure is not Mr Canty but Mr Pat Conlon of Brownstown, Trim.

Manager’s Recommendation - No change required.



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Members agreed to add the structure as recommended on the proposal of **Councillor Eoin Holmes** seconded by **Councillor Willie Carey**.

Submission 2 – NRA

Summary: No comments.

Manager's Recommendation - No change required.

Members noted the submission.

Submission 3 – Linda Clare

Deletion: MH006-111, Woodtown Lower Pale Ditch,

Summary: This submission argues strongly for the retention of both the Pale Ditch and the Gun Hill enclosure on the RPS and provides information on the archaeological and historical interest of both sites.

Response: MH-006-111 – the owners of this structure have not received their notification, and the proposal for the deletion of this structure is deemed withdrawn.

Members agreed with the response on the proposal of **Councillor John Farrelly** seconded by **Councillor Willie Carey** that the deletion of the structure is deemed withdrawn.

Deletion: 2) MH006-115, Syddan and Polecastle enclosure

Response: MH006-115 – The Architectural Heritage Protection Guidelines of the Department of the Environment, Heritage and Local Government advise that it is normally only appropriate to give protection on the RPS to recorded monument sites which are protected under the National Monuments Acts, where these are also part of the architectural heritage, such as buildings, standing walls, etc. which may be subject to re-use.

Manager's Recommendation - No change

Members agreed to remove the structure as recommended on the proposal of **Councillor John V. Farrelly** seconded by **Councillor Wayne Harding**.

Submission 4 – Philip Smith

MH011-117 Four bay house, Carlanstown

Summary: The house belongs to Mr Michael Smith

Manager's Recommendation - No change required.

Members decided on the proposal of **Councillor John V. Farrelly** seconded by **Councillor Regina Doherty** not to accept the Manager's recommendation and not to add this structure to the RPS.

Submission 5 – Principal, Scoil Mhuire

MH011-122, National School

Summary: The Board of Management of Carlanstown National School are opposed to the proposed addition of the school to the RPS based on the belief that it would hinder the future development of the school.

Response: The addition of a structure to the RPS does not prevent the appropriate adaptation, extension, or re-use of that structure, but merely requires that any development should be managed in a manner which retains and is sympathetic to the character of the structure.

Manager's Recommendation - No change required.

Members decided on the proposal of **Councillor Eugene Cassidy** seconded by **Councillor Bryan Reilly** not to accept the Manager's recommendation and not to add this structure to the RPS.



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Submission 6 – Sara Nicholson

MH018-120, Fimount House

Summary: The submission provides additional information on the house, and suggests the inclusion of the entrance gateway.

Response: The protection of a structure applies to the lands and other structures within its curtilage.

Manager's Recommendation - No change required.

Members agreed on the proposal of **Councillor Eoin Holmes** seconded by **Councillor Niamh McGowan** to add the structure as recommended.

Submission 7 – Paddy Meegan

Deletions: MH006-111, Woodtown Lower Pale Ditch

MH006-115 – Syddan and Polcastle Enclosure site

Response MH006-115: The Architectural Heritage Protection Guidelines of the DoEHLG advise that it is normally only appropriate to give protection on the RPS to recorded monument sites which are protected under the National Monument Acts, where these are also part of the architectural heritage, such as buildings, standing walls, etc. which may be subject to re-use.

Manager's Recommendation - No change

Summary: This submission is in favour of the retention of these structures on the RPS on the grounds that if their protection is reduced, they would be at risk of deterioration.

Response MH006-111: The owners of this structure have not received their notification, and the proposal for the deletion of this structure is deemed withdrawn.

Members agreed as recommended on the proposal of **Councillor John V. Farrelly** seconded by **Councillor Willie Carey** in relation to (a) MH006-111 that the deletion of the structure is deemed withdrawn and (b) MH006-115 that the structure be removed.

Submission 8 – John Kiernan

MH011-121, Kiernan's Pub, Carlanstown

Summary: The owner asks that the building should not be added to the RPS on the ground that it would interfere with any development of the property should they wish to do so in the future.

Response: The addition of a structure to the RPS does not prevent the appropriate adaptation, extension, or re-use of that structure, but merely requires that any development should be managed in a manner which retains and is sympathetic to the character of the structure.

Manager's Recommendation - No change

The Manager's recommendation to add the structure was proposed by Councillor Eoin Holmes seconded by Councillor Niamh McGowan. However on the proposal of **Councillor John Farrelly** seconded by **Councillor Eugene Cassidy** it was decided on a show of hands (19 in favour) not to accept the Manager's recommendation and not to add the structure to the RPS.

Submission 9 – NRA

Summary: No comments

Manager's Recommendation - No change required.

Members noted the submission



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Submission 10 – Catherine J.Cooney

MH011-118, House with bay windows, Carlanstown

Summary: The submission confirms that the house was built in the 1920's

Manager's Recommendation - No change required.

Members agreed on the proposal of **Councillor Eoin Holmes** seconded by **Councillor Niamh McGowan** to add the structure as recommended.

Submission 11 – Dr. Caroline Mhic Daeid,

MH011-229, Avondale, Moynalty

Summary: The site is zoned as A3, to be developed as phase 1 – 2010-2013. Concern is expressed that the proposed addition of the house to the RPS has been made without consultation between the different branches of the Planning Dept. Submission states that the house should be conserved rather than preserved, and suggests that only the surviving original features – the general layout and structure, original stonework, main staircase and landing, wooden windows and remaining old doors and fireplaces should be added to the RPS.

Response: The forward planning section is aware of the development status of these lands, and of the previous planning applications, and is of the view that an appropriate development can be accommodated on the zoned lands without undue impact on the proposed protected structure. The A3 zoning of the northern part of the site is “to conserve and protect the character and setting of institutional complexes and heritage buildings in residential redevelopment and infill proposals in accordance with action area plan approaches “the southern portion of the site is zoned F1 – to provide for and improve open spaces for active and passive recreational amenities. These zonings are consistent with the designation of the house as a protected structure. The protection of a structure does not prevent change, but requires that all changes should be handled in a manner which is sympathetic to the character of the structure.

Manager's Recommendation - No change recommended.

The Manager's recommendation to add the structure was proposed by Councillor Eoin Holmes seconded by Councillor Willie Carey. However on the proposal of **Councillor Nick Killian** seconded by **Councillor Regina Doherty** it was decided on a show of hands(11 to 4) not to accept the Manager's recommendation and not to add the structure to the RPS.

Submission 12 – Patrick Lynch

Re:MH011-113, Plubber Corn Mill, and MH011-14, Three-bay house

Summary: This submission is a request for clarification regarding the extent to which these buildings are to be protected and the specifications to be adhered to.

Response: The Conservation Officer has met the owners and advised on the area and buildings covered under the designation, on the type of works which might require planning permission and on appropriate methods and materials to be used. The owners do not object to the proposed addition.

Manager's Recommendation - No change required.

The Manager's recommendation to add the structures was proposed by Councillor Eoin Holmes seconded by Councillor Willie Carey. However on the proposal of **Councillor John V. Farrelly** seconded by **Councillor Catherine Yore** it was decided on a show of hands(9 to 5) not to accept the Manager's recommendation and not to add the structures to the RPS.

Submission 13 – Catherine Fleming



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Re: MH011-106, Wilmount

Summary: This submission objects that while the house may merit inclusion, the lodge and other out-buildings should not be included. The owner requests that as a minimum, the curtilage buildings should be excluded.

Response: The Conservation Officer has met the owner on the site and viewed the outbuildings. They are an important element in the complex of a country house with stableyard and walled garden and it is considered that while some elements are in very poor condition, the main range are not so bad as to warrant their omission from the description.

If these buildings are included, grant assistance may be available in the future for their repair. The hay barn and slatted shed do not merit protection.

A more detailed inspection can be carried out at a later date with a view to providing a Section 57 Declaration regarding exempted development on the full property.

Manager's Recommendation – Omit the gate lodge from the description on the RPS.

The Manager's recommendation was proposed by Councillor Eoin Holmes seconded by Councillor Niamh McGowan. However on the proposal of **Councillor John V. Farrelly** seconded by **Councillor Eugene Cassidy** it was decided on a show of hands (16 to 4) to amend the proposal and exclude the yard buildings, as shown on the bottom right of the photographs in the presentation, as well as the gate lodge from the RPS. For the record the Members in favour of the Manager's recommendation were Councillors Eoin Holmes, Niamh McGowan, Jimmy Fegan and Joe Reilly.

Submission 14 – Dept. Communications, Energy & Natural Resources

Summary: The Department of Communications, Energy and Natural Resources have no comments/observations to make on these proposed amendments. This is without prejudice to any comments/observations the Eastern Regional Fisheries Board may have in this regard.

Manager's Recommendation - No change required.
Members noted the submission.

Submission 15 –Paul Arnold Associates, Architects for the Columban Fathers.

MH031-119, Dowdstown House

Summary: The submission noted that MCC have not prepared a map indicating the extent of the curtilage associated with the building. The Architects for the Columban Fathers have submitted a map, outlining what in their view is a reasonable curtilage to the proposed protected structures taking account of the surviving buildings historically associated with Dowdstown House.

Response: The Planning Department concurs with the extent of the land proposed by the architects to be the curtilage of the protected structure insofar as it was not intended to include the monastery buildings or wider grounds. The Planning Department recommends the inclusion of the area of lawn to the south of the principle structure as far as the access roadway, the area of lawn to the front of the house, and the outbuilding and group of trees to the north, would provide a more appropriate setting for the named structure based on the historic mapping and current development patterns



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on the site. The extent of the curtilage can be agreed with the owners subsequent to a decision by means of a Section 57 Declaration.

Manager's Recommendation - No change required.

Members agreed on the proposal of **Councillor Joe Reilly** seconded by **Councillor Francis Deane** to add the structure as recommended.

Submission 16 – County Louth Archaeological & Historical Society.

Re: MH006-111, Woodtown Lower pale ditch, and MH006-115, Syddan and Polecastle, enclosure site

Summary: These structures are approximately some 600 and 2000 years old respectively and are integral part of the Heritage of Co Meath and beyond. The accompanying article entitled “The Pale Ditch in County Louth” from 1941 by H.G. Tempest provides the detailed context why these structures should be retained on the list of protected structures.

Response: The Architectural Heritage Protection Guidelines of the Department of the Environment, Heritage and Local Government advise that it is normally only appropriate to give protection on the RPS to recorded monument sites which are protected under the National Monument Acts, where these are also part of the architectural heritage, such as buildings, standing walls, etc. which may be subject to re-use.

Manager's Recommendation – MH006-111 is withdrawn, MH006-115 No change

Members agreed as recommended on the proposal of **Councillor John V. Farrelly** seconded by **Councillor Willie Carey** in relation to (a) MH006-111 that the deletion of the structure is deemed withdrawn and (b) MH006-115 that the structure be removed.

Submission 17 – Department of Education & Skills

Re: MH011-122, Carlanstown National School

Summary: This submission objects to the proposed addition on the following grounds:

1. This Boyd-Barrett designed school building is a standard design, widely used in Ireland from the 1950's, it is unclear as to why Meath County Council is proposing to add this one in particular to its RPS.
2. This building type has widespread representation and is not at risk of extinction. Therefore it is submitted that it is not in specific need of protection.
3. There would be an adverse effect of the Department of Education & Skills' (DES) School Building and Modernisation Capital Programme.
4. The DES takes a reasonable approach, preserves these buildings where possible, and attempts to reinvest, recycle and reformat these buildings, thereby preserving them as ongoing and viable schools.
5. The school has an application with the DES for Capital funding. The DES is concerned that by adding this building to the list of Protected Structures that it may impact negatively on the ability to, and the cost of, providing any additional accommodation that may be required at the school into the future.

Response: This school is one of the few good surviving examples of its type, retaining many of the original features and material which enhance the original architectural form. The Planning Department concurs with the recommendation of the Minister for Environment, Heritage and Local Government for its addition to the RPS. This will not prevent the appropriate adaptation, extension, or re-use of the structure, but requires



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that any development should be managed in a manner which retains and is sympathetic to the character of the structure.

Manager's Recommendation - No change

Members decided on the proposal of **Councillor Eugene Cassidy** seconded by **Councillor Bryan Reilly** not to accept the Manager's recommendation and not to add this structure to the RPS.

Submission 18 – Oliver Murphy

Re: MH053-102, Moygaddy House

Summary: Moygaddy house is located on lands zoned B6 – for a neighbourhood centre “*locating a neighbourhood centre at the existing Moygaddy House and Stable complex to utilise the existing built heritage and create a pedestrian friendly village centre environment*” in the *Maynooth Environs LAP 2009-2015*.

The owner supports the land use zoning and the development of the LAP lands is proceeding with due regard for architectural and environmental considerations. A change in statutory policy might deter investment, job creation and the sustainable development of the lands.

The owner is committed to the maintenance and upkeep of Moygaddy House.

The house was not included on the NIAH survey, and the architect who prepared an Architectural assessment for the owner did not recommend that it should be listed, the submission requests that it should not be designated a protected structure.

Response: Unlike the survey of Navan for example, which records almost every structure within the central area of the town, the National Inventory of Architectural Heritage survey of the county area is an Interim County Survey which provides a representative sample only of the architectural heritage of the county.

Many fine buildings were not visited by the NIAH – for example, Killeen Castle, and Dowdstown House, which is also proposed for addition to the RPS at this time.

Some of the proposed additions to and deletions from the RPS have come to the attention of the Planning Department as a result of the research carried out for the suite of LAP's prepared in 2009.

The Maynooth LAP shows Moygaddy House on the Map 3 – built heritage constraints – as being a structure of heritage importance and objective BHAN 2 is – To require that development proposals in relation to the redevelopment of Moygaddy House, Stable Yard and Mill Race ensure their retention and adaptation.

Chapter 5.0 – Policies and Objectives to Implement Strategy contains the following objective – LAP 9 Protect the existing built heritage of Moygaddy Castle, Moygaddy House and stud.

Many protected structures are located on zoned lands, and the addition of Moygaddy House to the RPS is consistent with the LAP policies and objectives.

Manager's Recommendation - No change

The Manager's recommendation to add the structure was proposed by Councillor Brian Fitzgerald seconded by Councillor Jimmy Fegan.

Councillor Nick Killian seconded by **Councillor Regina Doherty** proposed not to accept the Manager's recommendation and to exclude the structure from the RPS. On a show of hands (9 to 6) it was decided to accept the Manager's recommendation and to add the structure to the RPS.



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Wendy Bagnall by way of a presentation then brought the Members through the full list of the proposed additions and deletions to the Record of Protected Structures. These were noted by the Members.

- 8.1.2 To consider the Manager's Report in accordance with Part VIII of the Planning & Development Regulations 2001-2006 on the provision of a playground plus associated site works at The Narrowways, Bettystown.

Report considered and noted on the proposition of **Councillor Wayne Harding** and seconded by **Councillor Jimmy Cudden**.

- 8.1.3 To consider the Manager's Report in accordance with Part VIII of the Planning & Development Regulations 2001-2006 on the provision of a playground plus associated site works at Lobinstown.

Report considered and noted on the proposition of **Councillor Wayne Harding** and seconded by Councillor John V Farrelly.

8.2 Transportation

- 8.2.1 To consider the Manager's Report in accordance with Part VIII of the Planning & Development Regulations 2001-2010, for the R157 (Maynooth to Dunboyne Regional Road) Realignment and Moygaddy Junction Improvement Scheme.

Report considered and noted on the proposition of **Councillor Noel Leonard** and seconded by **Councillor Maria Murphy**.

9.0 Notice of Question

- 9.1 Submitted by Councillor Francis Deane:

"I call on Meath County Council to explain the water rate charging procedure and to examine how best the process can be monitored. This follows several complaints from consumers (both commercial and domestic) who have been invoiced for water charges and their bills appear to be at variance with their consumption level. In rural areas domestic handling entitlements are 89 cubic metres free per six month period. The Commercial Water Consumption Charge rate is €1.42 per cubic metre while the Waste Water Consumption charge is at a rate of €1.23 per cubic metre. I'd like clarification on the position with regard to leaks which may occur during a half year period".

The response to the question was circulated.



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In response to questions from Councillor Deane about water leaks Council officials advised him that the Council was responsible for water up to the meter and the consumer had responsibility after that. It was explained that the Council always took a reasonable attitude with consumers.

10.0 Notice of Motion

10.1 Submitted by Kells Area Members:

“The Kells Area Members call on the NRA to enter negotiations with the Irish Road Haulage Association with regard to toll fees charged on the new motorways.”

Issues raised by the Members included the following:

- The cost difference for hauliers when travelling on the new M3 as against the alternative route was substantial
- Important to get the parties together in order to commence a process which could enable the HGVs to use the toll roads
- The impact on the roads which were used by HGVs in and around M1& M4 due to the high fees charged on the tolled roads.

On the proposal of **Councillor John V. Farrelly**, seconded by **Councillor Catherine Yore** the motion was adopted.

11.0 Schedule of Manager’s Orders (For Information Only)

11.1 Schedule of Manager’s Orders - Infrastructure

11.2 Schedule of Manager’s Orders – Environment

Councillor Shane Cassells referred to the service of Derelict Site Notices in Navan and asked that they be vigorously pursued by the Council.

11.3 Schedule of Manager’s Orders – Housing Construction

11.4 Schedule of Manager’s Orders – Community & Enterprise

12.0 Presentations from Other Bodies

13.0 Any Other Business

- Councillor Tommy Reilly raised the issue of the LAP and the lack of progress on the school site in Johnstown. County Manager Tom Dowling advised that the Council had been and would continue to liaise with officials of Department of Education & Science to try and resolve the issue.
- Councillor Killian raised the matter of the recent Report of the Local Government Efficiency Review Group (which had been circulated to Members)



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and it was agreed that this would be put on the next meeting agenda for discussion.

- It was noted that (a) Councillor Willie Carey will replace Councillor Ann Dillon-Gallagher as Chair of the Housing, Social, Community & Cultural Development SPC and (b) Councillor Ann Dillon-Gallagher will take Councillor Carey's place on the Infrastructure SPC.

NB Please ensure Mobile phones are switched off during council meeting.