



Miontuairiscí / Meeting Minutes

Monthly Meeting

6th October 2014, 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: Cllr. Stephen McKee

Officials in attendance:

County Manager: Jackie Maguire

Directors of Service: Kevin Stewart, Fiona Lawless, Joe Fahy(A), Tadhg McDonnell, Des Foley

Meetings' Administrator: Olive Falsey

Senior Executive Officers: Larry Whelan, Ger Murphy, David Jones

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary meeting held on 8th September, 2014.

The minutes of Ordinary meeting held on 8th September, 2014, were confirmed on the proposal of **Councillor Eugene Cassidy** and seconded by **Councillor Tommy Reilly**.

1.2 Confirmation of minutes of Special Finance meeting held on 23rd September, 2014.

The minutes of Special Finance meeting held on 23rd September, 2014, were confirmed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Gerry O' Connor**.



Miontuairiscí / Meeting Minutes

2 Matters arising from the Minutes

Councillor Wayne Forde asked for confirmation that the letter regarding Motion 8.3 was issued to Minister Leo Varadkar and the Oireachtas members. It was confirmed that the letter was issued.

The Cathaoirleach welcomed David Jones, Senior Executive Officer, who recently took up his position with the Council.

3 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- Martin Browne, Navan Municipal District, on the death of his mother, Joanna Browne
- Olive Falsey, Corporate Services, on the death of her mother, Christina Smyth.
- Geraldine Fanning, Ashbourne Library, on the death of her mother, Lottie Fanning.
- The family of the late Bill Coleman, former Town Manager of Cary, North Carolina.
- The family of the late Michael Traynor former employee of Meath County Council and brother of the late former Councillor Paddy Traynor.

Congratulations were extended to:

- Dr. Kate McGarry, Our Lady's Hospital, Navan, on her recent retirement.
- Ratoath Foróige Youth Group who have progressed to the finals of the Youth Citizenship Award.
- All concerned with the organisation of the recent Harvest Festival in Dunshaughlin.
- Johanna von Kietzell on receiving the 'Scholar of the Year 2014' award from LMETB.
- Ballinlough on winning the intermediate football final.



Miontuairiscí / Meeting Minutes

- Dunboyne Motor Club on recent festival in Dunboyne.
- Kells Handball club members on their recent national success.
- Dee Rangers on their GAA success.

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 Corporate Services

- 5.1.1 To receive presentation on the proposed Customer Service and Operations Structure in the Municipal Districts.

Des Foley, Director of Services, made the presentation which covered the following areas:

- The proposed Customer Service model and workflow
- The use of a new customer service management system (Sugar)
- 'Face to face' customer service
- The proposed new operations section under the Transportation Directorate
- Operational services and activities

Following the presentation, Councillors had the opportunity to comment/ask questions and responses were provided by Des Foley, Director of Services and the Management Team.

- 5.1.2 To note dates for holding of SPC meetings as agreed by the C.P.G.

The following dates were noted by the Councillors:

- Environmental S.P.C. – Friday, 24th October at 10.00a.m.
- Planning, Economic Development and Enterprise S.P.C. – Thursday 30th October at 10.00a.m.



Miontuairiscí / Meeting Minutes

- Transportation S.P.C. - Wednesday, 5th November at 10.00a.m.
- Housing, Community and Cultural S.P.C. – Tuesday, 11th November at 10.00a.m.

5.2 Community

5.2.1 To consider and if thought fit to approve recommendation from the C.P.G. in relation to the filling of 2 additional seats on the Meath LCDC

Kevin Stewart, Director of Services, advised the meeting of the new regulations regarding the number of members provided for on the LCDC and his recommendation as endorsed by the CPG:

- To increase the LCDC membership to 19
- To nominate one representative from the Public Sector (Údarás na Gaeltachta)
- To nominate one representative from the Private Sector (Youth Work Ireland Meath)

Councillor Gerry O' Connor proposed, seconded by **Councillor Brian Fitzgerald** that the matter would be deferred to the November meeting. This was agreed by the Councillors.

6 Report from Protocol Committee

The Meetings' Administrator informed the meeting of the recommendations of the Protocol Committee as follows:

- That a presentation would be made to the full Council by the North East Pylon Pressure Group and by the Slane Bypass Group at the November meeting. It was recommended that the presentations would be for 10 minutes duration and that there would be no follow-up debate or questions.
- That a presentation would be made to the full Council by representatives from Comhairle na nÓg at the December meeting.

The recommendations of the Protocol Committee were agreed by the Councillors.



Miontuairiscí / Meeting Minutes

7 Correspondence

- 7.1 Information pack for Elected Members on the Catchment-based Flood Risk Assessment and Management (CFRAM) Studies undertaken by the OPW.

Noted. A lengthy discussion took place on the issues regarding flood risk in certain areas of County Meath.

- 7.2 Circular No. 14/2014 – National Roads Authority re. NRA Service Area Policy.

Noted

- 7.3 LG 22/2014 - Department of Environment, Community and Local Government re. Taxation of Expenses under Section 142, and Allowances under Section 143, of the Local Government Act 2001.

Noted

- 7.4 Circular Housing 39/2014 - Department of Environment, Community and Local Government re. Social Housing Investment Programme, 2014.

Noted. Clarification was provided by Joe Fahy A/Director of Services on a number of issues raised by the Councillors.

- 7.5 To note the proposed Winter Maintenance Plan 2014/2015.

Noted.

8 Notice of Question

8.1 Submitted by Councillor Francis Deane

“In relation to derelict sites and vacant houses under Nama's control, are there actions which the Council can take to secure properties especially where there are public health and safety concerns?”

A response was provided by **Larry Whelan, Senior Executive Officer, Environment and Water Services**, as follows:



Miontuairiscí / Meeting Minutes

Where concerns are expressed in respect of public health and safety associated with derelict sites or vacant houses, the Council would carry out an inspection to determine the condition of the property and decide as to the most appropriate legislation under which the issue would be pursued under, i.e. Derelict Sites Act, the Local Government Sanitary Services Acts etc. Such Legislation provides powers of enforcement to ensure that appropriate action is taken to eliminate the danger.

In every case however, the Council initially seek to work with NAMA, Court appointed Officials or individuals whose control the property is in, to have the dangers eliminated or minimised and without the need to initiate full legal action which can often be both costly and slow.

The response was noted by the Councillors.

8.2 Submitted by Councillor Shane Cassells

“Given the recent engagement by Fingal County Council with the NTA and the Department of Transport to restart the Metro North project, which had been shelved due to funding constraints, in order to promote both the social and economic life of North Dublin, can I ask the Chief Executive has any exploratory talks or requests for a similar reboot of the stalled phase 2 of the Navan rail line taken place between Meath County Council and the NTA/Department of Transport in order to deliver this project and improve the transport links as well as social and economic fabric of this county?”

A response was provided by **Joe Fahy, Director of Services, Transportation and Housing**, as follows:

The ‘Infrastructure and Capital Investment 2012 – 2016 Medium Term Exchequer Framework’ published in November 2011, deferred the Navan Rail project. This document states, *‘Given the constraints on the capital programme, the extension of heavy rail to Navan, Luas to Lucan and Bray and Metro West will also be deferred for consideration in 2015 in advance of the next Public Capital Programme.’* The Framework indicates that *‘these projects (referring to larger public transport projects proposed for the GDA) are being deferred, not cancelled: they remain key elements of the overall integrated transport strategy for the GDA and will be progressed when fiscal and market conditions improve.’*

The NTA have formally confirmed in writing to Meath County Council that the construction of this project has been postponed.

A strong policy stance is set out in our development plans to ensure that the detailed designed alignment is protected from further development, and that this protection also extends to potential stations and park and ride sites along the route. The development plan includes a specific zoning objective R1 Rail Corridor which seeks ‘to provide for a strategic rail corridor and associated physical infrastructure’ to reflect this.



Miontuairiscí / Meeting Minutes

No formal discussions have been had with the Minister or the NTA in relation to restarting phase 2 of the Navan Rail Line. However, Meath County Council will continue to actively promote the development of the railway from Pace on to Navan. The Council understands that work on a new government capital investment plan to 2019 is underway. The Minister has indicated that should additional funds be available over and above what is required to maintain existing assets there will be many competing transport projects across all modes. In such an eventuality only projects for which there is a clear identifiable need, which are affordable, have a robust business case and add value to existing infrastructure, will be prioritised for funding in the new capital plan.

It remains to be seen where the Navan Rail Line ranks in the overall priority list of Transport schemes under consideration for inclusion in the capital investment plan to 2019 should funding be available. The provision of a heavy rail link to Dublin is considered to be critical for the sustainable development of the county, and for Navan to achieve its objective as a Large Growth Town I in the Regional Planning Guidelines for the Greater Dublin Area 2010-2022. Meath County Council remains strongly committed to its delivery.

The response was noted by the Councillors.

9 Notice of Motion

9.1 Submitted by Councillor Johnny Guirke

“For first time business the cost of rates are a major financial burden and dis-incentive. As it is in the interest and responsibility of Meath Co Council to help create and support business and jobs I call on the Strategic Policy Committee on Planning and Economic Development to examine the case for new business ventures to receive a period of exemption from payment of rates.”

The motion was proposed by **Councillor Johnny Guirke** and seconded by **Councillor Darren O’ Rourke**.

Supporting information was provided by Fiona Lawless, Head of Finance, as follows:

The rates multiplier or Annual Rate on Valuation (ARV) is agreed by the elected members of the council during the annual budget process and applied to the valuation of each property to produce the rates bill. The Valuation Office operates as a state agency, independent of local government and of rate payers and determines the valuation of each property. We are not permitted under legislation to exempt properties from rates.

Following a lengthy discussion, the motion was adopted.

9.2 Submitted by Sinn Féin Councillors



Miontuairiscí / Meeting Minutes

“That Meath County Council opposes the introduction of water charges and calls on the Government to immediately reverse its plans in this regard.”

The motion was proposed by **Councillor Darren O’ Rourke** and seconded by **Councillor Sinead Burke**.

Following a lengthy debate a ‘show of hands’ vote was taken with the following result:

For: 15; Against: 18; Abstain: 1; Absent: 6

The motion was defeated.

An extension of 15 minutes was agreed on the proposal of the **Cathaoirleach** and seconded by **Councillor Maria Murphy**.

9.3 Submitted by the Kells Municipal District Councillors

“That Kells Municipal District calls on Meath County Council to provide increased funding to reflect the very poor condition of the roads in Kells Municipal District.”

The motion was proposed by **Councillor Bryan Reilly** and seconded by **Councillor Johnny Guirke**.

Supporting information was provided by Joe Fahy, Director of Services, Transportation and Housing, as follows:

There is a total of 3,555 Kms. of Road network in County Meath of which 2,529 Kms are local roads and 574 Kms are Regional Roads. In other words, Local roads constitute **76%** of total network and Regional & Local Roads combined make up **93%** of total network.

However, the national & regional roads, combined, carry about 75% of all traffic, according to national data.

The annual funding for Regional and Local Roads is made up of a combination of Dept Grants and MCC own resources. In 2014 this funding amounts to €14,601,643 with Dept contributing €12,182,900 or 83%. The procedures for applying for those grants each year, and for ensuring full payment of said grants is set out in the Department’s Guidelines **‘Memorandum on Grants for Regional and Local Roads’**

The funding for Local roads in 2014 is €9,153,874 and is distributed across the 5 areas, primarily in proportion to the road lengths in each area but also having regard to road conditions, particularly in qualifying for Restoration Grant funding. **Thus the Kells Electoral Area which has 32% of the Local Road network, received 35% of the available funding.**

The Dept Guidelines insist that the selection of road projects under the Restoration Programme must be made on the basis of overall needs/priorities and on the basis of criteria which reflect their importance, such as Road classification, level of usage, category of vehicles served, etc and the extent of their deterioration. The Multi-Annual Programme must include details of each project and its justification.

Conclusion and Recommendation



Miontuairiscí / Meeting Minutes

- It is becoming extremely difficult to provide the standard of service on our entire road network with the current level of funding available. The Local roads, particularly Class 2 and 3 roads are very vulnerable in this context.
- The Council must strive to maintain as many of the strategic regional and local roads in the highest Condition Rating as is reasonably possible.
- The current distribution of available funding seeks to acknowledge this, whilst also acknowledging the particular case that exists in the county where there is a high percentage of Class 2 and 3 Local Roads.
- It is recommended that the current system of distributing the available funding across the 5 Engineering Areas is the most effective means of managing our road network, with the limited funding available, on a prioritised basis. A similar approach is intended for the new operational structures, which will be set up from Jan 2015 to serve the 6 Municipal Districts.

Following a lengthy debate, an amendment to the motion was proposed by **Councillor Gerry O' Connor** and seconded by **Councillor Maria Murphy**.

The amended motion: *"That Kells Municipal District calls on Meath County Council to request increased funding to reflect the very poor condition of the roads in Kells Municipal District"* was unanimously adopted.

9.4 Submitted by Councillor Damien O'Reilly

"Towns with projected population of 15,000+ should be provided with adequate land for burial of residents who wish to be buried in a graveyard within their town Environs."

The motion was proposed by **Councillor Damien O' Reilly** and seconded by **Councillor Claire O' Driscoll**.

Supporting information was provided by Larry Whelan, Senior Executive Officer, Environment and Water Services

The following are extracts from the Meath County Development Plan 2013-2019 in relation to the Councils responsibilities in respect of the provision and maintenance of Burial Grounds.

"Local Authorities have a statutory responsibility to provide for burial facilities, although the majority of facilities in Meath are provided by religious bodies.

Under the Planning & Development Acts 2000-2011, the Council can include objectives to reserve land for burial grounds. The individual Local Area Plans will examine the adequacy of the existing facilities to cater for the plan period and will reserve lands within each development centre for burial facilities as required. Changes in society have resulted in the Local Authorities providing multi-denominational grave yards in their jurisdiction.

The Council may have to consider, in the context of the scarcity of environmentally suitable land and the availability of funding, possible regional solutions to the provision



Miontuairiscí / Meeting Minutes

*of burial space at some time in the future. In recent years there has been a tendency to remove outdated central control over the provision and operation of burial grounds and to devolve responsibility to the local level. It is becoming the norm to designate responsibility for the management of these to local community groups with the Local Authority providing funding on an annual basis to purchase equipment.
Policy Objective SOC POL44 Policy To facilitate the provision of new burial grounds, facilities and the extension of existing cemeteries as appropriate to cater for the needs of the county.”*

In April 2013 following the completion of an extensive survey of all Burial Grounds in the County a presentation was made to the full Council setting out inter-alia the projected burial ground needs and requirements for the County for the next 30 years – for the benefit of the new Members on the Council a copy of this presentation is attached.

One of the key findings of the Survey, which was the subject of considerable discussion at both full Council and SPC level, was that going forward it is no longer feasible to provide replacement burial grounds for every town/village based on the environmental and economic factors outlined in the above mentioned extract from the County Development Plan and provision on a regional/catchment basis will have to be considered.

The findings of the Burial Ground Study are to be reflected in a new Policy Document and Bye Laws, drafts of which will be presented to forthcoming meetings of the Environment SPC.

Following a short debate, the motion was unanimously adopted.

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



Miontuairiscí / Meeting Minutes

11 Presentations by other Bodies/Statutory Agencies

- 11.1 A presentation was made by Geraldine Hogarty (Regional Director) and Tracy Kinsella (Youth Club Development Officer) on the work of Youth Work Ireland Meath and its role in providing a comprehensive youth service in the County. It was noted that adequate funding for the service is needed so that services can be further developed.

The Cathaoirleach acknowledged the work of the group and the presentation was noted by the Councillors.

12 Any Other Business