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Monthly Meeting

3rd November 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, Stephen McKee, Ronan McKenna, Paddy Meade, Maria Murphy, Gerry O'Connor, Claire O' Driscoll, Maria O' Kane, Damien O' Reilly, Darren O' Rourke, Joe Reilly, Sarah Reilly, Tommy Reilly, Seán Smith, Alan Tobin, Sharon Tolan, Gillian Toole.

Apologies: Councillor Bryan Reilly

Officials in attendance:

Chief Executive: Jackie Maguire

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

Meetings' Administrator: Olive Falsey

Senior Executive Officers: Larry Whelan, David Jones

Planning Staff: Pat Gallagher, Senior Planner

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary meeting held on 6th October, 2014.

The minutes of Ordinary meeting held on 6th October, 2014 were confirmed on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor Eugene Cassidy**.

2 Matters arising from the Minutes



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Councillor Damien O' Reilly asked if Councillors could have access to emails on their phones and it was agreed that this would be examined by the IT Department.

3 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- Ciara Smith nee Gorman, Navan Civic Offices, Martin Gorman, Kells Municipal District and John Smith, Ratoath Municipal District on the death of their father/father-in-law Donal Gorman.
- Liz Byrne, Housing Department on the death of her mother Mary Lowry.
- Cllr. Jim Holloway on the death of his uncle Fr. Sean Holloway, Columban Fathers.

Congratulations were extended to:

- Dee Rangers, Rossin Rovers, Navan O' Mahony's, Ballinlough and Cortown on their recent sporting achievements.
- The Community Department on the recent Pride of Place Awards event.
- Ratoath Foróige Club on winning the Youth Citizenship Award, 2014.

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 Community

- 5.1.1 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 that this item was on the agenda of the October meeting and that the recommendation as endorsed by the CPG was to:

- To increase the LCDC membership to 19
- To nominate one representative from the Public Sector (Údarás na Gaeltachta)



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- To nominate one representative from the Private Sector (Youth Work Ireland Meath)

Following a short discussion, the recommendation was approved on the proposal of **Councillor Joe Reilly** and seconded by **Councillor David Gilroy**.

6 Report from Protocol Committee

The Meetings' Administrator advised of the recommendations as follows:

- That a presentation would be made by the Túath Housing Agency to the full Council early in 2015.

The recommendation was agreed by the Councillors.

7 Correspondence

- 7.1 Irish Public Bodies Insurance re. Members Dividend Payment 2014 (Particular to 2013 Financial Reporting Period).

Noted. **Councillor Shane Cassells** referred to the motion passed at the September meeting, which noted that this dividend would be used for community type initiatives in 2015 and outlined that the dividend should not be considered as a main source of income.

Fiona Lawless, Head of Finance, noted that the dividend had been allocated to Programme 6 – Recreation and Amenity, for community initiatives.

- 7.2 Circular Letter AL 05/2014 – Department of Environment, Community and Local Government re. Rural Development Programme (LEADER) 2014-2020.

Noted. **Councillor Nick Killian** raised the issue of funding and staffing resources in relation to the Rural Development Programme. Kevin Stewart, Director of Services, provided clarification regarding the staffing resources and advised that the role of the Local Authority, in relation to the programme, had not yet been fully established.

- 7.3 RSD 01/2014 – Department of Transport, Tourism and Sport re. Control of Vehicle Speeds in Housing Estates.

Noted. Motion 9.1 (see below) was also considered at this point.



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- 7.4 Circular LLS 1/2014 – Department of Environment, Community and Local Government re. Implementation of “*Managing the Delivery of Effective Library Services*”.

Noted and welcomed by the Councillors.

- 7.5 Circular Housing 45/2014 – Department of Environment, Heritage and Local Government re. Housing Allocation Schemes – Homeless and other Vulnerable Groups.

Noted.

- 7.6 Circular Fin 17/2014 – Department of Environment, Community and Local Government re. Provisional Local Property Tax Allocations 2015 – Meath County Council – Self-Funding Amount and revised Variation Notification to the Minister.

Noted and welcomed by the Councillors.

- 7.7 Circular Fin 18/2014 – Department of Environment, Community and Local Government re. Provisional Local Property Tax Allocations 2015 – Budget 2015.

Noted.

8 Notice of Question

8.1 Submitted by Councillor Francis Deane

“In the past five years what amount of money was allocated for emergency housing accommodation and if you could quantify the numbers of beneficiaries involved?”

Response

For the period January 2010 to October 2014, the total expenditure on emergency accommodation has been €530,631. A total of 385 households have been placed in emergency accommodation for the same period, with 1,943 appointments with the Settlement Officers. A breakdown per year is provided in the table below.

YEAR	EMERGENCY ACCOMMODATION EXPENDITURE	NUMBER OF HOUSEHOLDS PLACED IN EMERGENCY ACCOMMODATION	NUMBER OF APPOINTMENTS WITH SETTLEMENT OFFICERS
2010	€192,115	86	380
2011	€63,988	47	294
2012	€64,147	68	310



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2013	€120,831	89	445
2014 (Year to date)	€89,550	95	514
TOTAL	€530,631	385	1,943

The response was noted by the Councillors.

8.2 Submitted by Councillor Stephen McKee

“Can I ask the Chief Executive for a full update on all data compiled in relation to the proposed Duleek Bypass; what traffic management plans are proposed for Duleek given that HGV’s are choking the small town and given that traffic flow at the junction of the R150 and R152 in and out of Duleek has reached capacity according to the EPA.”

Response

Consultants were appointed in 2010 to work on the Duleek Bypass and they investigated route options and a preferred route was selected which differed from the one that was shown in the Duleek Local Area Plan at that time. No final decision regarding a possible revision of the Duleek LAP was taken. There is no funding available for the Duleek Bypass at present and the scheme is effectively deferred. In the interim, other compensatory traffic management measures in Duleek have been progressed. Proposals to provide a pedestrian crossing with a traffic calming table at the junction of the R150 and Abbey Road has recently been brought to the October Municipal District meeting. It is the Council’s intention to construct these works this year. In addition, further proposals for enhancement works along Main Street (which will include more traffic calming measures) are at an advanced stage of design and it is the Council’s objective to commence the Part 8 process for these early in 2015.

The response was noted by the Councillors.

8.3 Submitted by Councillor Gerry O’Connor

“Can the Chief Executive and Head of Finance provide to this Council the following:

1. *The total amount of commercial rates collected in the County in 2013*
2. *A break-down of this figure over the then five electoral districts.”*

Response

Area	Amount Collected
Kells	2,173,946
Trim	2,025,804



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Navan	2,422,705
Slane	2,910,883
Dunshaughlin	4,755,645
Global/Central	7,246,820
Total	21,535,803

These include the Large Utilities

Fiona Lawless, Head of Finance, clarified that the figures did not include the Town Councils.

The response was noted by the Councillors.

8.4 Submitted by Councillor Sean Drew

“Can the Chief Executive please outline the chain of events that have led to Meath County Council proposing to, utilise €700,000 in 2014 from the NPPR windfall received and €1.4million annually thereafter from LPT paid in County Meath, as repayments of capital and interest on the Land Aggregation Scheme Loan?”

In compiling the reply please outline:

- *The dates of purchase and cost of each of the parcels of land originally acquired.*
- *The total sum presently outstanding on these loans split between original loans acquired and interest accrued.*
- *A breakdown of the €1.4million proposed annual repayment between capital and interest.*
- *The present use being made of these lands and their current market value.*
- *Clarification as to why Meath County Council are now proposing to commence making repayments on these loans.”*

Response

The table below shows the original cost and current balance outstanding for the Land Acquisition Loans. During the budget process for 2014 no provision was made for the repayment of the loans as this was regarded as a national issue and would need to be resolved at a national level. Although not included in the original budget for 2014, Meath County Council cannot default on its liability to repay the loan. The loans that were originally taken out were for a seven year period with interest rolled up. On the maturity of the original loans, Meath County Council are required to renegotiate new loans.

A national submission was made in April 2014, “CCMA Submission to the Department of Environment, Community and Local Government on issue of Land Acquisition Loans and the Land Aggregation Scheme“. A further submission was made in August 2014 “CCMA Submission to the Department of Environment, Community and Local Government on issue of Land Acquisition Loans Cost Implications for Local Authorities“.



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The lands are leased annually on conacre to local farmers and would have to be valued to ascertain their current market value.

Draw Down Date	Original Loan	Balance Outstanding	Loan Duration	2015 Budget Costs Interest Only	2015 Budget Costs Principal only	2015 Budget Costs Interest & Principal	Location	Size of Land [ha.]
10/04/2007	18,495,000	22,415,000	25	410,225	733,511	1,143,736	Fearganstown Navan	11.61
09/05/2007	2,057,422	2,485,000	25	49,700	77,098	126,798	Fearganstown Navan	
23/10/2007	540,000	641,000	25	12,820	19,887	32,707	Kells	4.45
19/02/2008	4,500,000	5,281,000	25	96,650	81,489	178,138	Athboy - Bunboggan	7.39

Total 25,592,422 30,822,000 569,395 911,985 1,481,380

The response was noted by the Councillors.

8.5 Submitted by Councillor Maria O’Kane

“To ask the Chief Executive what funding, if any, is available to employ an Irish language officer for Meath County Council; how the Council fulfils its obligations with regards to the Irish language; and future plans to address this situation.

Response

In 2009, Meath County Council made an application to the Department of the Environment for sanction to appoint an Irish Language Officer but this request was refused on the basis of the Council being over its quota of staff numbers at that time. The Council is currently engaged in an exercise of Workforce Planning in the context of our requirements under Local Government Reform and our restructuring proposals. The employment of an Irish Officer would have to be considered as part of this overall exercise. Meath County Council is committed to meeting the requirements as provided for in the Official Languages Act, 2003, and the subsequent Regulations. Under the legislation, Meath Local Authorities developed an Irish Language Scheme and, in as far as is possible, has been introducing Irish language services across many areas including the provision of:

- Corporate publications (Annual Report, Corporate Plan, County Development Plan etc.) in both Irish and English
- Application forms in both Irish and English
- Bilingual signage at Meath County Council offices
- Bilingual Public Signage across the County e.g. road signage, placenames, warning signs etc.
- Irish only signage in Gaeltacht areas.



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- Customer Services e.g. all correspondence received in Irish is responded to in Irish; telephone greeting in Irish; dedicated staff in key departments to facilitate people who may wish to do their business in Irish.
- Irish Language learning opportunities to promote the Irish language and encourage staff to use it.
- Working with, and responding to, the office of An Coimisinéir Teanga to resolve issues raised by the public in relation to Irish language services.

The response was noted by the Councillors

Councillor O' Kane noted that the Question was submitted in Irish and in English and that the English version of the question and the response was issued. It was agreed that the response would be issued to all Councillors in Irish.

8.6 Submitted by Councillor Sinéad Burke

“Can the Chief Executive give an update on the setting up of a Meath Joint Policing Committee, and also confirm if there will be local committees of the same set up around the county? Is there a timescale decided on setting up these structures and has there been a budget allocated for same?”

Response

The establishment of the Joint Policing Committee will be in accordance with the Revised Guidelines for Joint Policing Committees (August 2014). The guidelines provide that Joint Policing Committees (JPC's) will now be aligned to the new local government structures, and will operate at a City and County level only. The guidelines allow for JPC's to consider the establishment of sub committees, with a view to addressing thematic issues rather than having a geographic basis. The establishment of an area based subcommittee, if deemed necessary by the JPC, is subject to the agreement of the JPC's Steering Group, comprising the chairperson of the JPC, and a representative of the local authority and An Garda Síochána respectively.

As the JPC will be operated in partnership between the local authority and An Garda Síochána, discussion will need to take place with the Chief Superintendent regarding the establishment of the JPC, and to ensure that the structure established matches their resources. Regard will also be had to the extent to which Council staff resources are available to effectively service the County JPC and any other thematic or district based sub committees, which may be established. A meeting is being arranged with the Chief Superintendent to discuss this matter.

The response was noted by the Councillors.



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8.7 Submitted by Councillor Damien O'Reilly

"Can the top soil from the Meath County Council land in Navan (Land Aggregation Scheme) be used for an engineering solution to the extension of Rooske, Graveyard in Dunboyne, which would provide some return on investment for the property tax payers in Meath from this land, as there is estimated €1.4m. in loan repayments due for this land coming from the Local Property Tax Fund."

Response

As detailed in previous reports and presentation to Area Meetings, importing material to Dunboyne is not a viable option. This issue has been discussed at length, and was raised during the life of the previous Council. It is intended to again meet with the members of the Ratoath Municipal District to further explain the constraints on site. It would be inadvisable to remove topsoil unnecessarily from any parcel of land as it would render the land redundant for agricultural use.

When topsoil is imported to a site it is only ever intended to be used as it is in-situ, that is as the upper layer of soil to facilitate vegetation growth. Topsoil would never be used exclusively as fill material.

The response was noted by the Councillors.

9 Notice of Motion

9.1 Submitted by Councillor Maria Murphy

"This Council welcomes Circular RSD 01/2014 on the control of Vehicle Speeds in Housing Estates, issued by Paschal Donohoe TD, Minister for Transport, Tourism & Sport, to all Local Authorities (following his meeting with the 'Jake's Legacy Campaign') requiring an examination of speed limits in residential areas and housing estates to improve road safety for cyclists and pedestrians, especially children; and requests the Chief Executive, in line with the circular, to initiate consultation with residents across our County with a view to determine the need for new bye-laws for 30 km/h limits for residential estates and additional selected safety zones."

The motion was proposed by **Councillor Maria Murphy** and seconded by **Councillor Sharon Tolan**.

Supporting Information

Meath County Council will make the requested submission to the Department regarding the control of vehicle speeds in housing estates by 7th November 2014. This will include proposals in relation to any consultations it will undertake to assist with the compilation of a list of estates where speeds are considered to be too high. Meath County Council confirms that it intends to undertake public consultation on what is proposed and seek submissions from those residents who believe there is a specific issue in their estates.



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The motion was unanimously adopted.

9.2 Submitted by Councillor Gerry O'Connor

"That this Council in light of the Government decision in Budget 2015 to lift the public service recruitment embargo, requests the Minister for Environment to prioritise Meath and provide the necessary additional funding to Meath County Council to enable the County achieve the national average per capita of staff levels as a minimum."

The motion was proposed by **Councillor Gerry O'Connor** and seconded by **Councillor Eugene Cassidy**

Supporting Information

The Council is engaged in an ongoing exercise of Workforce Planning in the context of its requirements under Local Government Reform and its restructuring proposals. A presentation in this regard was made to the October Council meeting covering the areas of Customer Service, Operations and outdoor staffing requirements. Discussions are ongoing with staff and union representatives with a view to introducing new structures early in 2015. These proposals will also be subject to further consideration by the Councillors in the forthcoming budgetary process.

The motion was unanimously adopted.

9.3 Submitted by the Fine Gael Councillors

"That this Council calls on the Government and the Department of Environment to re-introduce the Land Aggregation loan scheme or establish a new scheme with similar parameters to alleviate the financial burden that the closure of the scheme puts on Local Authorities."

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

9.4 Submitted by Councillor Noel French

"That Meath County Council prepare a plan for the commemoration of the 1916 Rising. This seminal event in Irish history should be recognised by the Council."

The motion was proposed by **Councillor Noel French** and seconded by **Councillor Ronan McKenna**

Supporting Information



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It is suggested that the proposal is referred to the Protocol Committee for consideration in conjunction with planned events at National level.

A lengthy discussion took place on the matter of the commemoration of the 1916 Rising in 2016. **Councillor Sean Smith** advised of the plan to commemorate the 'Battle of Ashbourne' and requested that a letter would issue to the Minister for Arts Heritage and the Gaeltacht to have it included on the national calendar of events. It was agreed that the Protocol Committee would consider the need for a separate committee to be put in place.

The motion was unanimously adopted.

9.5 Submitted by Kells Municipal District Councillors

"That Kells Municipal District calls on Meath County Council, as a collective body, to request the Minister for Transport to provide compensation to any household that pays for works to be completed under a CIS by way of a monetary write down in their LPT bill."

The motion was proposed by **Councillor Sarah Reilly** and seconded by **Councillor Eugene Cassidy**. Following a lengthy debate an amendment to the motion was proposed by **Councillor Brian Fitzgerald** and seconded by **Councillor Eugene Cassidy**

The amended motion:

"That Kells Municipal District calls on Meath County Council, as a collective body, to request the Minister for Transport to provide compensation to any household that pays for works to be completed under a CIS by way of a monetary write down in their LPT bill and that any compensation would be drawn from the 20% of funding in relation to this local authority."

The amended motion was unanimously adopted.

9.6 Submitted by Councillor Damien O'Reilly

"The members of Meath County Council agree to support the 'North East Pylon Pressure' group campaign against Eirgrid Pylons across County Meath and do not accept the decision by EirGrid and the Government to exclude the North-South 400kV interconnector project from a proper undergrounding route analysis."

The motion, proposed by **Councillor Damien O' Reilly** and seconded by **Ronan McKenna** was unanimously adopted.



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9.7 Submitted by Councillor Caroline Lynch

“Meath Sinn Féin Councillors ask that the SPC for Housing and Community review the existing structure for the allocation of housing to people with disabilities and documented medical conditions and to present a list of recommendations to ensure equality of outcome in terms of housing for many people on the current housing list who are among the most vulnerable in the county.”

The motion was proposed by **Councillor Caroline Lynch** and seconded by **Councillor Joe Reilly**.

Supporting Information

The Housing, Community & Cultural SPC will hold its initial meeting on the 11th November 2014, in order to determine its work programme for the coming year. It should be noted that any review of the existing structure for the allocation of housing to people with disabilities will need to be in the context of Meath County Council’s Allocation Scheme for Provision of Social Housing Support and the National Housing Strategy for People with a disability.

The motion was unanimously adopted.

9.8 Submitted by Councillor Maria O’Kane

“That all new housing developments in County Meath will have an Irish language name only.”

The motion was proposed by **Councillor Maria O’ Kane** and seconded by **Councillor Sinéad Burke**.

Supporting Information

The County Development Plan sets out the policy framework within which the Chief Executive administers the Development Management process.

Section 11.2.2.8 of the Meath County Development Plan states the following under “Names of Residential Developments .”

“The names of residential developments and roads shall reflect local place names, particularly town lands or local names which reflect the landscape, its features, culture and/or history within which developments are located, including names of historical persons who have some association with the area. Meath Co. Council shall approve the names chosen prior to launching of any advertising campaign for a development”

The Planning Compliance function considers estate names proposed by developers across the county with reference to this policy.



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In the event that the Councillors wish to further qualify the policy as stated above, a variation to the recently adopted County Development Plan is necessary. Councillors are advised that a variation may be moved for stated reasons. However, it is considered that the current policy affords developers the opportunity to propose Irish names with links to local landscape, culture, history or historical persons with an association to the area. Section 11.2.2.8 is considered to be a broad ranging provision well tailored to the needs of the County.

Following a lengthy debate an amendment was proposed by **Councillor Sharon Keogan** and seconded by **Councillor Maria Murphy** i.e. to insert the words '**where appropriate**' instead of '**only**'

Councillor Joe Bonner proposed that the wording of the motion passed at the Ashbourne Municipal District meeting should be inserted.

Kevin Stewart, Director of Services and Pat Gallagher, Senior Planner, both advised that the provision in the County Development Plan addresses the naming of residential developments and roads.

The motion was noted.

9.9 Submitted by Sinn Féin Councillors

"In order to ensure good governance and transparency, and to ensure the fairest possible distribution of same, that the entire sum of the proposed €480,000 "Members Discretionary Fund" be pooled together and spent on a maximum of 6 projects in 2015; that the administration of same be overseen by an identified representative group of elected members and Council officials and that a comprehensive protocol for appropriate use of these monies be agreed in advance."

Supporting Information

Under the General Municipal Allocation in the Draft Budgetary Plan, an allocation of €480,000 was set aside as a Discretionary Fund. As discussed at the Municipal District Meetings, the draft Meath County Council Budget will include a budget of €12,000 per Councillor. It will be a matter for the full Council at the Statutory Budget meeting to agree any alternative distribution.

This allocation is a draft provision only until approved by the Councillors at the Statutory Budget Meeting on the 24th November. A comprehensive protocol for appropriate use of these allocations will be prepared in advance of any drawdown of funds.

Councillor Darren O' Rourke advised the meeting that the motion was withdrawn.

An extension of time for 30 minutes was agreed on the proposal of **Councillor Eugene Cassidy** and seconded by **Councillor Francis Deane**.



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9.10 Submitted by Cllrs. Eugene Cassidy, Sean Drew, Michael Gallagher, David Gilroy, Johnny Guirke, Bryan Reilly, Sarah Reilly, Paddy Meade & Wayne Harding

“That this Council resolves to commence the process of varying the County Development Plan by adding the following policies to Section 8 “Energy and Communications.”

- 1. To limit the development of Wind Power in Meath on lower wind resource sites, deemed to have an average annual wind speed of less than 9 Metres per second at a hub height of 100 metres, to the provision of wind power for onsite consumption of electricity for commercial and residential use only, where a substantial portion of the electricity produced is used onsite, otherwise known as auto-producer production.*
- 2. To direct wind power generation development for the National Grid or for export use to sites, with an average annual wind speed in excess of 9 Metres per second at a hub height of 100 metres, in the interests of securing policy objectives of minimising the cost of wind energy, maximising efficiency of generation, and in the interests of sustainable planning and development.*

The Motion was proposed by **Councillor Eugene Cassidy** and seconded by **Councillor Sean Drew**.

Supporting Information

The resolution calls on Councillors to vary the Meath County Development Plan 2013-2019 insofar as it relates to wind energy. (Section 8.1.5).

Section 13 of the Planning and Development Acts 2000-2014 sets out the procedure for initiation of a variation stating **“a planning authority may at any time, for stated reasons, decide to make a variation of a development plan which for the time being is in force.”**

The Council must therefore set out its clear planning reasons and justification for proposing the variation.

It is important to advise Councillors, at this point, that the proposed resolution, if passed, is just the initial step in a statutory process which may or may not result in the variation of the Meath County Development Plan in due course. It does not have immediate effect nor can it inform the Council in the discharge of its statutory obligations unless and until the variation is formally made by this Council. The timeframe for completion of the variation process is set out later in this report for your information.

Councillors will be aware that Emlagh Wind Farm has lodged an application under the Strategic Infrastructure Development provisions of the Act with An Bord Pleanála. Meath Co Council is currently preparing its report for submission to An Bord Pleanála by 15th December 2014. This report will come before the Council at the December meeting.



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An Bord Pleanála is the competent Authority for SID applications. The Council is advised that the Board, in its consideration of the such applications, is not bound by the provisions of a County Development Plan.

Section 37G (6) of the Planning and Development Acts states ***“The Board may decide to grant permission for development, or any part of a development, under this section even if the proposed development, or any part thereof, contravenes materially the development plan relating to an area in which it is proposed to situate the development.”***

Furthermore, the attention of the Councillors is drawn to Circular Letter PL 20-13 (attached) issued on 20th December 2013 in the context of the ongoing review of the Wind Energy Guidelines and the Renewable Energy Export Policy and Development Framework.

The letter, from the Department of the Environment Community and Local Government, states ***“As the preparation or variation of Local Authority Development plans must take account of all relevant and up to date National policy, it is therefore advised that until both of the above national policy review processes have concluded, Local Authorities should defer amending the existing Development Plan policies as part of either the cyclical review or variation processes. They should instead operate their existing Development plan policies and objectives until the completion of these processes and advised otherwise by the department”***. “It should be noted that all draft variations must be referred to the Minister for comment and that Planning Authorities must have regard to any submission by the Minister in considering a variation.

The Minister for the Environment Community and Local Government also has statutory powers under Section 31 of the Planning and Development Acts 2000-2014 to direct a local authority to amend its development plan where the policies contained therein do not take sufficient account of the submissions made by the Minister or of national or regional policy. The members’ attention is drawn to the Ministerial direction to Westmeath County Council where they proposed to vary their Development Plan policies on Wind Energy in November 2013. Westmeath Co Council was subsequently directed to amend their variation on Wind Energy in order to comply with Government policy.

In the event that Councillors resolve to adopt this motion the following steps will have to be undertaken to give effect to the resolution.

1. The Council may have to procure Consultants to draft the variation and supporting text as the Council does not retain the specific competencies required in this area (allow 6-8 weeks).
2. The variation, when prepared, must be screened for environmental impacts and if it is determined that it may have significant impacts it will be necessary to prepare a scoping document and refer it to the Environmental Authorities (allow 6 weeks)



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3. The draft variation will then be placed before the full Council, prior to its publication.
4. The variation will be placed on public display for 4 weeks and will also be referred to various statutory and prescribed bodies for comments/observations.
5. The Chief Executive will have a further 4 weeks to prepare a report on submissions.
6. The Councillors will consider the variation, the submissions received and the report of the Chief Executive for a period of up to 6 weeks.
7. The Councillors may then make the variation or they may choose to further amend the variation. In that latter case, the amended text will be the subject of a further 4 week public consultation period.
8. In that event, the Chief Executive will then prepare a further report and submit it to the Councillors to make or reject the variation.

All the above processes are subject to ongoing assessment for the potential environmental impacts of the proposed variation.

In summary, the variation process set out above could potentially take up to 36 weeks to conclude, although it could be completed in a shorter period depending on:

- whether it is necessary to procure Consultants to prepare the variation;
- the number and nature of submissions to the statutory process;
- whether or not full environmental screening is necessary
- whether the Councillors, in due course, decide to further amend the proposed variation.

In conclusion, Councillors are strongly advised not to adopt the proposed notice of motion in light of the Ministerial guidance and advice, the precedent cases cited above and instead to await the publication of revised guidelines and then, if necessary, vary the plan to comply with any new Government policy. (See Circular Letter PL 20-13 below)

Following a lengthy discussion an amended motion was proposed by **Councillor Eugene Cassidy** and seconded by **Councillor Paddy Meade**.

The amended motion as follows:

“That this Council resolves to commence the process of varying the County Development Plan by adding the following policies to Section 8 “Energy and Communications.”

- (1) *To support generation of Wind Power in Meath by commercial and residential users, where a majority of the electricity produced is used directly by the business generator or residential generator (otherwise known as auto-producer production or producer consumption) subject to sustainable planning and development.*



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- (2) *To allow wind power generation for the National Grid or for export from Ireland, only on sites with average annual wind speeds greater than 9 metres per second, (measured at 100 metres above ground level,) in the interests of securing National and EU policy objectives, of minimising the cost of wind energy, maximising efficiency of generation, and in the interests of sustainable planning and development.*

The Chief Executive, in her response advised the Council against varying the County Development Plan and, should the Council adopt the Motion, it may be directed not to proceed.

The amended motion was unanimously adopted against the advice of the Chief Executive.

9.11 Submitted by the Fianna Fáil Councillors

“We call on Meath Council members to agree that under the draft Budget Document the €3,591,596 surplus from the Local Property Tax, collected in Meath and retained for discretionary purposes, be retained exclusively for projects in the municipal areas and that the totality of this fund be divided equally among the six municipal areas for expenditure in their areas.”

The motion was proposed by **Councillor Shane Cassells** and seconded by **Councillor Sean Drew**.

Supporting Information

The funding of Local Authorities has changed significantly over the last 5 years as can be seen from the chart below.

	2014	2013	2012	2011	2010	2009	2008
Local Government Fund	8,799,199	21,251,652	21,685,000	23,604,137	24,923,137	26,002,257	30,298,000
Budget Expenditure	97,284,572	99,383,420	101,489,700	98,273,300	100,188,201	102,210,483	120,001,440

The Local Government Fund has decreased significantly over the years and has been replaced by the Local Property Tax. Circular Fin 14/2014 shows a total of 14,366,384 LPT to be retained locally by Meath County Council.



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The LPT now replaces both the Local Government Fund and some centrally funded grants. The Council is still in the process of completing the 2015 budget. However, there are additional costs that have to be funded from the LPT including the following:

- provisional allocation of €480,000 retained for discretionary purposes at Municipal District level,
- loan repayment costs,
- additional staff costs,
- economic development costs,
- housing estate repairs,
- road maintenance costs.

Therefore, it is not anticipated that there will be any surplus available when all the above mentioned commitments are taken into account.

The draft budget setting out the detail of the above will be circulated to all Councillors before the Statutory Budget Meeting.

Following a short debate, the motion was defeated following a 'show of hands' vote.
For – 15, Against - 17, 8 - Absent

10 Chief Executive's Report and 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 Construction

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

Noted by the Councillors.

11 Presentations by other Bodies/Statutory Agencies

11.1 Presentation by the Slane Bypass campaign.

Two representatives from the Slane Bypass campaign made a presentation to the Council which outlined the current situation. The position was noted by the Councillors.



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12 Any Other Business