



## *Miontuairiscí/ Meeting Minutes*

### *Ordinary Meeting 5<sup>th</sup> December 2011, Council Chamber*

An Cathaoirleach, Councillor Eoin Holmes presided.

#### **Members Present:**

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

#### **Apologies:**

#### **Officials in Attendance:**

**County Manager** Tom Dowling

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

**Meetings Administrator** Martin Rogers

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

**Planning Staff:** Pat Gallagher

**Administrative Officer:** Olive Falsey

#### **1.0 Confirmation of Minutes**

- 1.1 Confirmation of minutes of monthly meeting held on 7<sup>th</sup> November 2011.  
The minutes of monthly meeting held on 7<sup>th</sup> November 2011 were confirmed on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Willie Carey**.
- 1.2 Confirmation of minutes of special housing meeting held on 24<sup>th</sup> October 2011.  
The minutes of special housing meeting held on 24<sup>th</sup> October 2011 were confirmed on the proposal of **Councillor Ann Dillon -Gallagher** and seconded by **Councillor John V. Farrelly**.

#### **2.0 Matters arising from the Minutes**

- Item 5.2.2 of Minutes of 7<sup>th</sup> November: **Councillors Oliver Fox and Bryan Reilly** requested that the minutes be amended to reflect that they endorsed the Council's decision to provide a loan to Moynalty Tidy Towns Committee.
- Item 5.1.3 of Minutes on 7<sup>th</sup> November 2011: **Councillor Cassells** requested that the official position be clarified on the Rail Order for the Navan Rail line in light of the recent decision not to include the project in the National Development Plan.

#### **3.0 Expressions of Sympathy and Congratulations**

Sympathy was extended to:

- Seamus Quinn, Trim Waterworks, on the death of his mother.

Congratulations were extended to:

- Ballivor G.F.C. on their reaching the Leinster Club final.



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- Skryne N.S. on its Stained Glass Project which was recently displayed at the offices of the Heritage Council in Kilkenny.

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

#### **5.0 Statutory Business**

##### **5.1 Planning**

5.1.1 To consider the taking in charge of Cluain Rí Estate, Trim Co Meath as recommended by the Trim Area Members at the November monthly Committee meeting on Monday 21<sup>st</sup> November 2011.

Approved on the proposal of **Councillor Jimmy Fegan** and seconded by **Councillor Willie Carey**.

5.1.2 To consider the taking in charge of Beechwood Estate, Ballivor Co Meath as recommended by the Trim Area Members at the November monthly Committee meeting on Monday 21<sup>st</sup> November 2011.

Approved on the proposal of **Councillor Tracy McElhinney** and seconded by **Councillor Jimmy Fegan**.

5.1.3 To receive Progress Report on the implementation of the recommendations from the Report of the Review Group on Darlington Properties v MCC.

County Manager, Tom Dowling informed the meeting that the recommendations as set out in the Darlington Report were being addressed as follows:

- A Steering Group comprising Tom Dowling, Fiona Lawless, Tadhg McDonnell, Michael Griffin and Pat Gallagher has been put in place.
- A Working Group comprising Nicholas Whyatt, Bernard Greene, Fergus O'Rourke, David Caffrey, Mark Harrington, Caroline Power, has been established and will report to the Steering Group.
- The objective of these groups is to drive forward a change programme in the Planning Department having regard to the recommendations of the Review Group and every staff member will have an opportunity to meet with the Working Group.
- Fiona Lawless, Head of Finance has been assigned the added responsibility of Risk Management, Corporate Governance and Procurement. A Senior Executive Engineer will take responsibility for procurement for the whole organisation reporting to the Head of Information Technology, Fergus O'Rourke. In addition, an Administrative Officer (Grade 7) has been assigned to the internal audit section from where she will manage risk management and corporate governance for the organisation.
- In the area of Risk Management, all Departments have now assessed and analysed the important risks in their areas and all of these will feed into the overall Corporate Risk Assessment and Strategy.

The Manager outlined that major changes are needed and that the Planning Department needs to be restructured and aligned to other Departments. He informed the meeting that Planning will now be



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aligned to Strategic Transportation. Strategic Transportation will operate from the Planning Department at Abbey Road while the day to day operations will remain at Co. Hall.

It is also intended to have a facilitated workshop between Councillors, the staff of the Planning Department and the County Manager on the 24<sup>th</sup> January 2012. The County Manager confirmed that a further progress report will be presented at the March meeting. The County Manager also informed the meeting that a high level monitoring group is in place to assess legal cases being taken against the Council.

Tadhg McDonnell, Director of Services, (Planning) outlined that there were three very important recommendations in the Darlington Report i.e. one, two and eighteen and there is an agreed timeframe for the implementation of these and all the recommendations as set out in the appendix to the report of the County Manager.

The Members welcomed the progress to date, thanked the Co. Manager for the Report and it was received on the proposal of **Councillor Tommy Reilly** and seconded by **Councillor John V. Farrelly**.

### 5.1.4 **Proposed Variation No. 12 (Core Strategy) County Development Plan 2007-2013**

To receive the Manager's report on submissions and observations received regarding proposed Variation No. 12, Core Strategy, (modifications) of the Meath County Development Plan 2007-2013 in accordance with Section 13 of the Planning and Development Acts 2000-2011.

Tadhg McDonnell advised that this Manager's Report follows the further period of consultation and will be put before the Council for consideration at the January meeting.

### 5.1.5 **To receive an update on commencement of Section 261(A) of the Planning & Development Act 2000-2011 (Quarry Regulation).**

Michael Griffin, Senior Executive Officer, made the presentation. Following the presentation, the following issues were raised:

- Owners should be advised in writing (registered post) of the situation regarding compliance. Some of these operations are small family-run businesses that give employment.
- Will the council get compensation for damage to roads as a result of illegal quarries?

Michael Griffin responded and informed the meeting that the types of quarries not registered are older sites with intermittent use and that the thrust of the legislation is to deal with larger quarries.

He indicated that the issues regarding compensation for damage to roads are not provided for in this legislation.

It was noted that the Council is doing exactly as required under the legislation and does not intend to write to individuals. However it was pointed out that advertisements will be put on local radio and on the Council's web site.



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### **6.0 Report from Protocol Committee**

The Meetings' Administrator advised the meeting of correspondence circulated regarding the proposed changes to Directorates/Structures effective from 3<sup>rd</sup> January 2012. He also advised that the book of staff contacts for Members is currently being updated and will be circulated early in 2012.

### **7.0 Correspondence**

7.1 Correspondence from Office of Minister for Health dated 29<sup>th</sup> November 2011 re provision of regional hospital at Navan.

There was general disappointment expressed with the contents of the letter from the Minister. Following a lengthy discussion, it was agreed that a meeting should be sought, in January, with the Meath Oireachtas Members to discuss the matter. It was also agreed that clarification regarding the content of the letter should be sought from the Minister as follows:

- Confirmation that a regional hospital will be provided for the north-east.
- That Navan is still the preferred location for this hospital.
- Confirmation of the proposed timescale for the provision of the regional hospital.

7.2 Correspondence from Planning & Housing section of Department of Environment Community and Local Government dated 22<sup>nd</sup> November 2011 re Draft Guidelines for Planning Authorities on Retail Planning – Consultation.

The draft guidelines document was circulated and the meeting was informed that submissions would be required by 20<sup>th</sup> December. Issues raised included:

- Short timescale for consultation.
- The proposed reduction in retail floor space cap for Meath area from 3,500 sq. metres to 3,000 sq. metres and the increase from 3,500 to 4,000 sq. metres for the four Dublin local authority areas.
- That Meath should not be put at any further disadvantage with what is being proposed in the draft guidelines.
- The Council has control through the Development Plan and the Local Areas Plan process.
- County boundaries are not relevant as people will travel to where services are available.

Pat Gallagher, Senior Planner clarified the specific proposals in the guidelines, which seeks to reduce the retail floor space cap in Meath by 25%.

Tadhg McDonnell, Director of Services advised that the draft guidelines seek to promote the value of town centres and referred to pages 35 (5.7) which deals with the 'Impact on Vitality and Viability of City and Town Centres'.

The County Manager outlined that the Guidelines are of concern and welcomed the full debate on the matter. He informed the meeting that a submission would be prepared by the Planning Department which will reflect the concerns of the Councillors. This submission will be available at the statutory Budget Meeting.



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### **8.0 Presentation**

It was agreed on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Ann Dillon-Gallagher** that the presentation on Meath Tourism would be made at this point. James Brennan made the presentation, which was followed by a lengthy discussion. Issues that were raised included:

- All major national events should be seen as tourism opportunities e.g. European Soccer Championships 2012, Eucharistic Congress 2012.
- Hill of Tara site closed September to May. Suggestion that sites could be open to the public on 1<sup>st</sup> week in January when schools are closed.
- 270,000 visitors come by bus to Newgrange World Heritage Site every year but don't visit any other part of County Meath. This won't be helped by Fáilte Ireland's proposal to take the tourism information facility out of Newgrange Centre.
- Battle of the Boyne site and the link with Scarva mock battle festival should be developed as a tourism opportunity.
- North Meath needs better promotion especially the heritage sites around Loughcrew and the small towns and villages.
- Beach tourism should be explored.
- Meath has so much to offer e.g. heritage, activities (Tayto Park/Rathbeggan Lakes, Rás), quality public buildings etc.
- Difficult to secure sponsorship. Suggestion to attach promotional tourism messages to emails issuing from corporate bodies.

The Councillors acknowledged the sterling work of Meath Tourism especially during the hosting of the Solheim Cup.

### **9.0 Notice of Question**

8.1 Submitted by Councillor Francis Deane:

*"Can the Manager please provide a progress report regarding the works being carried out at Carne Hill Reservoir and indicate the proposed completion date?"*

A written response was provided to the Councillor by Gerry Boyle, Acting Director of Water Services. Clarification was sought by Councillor Deane on the start date of the reservoir. Gerry Boyle, A/Director of Services advised that the Council is awaiting Department approval to appoint a contractor and works will commence immediately this happens.

8.2 Submitted by Councillor Wayne Harding:

*"Should the Slane Bypass get the relevant planning needed from An Bord Pleanála? Can the Manager confirm reports that there will indeed be funding to progress with Compulsory Purchase Orders?"*

A written response was provided to the Councillor by Des Foley, Director of Services, Housing and Transportation. Councillor Harding sought clarification on available funding to purchase the land. Des Foley, Director of Services advised that subject to confirmation of CPO, the Council will seek funding from the NRA.

8.3 Submitted by Councillor Shane Cassells:

*"In light of Paypal's decision not to locate in Navan can the Manager outline the specific steps that have been taken since the launch of the Council's new jobs plan"*



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*under each of the six key headings identified and where the six figure sum allocated has been invested in our important drive to create jobs”.*

A written response was provided to the Councillor by Kevin Stewart, Director of Services, Economic Development. Councillor Cassells sought clarification on the communication between the IDA and the Council regarding business development in the County and the progress regarding the Business Development Plan launched earlier in the year. Kevin Stewart, Director of Services, Economic Development advised that work is continuing on the plan and a number of the initiatives have already been advanced. He also advised that it was his understanding that the IDA focus is on gateway towns and that Meath is now serviced by the Sligo office.

### 8.4 Submitted by Councillor Tommy Reilly:

*“Can the Manager tell me why there is only one engineer from the Roads Section available to meet business people who want to develop in this county?”.*

A written response was provided to the Councillor by Des Foley, Director of Services, Housing and Transportation.

### 8.5 Submitted by Councillor Nick Killian:

*“To ask the Manager can he indicate (a) the amount of funding presently being held in the Community Amenity account of MCC, broken down by Electoral areas (b) the monies which have been paid out to organisations in 2011 and (c) a breakdown of the Community Grants issued but not availed of by organisations, over the past 3 years?”.*

A written response was provided to the Councillor by Kevin Stewart, Director of Services, Corporate, Community and Economic Development. Councillor Killian sought clarification on the position with regard to funding for the Dunboyne Sports and Recreation Park and it was agreed that the position would be checked. Councillor Killian referred to another case where the drawdown of funding was delayed due to legal issues and it was clarified by Tadhg McDonnell, Director of Planning who was familiar with the case that the delay was linked to the confirmation of the legal status of the body that applied for the grant.

## 9.0 Notice of Motion

### 9.1 Submitted by Dunshaughlin Area Members:

*“The Dunshaughlin Area Committee call on Meath County Council to request the Department of Social Protection in conjunction with the Department of Environment Community and Local Government to provide an initiative similar to the CE scheme whereby persons from the Live Register can be recruited directly by the Local Authority and under the supervision of the Local Authority to carry out works which cannot be otherwise be undertaken due to the restrictions on staffing”.*

Following a detailed discussion the motion, proposed by **Councillor Brian Fitzgerald** and seconded by **Councillor Maria Murphy**, was adopted and it was agreed to write to Department of Social Protection and to the Department of Environment Community and Local Government regarding the matter.

### 9.2 Submitted by Councillor Sirena Campbell:

*“To ask the Council to support the proposal that the new suspension bridge*





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*spanning the River Boyne on the M1 motorway at Drogheda be formally named the “President Mary McAleese Bridge”*

The motion, proposed by **Councillor Sirena Campbell** and seconded by **Councillor Tommy Reilly** was amended to remove the word ‘President’, and was adopted unanimously. It was agreed, in advance of submitting the proposal to the NRA, that the Council would seek the former President’s approval in writing to proceed with this proposal.

### 9.3 Submitted by Fianna Fáil Group:

*“With over 440,000 septic tanks in Ireland we are concerned that the Water Services Amendment Bill 2011, as published has enormous cost implications for most rural households including fees, maintenance, upgrades and legal costs.*

*We call on this Council to request the Minister to defer the taking of the Bill for six months so that the cost, standards and other implications of the proposed legislation can be addressed fully.*

*Furthermore we seek an urgent meeting between Meath County Council and the Minister to discuss this vital issue and seek grant aid for people who are faced with upgrade costs”.*

The motion was proposed by **Councillor Nick Killian** and seconded by **Councillor Jimmy Fegan** and a lengthy debate took place which highlighted a number of issues that included:

- Cost of registration and the Council’s capacity to pursue those who don’t register.
- Potential cost of upgrades to septic tank systems following inspections and no provision made in the Bill for grant assistance.
- Need to address this issue because of EU ruling and duty to ensure water quality.

It was agreed to extend the meeting until 6.15p.m. on the proposal of **Councillor Shane Cassells** and seconded by **Councillor Wayne Harding**.

- The inspections are necessary to establish the extent of the problem.
- The Fine Gael group opposed the motion and deemed it scaremongering.
- Motion seeks to defer the Bill and to seek a meeting with the Minister.
- Concern expressed that the motion is just a delaying tactic.

It was agreed to extend the meeting until 6.30p.m. on the proposal of **Councillor Shane Cassells** and seconded by **Councillor Noel Leonard**.

A roll call vote was taken as follows:

Councillor	Vote
Cllr. Joseph Bonner	Absent
Cllr Sirena Campbell	Absent
Cllr. Willie Carey	Against
Cllr. Shane Cassells	For
Cllr. Eugene Cassidy	Against
Cllr. Jimmy Cudden	Absent
Cllr. Francis Deane	Abstain
Cllr. Ann Dillon Gallagher	Against



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Cllr. John V. Farrelly	Against
Cllr. Jimmy Fegan	For
Cllr. Brian Fitzgerald	Absent
Cllr. Joe Fox	Against
Cllr Oliver Fox	For
Cllr. Wayne Harding	For
Cllr. Jim Holloway	Against
Cllr. Eoin Holmes	Against
Cllr. Suzanne Jamal	Against
Cllr. Nick Killian	For
Cllr. Noel Leonard	For
Cllr. Tracy McElhinney	Abstain
Cllr. Niamh McGowan	Against
Cllr Jenny Mc Hugh	Absent
Cllr. Maria Murphy	Against
Cllr. Gerry O'Connor	Against
Cllr. Seamus O'Neill	Absent
Cllr. Bryan Reilly	For
Cllr. Joe Reilly	Absent
Cllr. Tommy Reilly	Absent
Cllr. Catherine Yore	Abstain

The Meetings Administrator confirmed the result as. For: 7, Against: 11, Abstain: 3, Absent: 8 The motion was declared defeated.

### **10.0 Schedule of Manager's & Approved Orders (For Information Only)**

#### 10.1 Schedule of Manager's Orders – Infrastructure

Noted

#### 10.2 Schedule of Manager's Orders – Environment

Clarification was sought regarding order No. 073/2011 and the meeting was informed that the invoices were outstanding for 10 years and a decision was made that a number of them would be written off.

#### 10.3 Schedule of Manager's Orders – Housing Construction

Noted

#### 10.4 Schedule of Manager's Orders – Community & Enterprise





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Noted

### **11.0 Presentations**

- 11.1 To receive presentation on Meath Tourism activities and plan.  
See No. 8.0 above

### **12.0 Any Other Business**

The following matters were raised:

- The announcement in the Budget regarding a proposed cut in fuel allowance to 26 weeks.
- Councillor McElhinney raised the matter that the protocol for the Cathaoirleach is not being observed by certain bodies in the County.
- Reference was made to the delay regarding a recommendation made in June 2010 that only came to the full Council today for the taking in charge of the Beechwood Housing Estate in Ballivor.