



## **Miontuairiscí / Meeting Minutes**

### **Ordinary Meeting 2<sup>nd</sup> December 2013, Council Chamber**

An Leas Cathaoirleach, Councillor Maria Murphy presided.

#### **Members Present:**

Councillors Joe Bonner, Sirena Campbell, William Carey, Shane Cassells, Eugene Cassidy, Jimmy Cudden, Francis Deane, Ann Dillon-Gallagher, Jimmy Fegan, Brian Fitzgerald, Oliver Fox, Wayne Harding, Jim Holloway, Eoin Holmes, Suzanne Jamal, Nick Killian, Tracy McElhinney, Niamh McGowan, Jenny McHugh, , Gerry O'Connor, Bryan Reilly, Joe Reilly, Tommy Reilly, Catherine Yore.

**Apologies:** An Cathaoirleach, Cllr. John V. Farrelly, Cllrs. Joe Fox, Noel Leonard, Arian Keogan

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

**County Manager:** Jackie Maguire

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

**Meetings Administrator:** Shane Donnelly

**Senior Executive Officers:** Larry Whelan, Michael Griffin

**Planning Staff:** Bernard Greene, Senior Executive Planner

**Administrative Officer:** Olive Falsey

**Councillor Joe Reilly** requested an update from the County Manager in relation to the fire safety issues at the Kentswood Court Apartments, Navan.

County Manager, Jackie Maguire, provided the following statement to the meeting:

*Members will have been aware of recent media coverage with respect to the issue of an apartment complex at Kentswood Court Navan, and will have received the statement that the Council issued to the media.*

*Overall, this is a matter between the Receiver and the tenants of Kentswood Court.*

*The Council can confirm that an application was made by Vicarage Green Ltd., for a fire safety certificate for the development (ref. FS05/327) in 2006. The application was refused as it did not comply with the requirements of the Building Regulations 1997. The applicant did not appeal the refusal to An Bord Pleanála. It should be noted also that no commencement notice was received by the Council.*

*The Receiver, Grant Thornton, intends to regularise the certification of fire safety and to this end requested a meeting with the Fire Authority. Meath County Council acting in its capacity as fire authority carried out an inspection under the Fire Services Act, at the request of the Receiver in respect of his concerns regarding the internal layout of the development. The Receiver and his fire consultant identified a number of remedial actions which were acceptable to the Fire Authority. The Council understands that arrangements are being made to complete these remedial works.*



## Miontuairiscí / Meeting Minutes

*The Building Control (Amendment) Regulations 2009 introduced a number of new application processes, including one with respect to the issue of a Regularisation Certificate. This Certificate is required where works have been carried out (i.e. commenced or completed) to a building (inc. extension, material alteration, material change of use) which doesn't have either a Fire Safety Certificate or where a '7 Day Notice' has not been submitted. An application for a Regularisation Certificate must be accompanied by 'as constructed' drawings and a 'Statutory Declaration' that the works are in compliance with Part B (fire safety requirements) of the Building Regulations. Regularisation Certificates will not have effect unless any conditions attached and/or any additional works required by the Building Control Authority have been carried out within a period of 4 months. The aspect of tenants' rights has been mentioned in the media. This is not a matter for the Council; the Residential Tenancies Act, 2004, has been enacted to protect tenants' rights, and the Council understands that the receiver has made alternative arrangements in this regard. The Council, through its Fire and Building Control sections, carry out a significant number of inspections each year. What must be understood, however, is that any development requires a certificate of compliance from a professional consultant in order to certify that design and construction is in conformity with relevant planning and fire safety legislation. It is also important to note that the burden and responsibility for compliance rests first and foremost with developers/builders.*

The statement was noted by the Cathaoirleach and the Members.

**Councillor Nicholas Killian** requested a suspension of Standing Orders, seconded by **Councillor Joe Bonner**, to discuss the matter of the planned closure of the Social Welfare office in Ashbourne. **Councillors Killian and Bonner** highlighted the impact of the proposed closure on vulnerable people and it was unanimously agreed that a letter would issue to the Minister for Social Protection seeking a reversal of this decision.

### 1.0 Confirmation of Minutes

- 1.1 Confirmation of minutes of Ordinary meeting held on 4<sup>th</sup> November, 2013. The minutes of Ordinary meeting held on 4<sup>th</sup> November, 2013 were confirmed on the proposal of **Councillor Ann Dillon- Gallagher** and seconded by **Councillor Tommy Reilly**.

### 2.0 Matters arising from the Minutes

- 2.1 With regard to item 4.1 i.e. Disposal of land comprising of 11.595 hectares in the townland of Ferganstown and Ballymacon, Navan, County Meath to the Housing Agency/Housing & Sustainable Communities Ltd (HSC Ltd), Councillor Cassells asked for an update on the current situation. The County Manager advised that the application made by the Council had not been declined but returned on the basis that the loan for the particular lands does not become due for repayment until mid 2014. She informed that the application would be submitted again at the end of quarter one, 2014. It was noted that the current situation is an Issue for most Local Authorities and that it will come down to a matter of when funding will become available to continue the Land Aggregation Scheme.



## ***Miontuairiscí / Meeting Minutes***

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

Sympathy was extended to:

- Florrie Caldwell, Housing Department on the death of her father-in-law Matthew Caldwell.
- Councillor Brian Fitzgerald on the death of his cousin Barry Fitzgerald.
- Bernard Carroll, Trim Office, on the death of his mother, Margaret Carroll.
- Councillor Joe Fox on the death of his father, Richard Fox.

Congratulations were extended to:

- Garden City Estate, Ashbourne and the Slane Development Forum on their participation in the All Island Pride of Place competition.

### **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 receive the Manager's Report on submissions received in response to the publication of development proposals pursuant to Part 8 of the Planning & Development Regulations 2001 – 2012 to construct a shared pedestrian and cycle greenway facility along the disused Navan to Kingscourt rail line.

County Manager, Jackie Maguire advised that presentations on the submissions had been made at both the Navan and Kells area meetings and that Bernard Greene, Senior Executive Planner, would address any further questions, if required.

The Report was received and noted on the proposal of **Councillor Eugene Cassidy** and seconded by **Councillor James Holloway**.

#### **5.2 Transportation**

- 5.2.1 To receive and consider the Manager's Report under Section 38 of the Road Traffic Act 1994 & Section 46 of the Public Transport Regulation Act, 2009 on the preparation of a scheme to carry out improvement works to footpaths, cycle paths, pedestrian crossings and roads within Ashbourne town centre and surrounds along the R135 as recommended by the Dunshaughlin Area Members. Approved on the proposal of **Councillor Joe Bonner** and seconded by **Councillor Gerry O' Connor**.
- 5.2.2 To receive and consider the Manager's Report under Section 38 of the Road Traffic Act 1994 & Section 46 of the Public Transport Regulation Act, 2009 on the preparation of a scheme to construct

## **Miontuairiscí / Meeting Minutes**

c. 21km of a shared pedestrian and cycle greenway facility along the towpath lands adjacent to the Royal Canal from the Kildare border at McLoghlin Bridge in the townland of Ferrans to the Westmeath border in the townland of Croboy (this has been amended to the Ferns Lock in the townland of Cloncurry) as recommended by Dunshaughlin Area members.

The County Manager advised that in order to allow issues to be clarified for the Trim Area Councillors, the item would be deferred to the January, 2014, meeting. Agreed on the proposal of **Councillor Willie Carey** and seconded by **Councillor Gerry O'Connor**.

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

The Meetings' Administrator advised of the following recommendation from the Protocol Committee:

- To accept an invitation issued to the Cathaoirleach from the Meath Association, London to attend its annual dinner dance on the 6<sup>th</sup> December, which this year will raise funds for the Laura Lynn Children's Hospice. It was agreed that the Cathaoirleach would attend the function.
- To host a civic reception to recognise the appointment of the Rev. Patricia Storey as Bishop of Meath and Kildare; she is the first woman to be appointed a bishop in the Church of Ireland.

Councillor Cassells requested updates on:

- The correspondence issued regarding the request for a meeting with the local T.D.'s regarding developments on the Regional Hospital.  
*The Meetings' Administrator informed that a meeting has been arranged for the week beginning 20<sup>th</sup> January, 2014 and confirmation of the date of this meeting will be communicated in due course.*
- The correspondence issued earlier in the year for a meeting with the Minister for Jobs, Enterprise and Innovation, Richard Bruton T.D.  
*The County Manager advised that the Minister referred this matter to the executive of the IDA. It was noted that one meeting had been held and that the Council would continue to engage with the IDA regarding potential economic investment in County Meath.*

### **7.0 Correspondence**

- 7.1 Letter from National Transport Authority **(in response to Notice of Motion passed at the October Monthly Meeting)**.  
**Noted** – It was agreed to invite the National Transport Authority to the February monthly meeting of the Council.



## Miontuairiscí / Meeting Minutes

7.2 To note information on the Draft Traveller Accommodation Plan 2014-2018.

**Noted**

7.3 To note Circular Fin 05/2013 re. 2014 Budget meeting and other budget matters.

**Noted**

7.4 Letter from Irish Water re. Irish Water engagement with Local Elected Representatives.

- Councillor Killian raised the matter of local employment by Irish Water and if information could be provided. He also raised the matter of safety in housing estates during the installation of meters. Tadhg McDonnell, Director of Services, advised that the employment of staff is a matter for Irish Water but that the Council would request information on the matter. It was noted that no complaints had been received regarding the safety issues in housing estates but that the matter would be investigated.
- Councillor Bonner raised the issue of the ongoing water outages in Ashbourne and asked if Irish Water will be investing in improvements to the supply. The County Manager advised regarding the complexities of the transition process including the forthcoming signing of the Bill establishing Irish Water as the water authority, the development of service level agreements and the development of an agreed service action plan.

### 8.0 Notice of Question

8.1 Submitted by Councillor Francis Deane

*"In relation to water supply what is the emergency reserve capacity held for Navan, Trim and Kells?"*

A response was provided by Tadhg McDonnell, Director of Services, Environment & Water Services, Fire & Emergency Services as follows:

*Reservoirs for each of the towns mentioned have capacity, based on current consumption, of circa 24, 24 and 20 hours storage respectively. In addition, all consumers (both commercial and domestic) are expected to provide 24 hour storage within their own internal plumbing systems, based on their own consumption demand.*

### 9.0 Notice of Motion

9.1 Submitted by Councillor Gerry O'Connor

*"That this Council calls on the Government to give official recognition to Irish Sign Language which would improve the lives and well-being of our deaf and hard of hearing citizens."*



## **Miontuairiscí / Meeting Minutes**

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

- 9.2 Submitted by Councillor Jenny McHugh  
*"In an effort to improve the lives and well-being of our deaf and Hard of Hearing citizens, that this Council calls on the Government to give official recognition status to ISL, Irish Sign Language.  
Furthermore, in the context of both enhancing the lives of our Deaf and Hard of Hearing citizens and adhering to the spirit and ethos of the United Nations Convention on the rights of Persons with disabilities that Meath County Council calls on the Government to give official recognition status to Irish Sign Language (ISL) especially to Article 21 that states 'recognising and promoting the use of sign language most likely requiring implementing legislation'. Also Article 24-3b 'facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community.'"*

The motion, proposed by **Councillor Jenny McHugh** and seconded by **Councillor Joe Bonner**, was unanimously adopted.

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

- 10.1 Schedule of Manager's Orders - Infrastructure
- 10.2 Schedule of Manager's Orders - Environment
- 10.3 Schedule of Manager's Orders – Housing Construction

Noted

### **11.0 Presentations by other Bodies/Statutory Agencies**

(None)

### **12.0 Any Other Business**

The following items were noted:

- A request for directional signage for Slane village to be placed on the M1.
- A request for information on recent the announcement by Jan O'Sullivan, Minister of State, Department of Environment, Community and Local Government with special responsibility for Housing and Planning on Social Housing Investment.
- A request for another letter to issue in relation to rent supplement.