



Miontuairiscí / Meeting Minutes

Ordinary Meeting 4th February, 2013, Council Chamber

An Cathaoirleach, Councillor Niamh McGowan presided.

Members Present:

Councillors Joe 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, Eoin Holmes, Suzanne Jamal, Arian Keogan, Nick Killian, Noel Leonard, Tracy McElhinney, Jenny McHugh, Maria Murphy, Gerry O'Connor, Bryan Reilly, Tommy Reilly, Catherine Yore.

Apologies: Cllr. Joe Reilly

Officials in Attendance:

County Manager Brendan McGrath

Directors of Service: Kevin Stewart, Fiona Lawless, Brendan McGrath, Des Foley. Joe Fahy (Acting)

Meetings Administrator Shane Donnelly

Senior Executive Officers: Larry Whelan, Michael Griffin

Planning Staff: Pat Gallagher, SP, Nick Whyatt, SE, Michael Griffin, SEO, Siobhán McAleese, SO

Administrative Officers: Olive Falsey, Claire King

Executive Scientist: Lara Fagan

1.0 Confirmation of Minutes

- 1.1 Confirmation of minutes of Ordinary meeting held on 14th January, 2013.
The minutes of Ordinary meeting held on 14th January, 2013, were confirmed on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Maria Murphy**.

2.0 Matters arising from the Minutes

No matters arising.

3.0 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- The family of the late Cllr. Paddy Traynor, former Chairperson of Meath County Council.
- The family of the late Garda Adrian Donohoe
- The family of the late Laurence Smith, father of former employees Veronica Rogers and Ann-Marie Smith.

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Congratulations were extended to:

- Solstice Arts Centre on winning a LAMA Award for best public building.

4.0 Statutory Business

4.1 Planning

4.1.1 **To consider** the Manager's Report on submissions received in respect of proposed amendments to the Meath County Development Contribution Schemes 2010-2015 and if thought fit, to resolve to make the amendments, or to vary or modify the amendments to the Scheme otherwise than as recommended in the Manager's Report, or otherwise decide not to make amendments to the Meath County Development Contribution Schemes 2010-2015, in accordance with Section 48 of the Planning & Development Acts 2000-2012

Michael Griffin, S.E.O., made the presentation on the nine submissions received and the proposed amendments.

The following submissions were received:

Submission 1 - Cllr. Eugene Cassidy

Issues Raised

- Circular PL07/12
- Broadband waivers, issue full permissions

Manager's Recommendation – Accept Submission - to amend as follows

"Relates to all free standing telecommunications support structures including those in place for Telephone, Radio and TV relay or broadcasting only . The contribution is a once off non refundable payment in respect of each mast. Subsequent applications to extend the life of temporary permissions indefinitely shall not be liable for this contribution. Contributions shall not apply to any structure for the provision of Broadband capacity or any other structure, including telecommunications structures, capable of co- hosting telephone, radio or TV, as well as Broadband capacity."

Agreed as recommended by County Manager on the proposal of **Councillor John V. Farrelly** seconded by **Councillor Willie Carey**.

Submission 2 - Sherry Solicitors on behalf of Joseph & Patrick Wall

Issues Raised:

- Relief from levies for hard standing areas
- Waiver or reduced contributions for temporary permissions

Manager's Response

- Accepts disproportionate burden
- Cites existing exemption for ancillary hard standing areas

Manager's Recommendation - to include the following exemption

Temporary planning permissions for a maximum of 5 years shall be levied at a rate equivalent to 33% of the development contribution normally attributable to a

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permanent development of that class and scale. In the event that the temporary permission is extended for an additional period, the full rate shall be applicable. In such circumstances, credit will be applied for the development contribution paid in respect of the earlier temporary permission.

Agreed as recommended by County Manager on the proposal of **Councillor Noel Leonard** seconded by **Councillor Maria Murphy**.

Submission 3 - MCC Environment Department

Issues Raised:

- Use of Development Contribution to fund land acquisition for Burial Grounds

Manager's Response:

- Cites Draft Burial Ground Survey
- Environment SPC
- Identified need in various locations
- DCS available for land acquisition and delivery of community facilities

Manager's Recommendation - to amend Appendix A

To include "**Site acquisition and provision of Burial Grounds**" in Appendix A: Range of Projects which may be funded from Development Contributions under Class 3 Social Infrastructure of the Meath County Development Contribution Schemes 2010 – 2015.

Agreed as recommended by County Manager on the proposal of **Councillor Willie Carey** seconded by **Councillor Tommy Reilly**.

Submission 4 - Carroll Estates Dublin Ltd.

Issues Raised:

- Pro rata reduction in residential contributions
- Refer to Tender Price Index

Manager's Response:

- Current focus is on economic activity
- Await Core strategy variations
- Comparable rates & 10% discount
- Apply indexation only where reduction applies

Manager's Recommendation - to amend section 11(b)

Contributions under the Scheme shall be payable in accordance with the conditions of permission. Contributions shall be payable at the index adjusted rate (Wholesale Prices Indices – Building & Construction (Capital Goods)) pertaining to the year in which implementation of the Planning Permission is commenced, except where the application of the annual indexation would result in an increase in the quantum of contribution payable for the years 2013 to 2015 inclusive.

Agreed as recommended by County Manager on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Eoin Holmes**.



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Submission 5 - Michael Healy

Issues Raised:

- Exempt from levies the completion of an unfinished development under a new PP

Manager's Response:

- Existing facility to extend the life of PP under the same terms as the parent permission

Manager's Recommendation - No change necessary

Agreed as recommended by County Manager on the proposal of **Councillor Eoin Holmes** seconded by **Councillor Noel Leonard**.

Submission 6 - J Murphy (Developments Ltd.)

Issues Raised:

- Existing residential contribution rates are too high, suggest €8,000 per unit

Manager's Response (as per sub 1004)

- Current focus is on economic activity
- Await Core Strategy Variations
- Comparable rates & 10% discount
- Apply indexation only where reduction applies

Manager's Recommendation - No change necessary

Agreed as recommended by County Manager on the proposal of **Councillor Eoin Holmes** seconded by **Councillor Gerry O' Connor**.

Submission 7 - Construction Industry Federation

Issues Raised:

- Reduction in contributions
- Flexible payment terms
- Review terms of existing permissions
- Ministerial Guidelines
- Property Tax
- Report on infrastructure delivery

Manager's Response:

- Cite response to subs 1004 & 1006
- Flexible payment terms in place and 10% discount for up front payment
- Cannot review existing conditions
- Review undertaken in 2012

Manager's Recommendation - add the following text to Proposed Amendment No. 6

A 10% reduction shall apply where Development Contributions are paid in full within 28 days of receipt of the Commencement Notice by the Planning Authority, day one being the date of receipt of the Commencement Notice.

*The discount shall apply to the quantum of development defined in the commencement notice and is available to multi phase developments". **

**Added to provide further clarity to multi phase developments.*

Agreed as recommended by County Manager on the proposal of **Councillor Noel Leonard** seconded by **Councillor Eoin Holmes**.



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Submission 8 - Relative Developments Ltd.

Issues Raised:

- Existing levies too high in falling market
- Amend amount payable under existing conditions
- Cite rates payable in adjacent counties

Manager's Response:

- Response as per submissions 1004, 1006, & 1007

Manager's Recommendation - No change necessary

Agreed as recommended by County Manager on the proposal of **Councillor Jim Holloway** seconded by **Councillor Tommy Reilly**.

Submission 9 - Cunnane Stratton Reynolds on behalf of Tesco Ireland Ltd.

Issues Raised:

- Reduction in levies, especially in Town Centres
- Flexible payment terms
- Link levies to employment generated
- S.49 Schemes secured by way of Bonds
- Encourage Green Energy
- Relief from levies for infrastructure benefitting other developments (special contributions)
- Link Commercial Rates and Development Contributions

Manager's Response:

- Refer to response to subs 1004, 1006, 1007 & 1008
- Off sets available in certain circumstances
- Levies payable on net retail floor area
- Cite existing exemptions in Scheme: RPS, ACA etc.
- Rates & levies are separate statutory requisites
- Levies based on floor area qualified by use
- Amendments to General Schemes only
- Green Energy proposals welcome and will be included in next review

Manager's Recommendation - No change necessary

Agreed as recommended by County Manager on the proposal of **Councillor Ann Dillon-Gallagher** seconded by **Councillor Eoin Holmes**.

Summary of Proposed Amendments & Recommendations – Referred to Section 7 of Manager's Report

Amendment No 1: amend the text to include "any in the following context. "Exempt from development contributions all changes of use from existing permitted uses in the following classes to alternative uses in ANY of the classes set out below "

Agreed as recommended by County Manager on the proposal of **Councillor Nick Killian** seconded by **Councillor Eoin Holmes**.



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Amendment No 2: as published
Agreed as recommended by County Manager on the proposal of **Councillor Tommy Reilly** seconded by **Councillor Eoin Holmes**.

Amendment No 3: add “except where the Planning Authority deems that the development shall have an exceptional impact on public infrastructure. In this instance, a 50% reduction of the standard rate of contributions shall continue to apply.” after the text of the proposed amendment.
Agreed as recommended by County Manager on the proposal of **Councillor Tracy McElhinney** seconded by **Councillor Tommy Reilly**.

Amendment No 4: add an additional category of farmyard structures to the proposed amendment “ ie “Structures for the storage of slurry, yard water or farmyard manure”
Agreed as recommended by County Manager on the proposal of **Councillor John V. Farrelly** seconded by **Councillor Francis Deane**.

Amendment No 5: as published
Agreed as recommended by County Manager on the proposal of **Councillor Tommy Reilly** seconded by **Councillor Jenny McHugh**.

Amendment No 6: add “*The discount shall apply to the quantum of development defined in the commencement notice and is available to multi phase developments*” to the proposed amendment after “ the date of receipt of the commencement notice”
Agreed as recommended by County Manager on the proposal of **Councillor Noel Leonard** seconded by **Councillor Eoin Holmes**.

Amendment No 7: as published
Agreed as recommended by County Manager on the proposal of **Councillor Eoin Holmes** seconded by **Councillor Tommy Reilly**.

Amendment No 8: as published
Agreed as recommended by County Manager on the proposal of **Councillor Eoin Holmes** seconded by **Councillor Willie Carey**.

Amendment No 9: as published
Agreed as recommended by County Manager on the proposal of **Councillor Tommy Reilly** seconded by **Councillor Jenny McHugh**.

Amendment No 10: as published
Agreed as recommended by County Manager on the proposal of **Councillor Francis Deane** seconded by **Councillor Joe Fox**.



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Michael Griffin, SEO, advised that the Report would be brought before Navan Town Council on the 5th February, Trim Town Council on the 12th February, Kells Town Council on the 18th February and that the Amendments would be effective on each individual Scheme from 1st March, 2013.

The Councillors resolved to make the amendments, to the Meath County Development Contribution Schemes 2010-2015, in accordance with Section 48 of the Planning & Development Acts 2000-2012 on the proposal of **Councillor Tommy Reilly**, seconded by **Councillor Jenny McHugh**.

4.2 Transportation

4.2.1 To consider the submissions/objections received in response to the display of the "Draft" Road Traffic (Special Speed Limits) (Navan) County of Meath Bye-Laws (No.1) 2013 and to resolve to make the said Bye-Laws in accordance with the Draft document subject to such variations or amendments as considered appropriate, and that said Bye-Laws shall come into force on the 4th of March 2013 (as agreed at Area Committee level).

Joe Fahy, Acting Director of Services, advised the meeting that no submissions were received following the period of public display so the Council is now in a position to make the said Bye-laws.

It was resolved to make the Bye-Laws on the proposal of **Councillor Shane Cassells** and seconded by **Councillor Jim Holloway**.

4.3 Finance

4.3.1 Household Charge Update

Fiona Lawless, Head of Finance, advised that, with regard to the payment of the Household Charge, the target of 65% was achieved and that the €108,000 deducted from the Local Government Fund had been returned. She informed the meeting that it has been agreed that the returned amount would be distributed as part of the road works' programme and would be spend specifically on the repair of roads.

4.4 Economic Development

4.4.1 To receive presentation on Economic Development initiatives for 2013

Kevin Stewart, Director of Services, made the presentation, the main points of which were:

- The new role of Local Government as set out in the Action Programme for Effective Local Government.
- Establishment of Local Enterprise Office
- Meath Economic Strategy and Local Action Plan
- Marketing and promoting Meath
- Establishment of an Economic Team



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- Establishment of Meath Economic Development Forum to be chaired by John Bruton, former Taoiseach, former EU Ambassador to the US and current Chair of the IFSC.

Following the presentation a lengthy discussion took place and Councillors voiced their concerns regarding some of the decisions of external bodies that have restricted the economic development of the county.

The County Manager advised that the economic challenge is the key challenge for Meath County Council and stressed that the Council will lead the drive for investment and development in the county. He thanked John Bruton for agreeing to collaborate with the Council and lend his name and expertise to the Forum.

4.5 Corporate Services

4.5.1 To receive presentation on the Corporate Business Plan
Claire King, Administrative Officer/Corporate Governance made the presentation, which was noted by the Councillors.

4.5.2 To receive presentation on the Communication Strategy
Olive Falsey, Administrative Officer/Communications, made the presentation, which was noted by the Councillors.

4.6 Environment

4.6.1 To receive presentation on Meath County Council's Climate Change Strategy.

Lara Fagan, Executive Scientist and Energy Officer, made the presentation, which was noted by the Councillors.

It was agreed to take item 10.1 - Presentation by Meath Comhairle na nÓg on Drug and Alcohol Awareness pack recently launched and their work for the coming year.

Lauren Burke, Chairperson and Alba Mullen Comhairle na nÓg made the presentation and the Cathaoirleach, on behalf of the Council, congratulated them on their work and wished the group every success in the future.

5.0 Report from Protocol Committee

The Meetings' Administrator reported the proposal from the Committee that all future nominations for various awards would be made through the Protocol Committee.

Agreed on the proposal of **Councillor John V. Farrelly** and seconded by **Councillor Jimmy Fegan**.

6.0 Correspondence

6.1 Funding of IPB Gathering Flagship Events
Noted

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- 6.2 Road Safety Authority – Commercial Vehicle Roadworthiness
Noted
- 6.3 National Roads Authority – Correspondence – Slane
A lengthy discussion took place regarding the correspondence and the County Manager advised the Councillors of the details in the letter.
- 6.4 Planning Circular Letter PL.1/2013 Development Contribution Guidelines for Local Authorities.
Noted
- 6.5 Roads Allocation 2013 – National Roads Authority and Department of Transport, Tourism & Sport Household Charge update.
Noted
- 6.6 Kevin Stewart, Director of Services, advised the meeting of additional correspondence regarding the STEM project.

7.0 Notice of Question

- 7.1 Submitted by Councillor Francis Deane
“Can the Manager provide the following information, the number and category of dogs micro chipped and licensed in the county and the number of prosecutions taken by Meath County Council in respect of unlicensed dogs.”
A written response was provided by Larry Whelan, S.E.O., Environment Department.

8.0 Notice of Motion

- 8.1 Submitted by Councillor Shane Cassells
“That Meath County Council members adopt a policy that any dividend paid by Irish Public Bodies to Meath County Council for the financial year of 2013 will be used for community initiatives in each of the five electoral areas and that the total amount would be divided equally among the areas so that the members can allocate it to schemes of their choosing.”

The motion was seconded by **Councillor Wayne Harding**

Fiona Lawless, Head of Finance, explained that the dividend referred to is actually a rebate and is used as income in the balancing of the budget each year. She advised that in preparing the budget for 2013 an amount of €250,000 was included as income in anticipation of receiving a rebate. This was approved by the Council at the Statutory Budget meeting in December. It was also explained that IPB have a social dividend fund for local social engagement which is separate to the rebate amounts.

The motion was defeated following a ‘show of hands’ vote the result of which was: 4 For and 14 Against.

As it was 6.30p.m. an extension of time was sought. **Councillor J.V. Farrelly** proposed that the meeting would conclude. **Councillor Shane Cassells** proposed a time extension of 10 minutes. Following a ‘show of hands’ vote



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it was agreed to conclude the business of the meeting and defer the motion at item 8.2 to the March meeting.

8.2 Submitted by Councillor Shane Cassells

“That Meath County Council calls on the government and Minister Phil Hogan to re-evaluate the current system of distribution of funds to local authorities and specifically Meath so that the money collected from the property tax takes account of the population centres of our county and that residents of our county can feel assured that money paid by them for this so called “local tax” is distributed and spent locally.”

Deferred to March meeting.

9.0 Schedule of Manager’s & Approved Orders (For Information Only)

9.1 Schedule of Manager’s Orders – Infrastructure

9.2 Schedule of Manager’s Orders – Environment

9.3 Schedule of Manager’s Orders – Housing Construction

9.4 Schedule of Manager’s Orders – Community & Enterprise

Noted.

10.0 Presentations by other Bodies/Statutory Agencies

10.1 Presentation by Meath Comhairle na nÓg on Drug and Alcohol Awareness pack recently launched and their work for the coming year.
See above

11.0 Any Other Business