



Miontuairiscí / Meeting Minutes

Ordinary Meeting 12th January 2009, Council Chamber

An Cathaoirleach, Councillor Liz Mc Cormack, presided.

Members Present:

Councillors Charles Bobbett, Patrick Boshell, Oliver Brooks, Phillip Cantwell, William Carey, Shane Cassells, Eugene Cassidy, Jimmy Cudden, Jenny D'Arcy, Anne Dillon-Gallagher, John V Farrelly, Jimmy Fegan, Brian Fitzgerald, Michael Gallagher, Peter Higgins, Eoin Holmes, Jim Holloway, Tom Kelly, Nick Killian, Noel Leonard, Michael Lynch, James Mangan, Seamus Murray, Patsy O' Neill, Bryan Reilly, Joe Reilly, Tommy Reilly.

Officials in Attendance:

County Manager: Tom Dowling

Head of Finance: Fiona Lawless,

Directors of Service: Kevin Stewart, Tadhg McDonnell, Eugene Cummins, Liam Henry, Michael Killeen, Brendan McGrath

Meetings Administrator Bill Sweeney

Senior Planners: Pat Gallagher, Wendy Bagnall (A)

Senior Executive Officers: Martin Rogers, Larry Whelan, Michael Griffin

Administrative Officer: Olive Falsey

Apologies:

Councillor Joseph Bonner

1.0 Confirmation of Minutes

- 1.1 Confirmation of Minutes of Full Ordinary Council Meeting held on 1st December 2008.

The minutes of the Full Council Meeting held on 1st December 2008 were confirmed on the proposition of **Councillor Noel Leonard, seconded by Councillor James Mangan**

- 1.2 Confirmation of Minutes of Statutory Budget Meeting held on 8th and adjourned meeting of 18th December 2008.

The minutes of the Statutory Budget Meeting held on 8th and adjourned meeting of the 18th December 2008 were confirmed on the proposition of **Councillor James Mangan, seconded by Councillor Nick Killian.**

- 1.3 Confirmation of Minutes of Special Planning Meeting held on 8th December 2008.

The minutes of the Special Planning Meeting held on 8th December 2008 were confirmed on the proposition of **Councillor Noel Leonard, seconded by Councillor John V. Farrelly.**

- 1.4 Confirmation of Minutes of Preliminary Budget Meeting held on 1st December 2008.



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The minutes of the Preliminary Budget Meeting held on 1st December 2008 confirmed on the proposition of **Councillor Jim Holloway, seconded by Councillor Seamus Murray.**

2.0 Matters Arising from Minutes

- 2.1 In the context of the agreed Budget for 2009, Councillor Killian requested that the Council would be kept informed of any cuts. County Manager, Tom Dowling agreed that this should happen if a particular area is impacted.
- 2.2 The Cathaoirleach, Cllr. Liz Mc Cormack noted the current situation in Tara Mines i.e. that the talks between Management and Union are at a delicate stage and she expressed her wish for a satisfactory solution. The County Manager reiterated the Cathaoirleach's comments, stressed the importance of Tara Mines to the community and wished all parties well with the negotiations.

3.0 Expressions of Sympathy and Congratulations

The following expressions of sympathy were extended to:

- 3.1 Pat Woods, Machinery Yard on the death of his brother, Anthony Woods RIP
- 3.2 Phillip Connell, Duleek Area on the death of his mother, Eileen Connell.RIP
- 3.3 George Mulvey, Planning Department on the death of his brother, Brian Mulvey. RIP

Congratulations to:

- 3.4 Mary Nally, Third Age Centre, Summerhill on her recent award.
- 3.5 Darren Sutherland on his recent boxing success.
- 3.6 Nicholas Murray winner of "Meath's got Talent" competition.

- 3.7 Tributes were paid to Joan Duignan and John Feeney on their recent retirements from the Meath Chronicle.

4.0 Correspondence

The following correspondence was noted by the members.

- 4.1 Circular letter LG15/08 Ethics Framework for Local Government.
- 4.2 Correspondence received from Mary Lynch, Secretary, Meath Association of London.
- 4.3 To receive a report on a marketing programme for the sale of Affordable Housing secured under Part V of the Planning & Development Act 2000 as amended.
- 4.4 Notification in relation to Proposed SID development - S.37B pre-application consultation received by the Planning Department, Meath County Council on 28th November 2008.
- 4.5 Correspondence received from Fehily Timoney & Company, Consulting Engineers in relation to Knockharley Landfill Waste Licence Review.
- 4.6 Correspondence received from Minister John Gormley, in relation to the boundaries of the towns of Navan and Kells be extended.



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- 4.7 Correspondence received from Fingal County Council in relation to Fingal East Meath Flood Risk Assessment and Management Study (FEM FRAMS) Initial Consultation. Newsletter 01_August 2008 and Newsletter 02_November 2008 can be accessed at www.fingaleastmeathframs.ie.
- 4.8 Bill Sweeney advised that two public consultation sessions in relation to the Pace to Navan rail line will take place on Tuesday 13th and Wednesday 14th. January.

5.0 E.U. Correspondence

- 5.1 EU News Bulletin – Issue no. 55 – December 2008
- 5.2 EU Policy Review – Issue no. 6/08 – October – November 2008

6.0 Report from Protocol Committee

The Meetings Administrator, Bill Sweeney advised the members:

- 6.1 The closing date for submissions for Ethics Register is 28th. February 2009.
- 6.2 Regarding the deputation to the Minister for Transport re NRA involvement in commercial planning applications, the previous agreed delegation was confirmed.
- 6.3 Recent approaches have been made to Councillors to donate to charities in lieu of attending Conferences. Bill Sweeney advised that, in this regard, it would be totally inappropriate for Councillors to donate such funds to charities.

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

8.0 Other Statutory Business

8.1 Planning and Economic Development

- 8.1.1 To receive the Manager's reports in respect of submissions and observations received as a result of the display of the Draft Local Area Plans for Enfield, Ballivor, Longwood, and Summerhill in accordance with Section 20 (3) (c) (i) of the Planning and Development Act 2000, as amended.

Wendy Bagnall Senior Executive Planner, made a presentation on the four reports and advised the Members that they have six weeks to consider them i.e. to 23rd. February 2009.

- 8.1.2 To receive the Manager's report on Greenstar's SID application to increase waste acceptance at Knockharley landfill to 400,000 tonnes per annum (Ref 17.PA0009) and if appropriate to resolve to attach to that report, the recommendations of the members on the proposed development, as recorded



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by the meetings administrator in accordance with Section 37E (6) of the Planning & Development (Strategic Infrastructure) Act.

The Proposed Development comprises an increase in the rate of waste acceptance at the permitted facility (Reg. Reference No.s 01/5006 & NA/ 60336) to 400,000 tonnes per annum for disposal, to alter the landfill phasing sequence and all ancillary works including the installation of a second wheel wash. No extension to the permitted landfill void is proposed.

The proposed development relates to an activity covered by waste license (No. W0146-01) issued by the Environmental Protection Agency and will require a review of the waste licence. This application is accompanied by an Environmental Impact Statement.

Location: Knockharley, Flemingstown and Tuiterrath in Navan.
ABP Ref. no. PA009

The members of Meath County Council having considered the Manager report and a short presentation summarising the content of that report, resolved to:

“Recommend to an Bord Pleanála to refuse permission to Greenstar Holdings Ltd to increase waste acceptance to 400,000 tonnes per annum and associated works at Knockharley Landfill Knockharley Co Meath.”

During the course of their deliberations, the Members of Meath County Council raised the following issues in respect of the proposed development.

- That the proposed intensification of land filling at Knockharley was driven by economic factors and not in the best interest of sustainable waste management.
- That Co Meath seemed to be attracting an greater percentage of waste from outside the region that had been envisaged
- That waste was being imported to Knockharley landfill from as far away as Co Limerick.
- That they supported the view of expressed in the Manager’s report.
- That there has been a history of poor compliance with conditions of the waste licence and persistent odour problems.
- That the EPA had failed to adequately address the legitimate complaints of local residents, staff and pupils of the Kentstown school.
- That this application was probably the first where a planning authority called on ABP to refuse an application under the Strategic Infrastructure Act.
- That the additional capacity might be potentially used to accept recyclables into the landfill due to the downturn in the market for recyclables.
- That waste that had not been subject to pre-treatment is being accepted into the landfill.
- That a landfill operator should not be allowed to collect waste for disposal at its own facility.
- That the expansion is unnecessary.
- That no provision exists in the North East Waste Management plan for the additional annual intake of waste at the regional landfill.
- Queried if Greenstar complied with the conditions of its current planning permission.



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- That the existing junction arrangements on the N2 are inadequate to facilitate the intensification of use on the site.
- That Gas recovery had not commenced on site.
- That the EIS submitted with the application is deficient.
- Queried the operational compliance of the landfill and the aftercare responsibility where the landfill is filled within a shorter period.
- That the proposed increased annual intake is in direct contravention of waste policy to reduce the percentage of waste that is land-filled.
- That the Manager's report should refer to the Bord's decision to refuse an intensification of annual intake under NA60336.
- That waste arising would reduce due to the economic downturn.
- That this facility is being used to accept waste from outside the north east region and that local residents had not been adequately compensated for that fact.
- That the proposed development would compromise the viability of more sustainable waste infrastructure.

- That enforcement proceedings are pending in respect of non compliance with the terms of the waste licence for the facility.
- That the Manager note their total opposition to the increased intake because it would double the impact of the facility on local residents.
- Queried if Gas can be recovered from the facility prior to the facility being completely filled.
- That MCC has first hand experience of poor management practices at landfills and the financial liabilities arising from same.
- Queried what were the potential financial implications for the local authority in the event that the operator could not manage the facility going forward.
- That the proposed financial contribution detailed in the Manger's report for the improvement of roads is inadequate.

The Meeting's Administrator confirmed that the minute of the members' deliberations in respect of the SID proposal from Greenstar Holdings Ltd., together with the resolution calling for the refusal of the proposal will be appended to the Manager's report on the proposal and submitted to An Bord Pleanála in accordance with Section 37 E(6) of the Planning and Development Acts 2000-2007.

- 8.1.3 To receive the Members' views on Eirgrid's SID application for an East West HVDC interconnector between Ireland and Great Britain (Ref 17.VA0002) and if appropriate to resolve to make a submission to An Bord Pleanála in respect of this proposal. In the event that such a submission is made it shall reflect the views of the members on the proposed development as recorded by the Meetings Administrator.

Following an invitation by An Bord Pleanála to consult with the members of Meath County Council in respect of the above application, the members passed the following resolution .
"They considered that the applicant should provide additional information in support of its development proposal"

The following concerns were raised by the members of Meath County Council:



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- That the construction of the underground interconnector will cause serious disruption to road users and local residents.
- Concerns that the placement of such an interconnector in the public road will inhibit the provision of any additional infrastructure that the Council or other statutory provide may construct in the future.
- That there may be public safety concerns with the proposed alignment.
- Why had Eirgrid not considered laying the cable across open countryside over the shortest possible route?
- That Eirgrid should be required to fully reinstate the roads along which the cable is laid.
- Questioned the route chosen in terms of it being the optimal solution.
- Requirement for significant contributions to offset the cost of repairing the roads in question.
- Welcomed the proposal and the precedent it creates for future applications.
- Requested clarification as to the distance between inspection chambers.
- Questioned if the route selection was chosen so that the applicant could avail of road opening licences from the Local Authority rather than negotiating way leaves with landowners.
- Questioned if the placement of such cables under the public road will inhibit future realignment of those roads.

8.2 Environment

- 8.2.1 To receive report on 'Water Framework Directive' and 'River Basin Management Programme'.

A full presentation was made by David Byrne, A/Senior Executive Scientist and Emmet Conboy, Executive Chemist on the above programme outlining the progress to date and the work schedule ahead. The Council was advised that the public consultation process will continue to June 22nd and submissions can be made via www.erbd.ie.

8.3 Housing, Social Community & Cultural

- 8.3.1 To approve funding allocations to community groups/organisations under the Meath County Council /Knockharley Landfill Community Liaison Committee – Environmental Community Projects & Works Scheme in respect of applications received and as recommended by the Navan Electoral Area Committee and Knockharley Landfill Community Liaison Committee.

Proposed by Councillor James Mangan and seconded by Councillor Patsy O' Neill.

- 8.3.2 To receive and consider presentation in respect of Draft Disability Implementation Plan and, if thought fit, to resolve to place the plan on public display and invite submissions.

Assumpta Kelly, Administrative Officer, Community and Enterprise Dept. made the presentation to the Council.

Resolution was proposed by Councillor Noel Leonard and seconded by Councillor Phillip Cantwell.



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- 8.3.3 To receive and consider presentation in respect of Draft Biodiversity Plan for County Meath and, if thought fit, to resolve to place the plan on public display and invite submissions.

Loreto Guinan, Heritage Officer, made the presentation to the Council.

Resolution was proposed by Councillor Noel Leonard and seconded by Councillor James Mangan.

9.0 Schedule of Manager's Orders

- 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

The above Manager's orders were noted by the members.

10.0 Presentations from Other Bodies

11.0 Any Other Business

Councillor John V. Farrelly noted that the National Convention Centre is to cease offering membership for hotels (12) in Meath and requested a meeting with the Minister for Tourism. Kevin Stewart, Director of Services, Economic Development and Innovation, informed that he is due to meet the Dublin Convention Bureau in the near future and will report back on the situation.

NB Please ensure Mobile phones are switched off during council meeting.

Signed: _____
An Cathaoirleach

Date: _____