



Miontuairiscí / Meeting Minutes

Ordinary Meeting

2nd March 2020, Council Chamber @ 1.30p.m.

Presiding

Councillor Wayne Harding, Cathaoirleach

Councillors Present:

Councillors Tom Behan, Joe Bonner, Mike Bray, Francis Deane, Aisling Dempsey, Seán Drew, Edward Fennessy, Brian Fitzgerald, Padraig Fitzsimons, Joe Fox, Noel French, Michael Gallagher, David Gilroy, Trevor Golden, Wayne Harding, Annie Hoey, Suzanne Jamal, Sharon Keogan, Nick Killian, Alan Lawes, Paul McCabe, Paddy Meade, Ronan Moore, Maria Murphy, Gerry O'Connor, Aisling O'Neill, Sarah Reilly, Tommy Reilly, Amanda Smith, Niamh Souhan, Alan Tobin, Emer Tóibín, Sharon Tolan, Gillian Toole, Conor Tormey.

Apologies: Councillors Yemi Adenuga, Eugene Cassidy, Deirdre Geraghty-Smith, Stephen McKee, Damien O'Reilly

Officials in attendance:

Chief Executive: Jackie Maguire

Directors of Service: Des Foley, Fiona Lawless, Barry Lynch, Kevin Stewart

Meetings Administrator: Robert Collins

Senior Executive Officers: Larry Whelan, Ger Murphy, David Jones, John McGrath

At the beginning of the meeting, An Cathaoirleach confirmed that he had received a request from Councillor Emer Tóibín to suspend Standing Orders in order to discuss an emergency motion. This request was agreed. Given that Councillor Tóibín had already tabled two Notices of Motion, it was agreed that Item 9.5 would be deferred in order to consider the new motion.

1 Confirmation of Minutes

1.1 Confirmation of minutes of Ordinary Meeting held on 3rd February 2020

The minutes of the Ordinary meeting held on 3rd February 2020 were confirmed on the proposal of **Councillor Paul McCabe** and seconded by **Councillor Francis Deane**.



Miontuairiscí / Meeting Minutes

1.2 Confirmation of minutes of the Special Meeting held on 24th February 2020

The minutes of the Special meeting held on 24th February 2020 were confirmed on the proposal of **Councillor Alan Lawes** and seconded by **Councillor Gerry O'Connor**.

2 Matters arising from the Minutes

3 Expressions of Sympathy and Congratulations

Sympathy was extended to:

- The family of the late Michael Lenihan former Trim UDC Member.
- Paul McNulty, Transportation Department on the death of his father, Christy McNulty.
- Kevin Fitzsimons (Senior) former employee/Driver with Meath County Council Machinery Yard and Kevin Fitzsimons (Junior) Driver Laytown/Bettystown MD on the death of their wife/mother, Margaret Ita Fitzsimons.
- John Lynch SGSS, Kells Municipal District on the death of his father, John Lynch.
- Richard Mannering, Water and Waste Water Caretaker Ratoath MD on the death of his father, James (Benjy) Mannering.
- Bernie Kelly, Trim Library on the death of her mother, May McManus.
- The family of the late Fergus Foran, former employee with Meath County Council.
- Joe Whyte, Water Services on the death of his mother, Kathleen Whyte.
- Joseph Adams, Housing on the death of his brother, Mark Adams.

Congratulations were extended to:

- MCC Library Service for the Libraries Open Day on February 29th and the installation of the Sensory Tables in various library branches;
- The Trim Musical Society
- The Venue Players Ratoath
- Fr. Ray Kelly for his appearance on Dancing with the Stars

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 Corporate Services



Miontuairiscí / Meeting Minutes

- 5.1.1 To appoint a replacement Councillor to the Meath Local Sports Partnership Committee following the resignation of Councillor Tommy Reilly.

This item was deferred.

- 5.1.2 To appoint a replacement Councillor to the Regional Health Forum following the election of Darren O'Rourke to Dáil Éireann.

On a proposal by **Councillor Michael Gallagher** and seconded by **Councillor Alan Lawes** the appointment of **Councillor Aisling O'Neill** was agreed.

- 5.1.3 To appoint a replacement Councillor to the Joint Policing Committee following the election of Darren O'Rourke to Dáil Éireann.

On a proposal by **Councillor Edward Fennessy** and seconded by **Councillor Michael Gallagher** the appointment of **Councillor Aisling O'Neill** was agreed.

- 5.1.4 To approve the appointment of a replacement Councillor to the Planning, Economic Development, Enterprise and European Affairs SPC following the election of Darren O'Rourke to Dáil Éireann.

On a proposal by **Councillor Edward Fennessy** and seconded by **Councillor Michael Gallagher** the appointment of **Councillor Aisling O'Neill** was agreed.

- 5.1.5 To approve the appointment of a replacement Councillor to the Transportation SPC following the election of Johnny Guirke to Dáil Éireann.

On a proposal by **Councillor Edward Fennessy** and seconded by **Councillor Aisling O'Neill** the appointment of **Councillor Michael Gallagher** was agreed.

- 5.1.6 Decade of Commemorations - Draft Programme for 2020.

A presentation was made by Mr. Ciaran Mangan and Mr. Tom French on the Decade of Centenaries programme generally and more specifically on the events that would be organised by the Council during the year to mark the significant events of 1920. These include: (a) an event to commemorate the death of Seamus Cogan and Patrick McDonnell in Oldcastle in July; (b) the local elections during the Council AGM in June; and (c) an event to mark the sacking of Trim, to take place in September. To further the understanding of the events in Trim, the Council will publish a new book: 'Trim September 1920'.



Miontuairiscí / Meeting Minutes

There were a number of interventions from the following **Councillors: Noel French; Sean Drew; Paul McCabe; Ronan Moore; Michael Gallagher; David Gilroy and Gerry O'Connor**. Mr. Mangan provided some clarifications. The Programme for 2020 was agreed by the elected members. The Cathaoirleach thanked the Libraries Service for its work and looked forward to the events during the year.

5.2 Finance

- 5.2.1 To receive in accordance with Article 26 (2) of the Local Government (Financial and Audit Procedures) Regulations 2014, a report on Schedule of Uncollected Rates for 2019.

The Chief Executive gave an overview of the Report. **Councillor Sean Drew** welcomed the report and the high collection levels achieved by the Council. The Report was noted.

5.3 Transportation

- 5.3.1 To enter into an agreement with Kilkenny County Council pursuant to Section 85 of the Local Government Act, 2001, whereby Kilkenny County Council, as the Road Management Office for the Eastern Region, will exercise the statutory powers, functions and duties of Meath County Council in relation to the Local Authority Public Lighting Energy Enhancement Project (The LED Project) as described in the Schedule to the Agreement.

This was agreed on a proposal by **Councillor Paul McCabe** and seconded by **Councillor Alan Tobin**.

- 5.3.2 To enter into an agreement with Fingal County Council pursuant to Section 85 of the Local Government Act, 2001, whereby Meath County Council will exercise the statutory powers, functions and duties of Fingal County Council which are described in the Schedule to the Agreement, in relation to the scheme for the improvement of the N2 Rath Roundabout to Kilmoon Cross.

This was agreed on a proposal by **Councillor Edward Fennessy** and seconded by **Councillor Tommy Reilly**.

- 5.3.3 To enter into an agreement with Fingal County Council pursuant to Section 85 of the Local Government Act, 2001, whereby Fingal County Council will exercise the statutory powers, functions and duties of Meath County Council which are described in the Schedule to the Agreement, in relation to the N3 – M50 to Clonee Project.

This was agreed on a proposal by **Councillor Conor Tormey** and seconded by **Councillor David Gilroy**.



Miontuairiscí / Meeting Minutes

5.4 Community

- 5.4.1 To receive a presentation on the strategic development of DkIT and to consider the potential for County Meath in its pursuit of Technological University status

A presentation was made by the Mr. Michael Mulvey, President of the Dundalk Institute of Technology, and Ms. Irene McCausland, Vice-President of Strategic Planning, Communications and Development, on the future development of the college and its potential future status as a Technological University. There were a number of interventions by the following **Councillors: Nick Killian; Tom Behan; Sean Drew; Sarah Reilly; Paddy Meade; Joe Fox; David Gilroy; Maria Murphy; Michael Gallagher; Mike Bray; Paul McCabe; Gerry O'Connor and An Cathaoirleach Wayne Harding**. These covered a range of issues including: transportation issues; awareness of the range of qualifications available; the consequences of TU status for staff and students; potential for outreach programmes; student accommodation; strategic partnerships with other colleges and industry; the potential impact of Brexit and the emphasis on apprenticeships.

The President responded to the points made. The Chief Executive underlined the important role that the college plays in the realisation of the Council's Economic Strategy and outlined the existing collaboration between DKiT and the Council and the potential for further cooperation. She pledged the support of the Council, where it can assist DKiT in the future.

- 5.4.2 To receive and note the Local Community Development Committee Annual Report 2019.

Councillor Mike Bray complimented the work of the LCDC and LAG and made an appeal that all of the LEADER funding allocated to the County would be committed and fully drawn-down. The Report was noted.

- 5.4.3 To receive and note the Joint Policing Committee Annual Report 2019.

There was a discussion on the nature and structure of the JPC, with **Councillor Sean Drew** suggesting that there should be a number of more localised rather a countywide JPC. There was general agreement for this from **Councillors Gerry O'Connor; Alan Tobin and Gillian Toole**. Both **Councillors Trevor Golden and Nick Killian** made other points on rotating the location for JPC meetings and to recognise the good work of the out-going Superintendent. The Report was noted.

6 Reports

- 6.1 Chief Executive's Report

Clarification was sought by **Councillors Nick Killian; Mike Bray; Joe Bonner; Maria Murphy; Gillian Toole; Paul McCabe** and **Alan Lawes** on a number of matters in the Report. The main issues focused



Miontuairiscí / Meeting Minutes

on:

Housing – Delivery in Ratoath; additional costs imposed by builders; update on the Cortown site; housing adaptation schemes (private v own-stock); numbering of the housing allocation scheme

Transport – public lighting Primatestown; consultation on the N2 upgrade; phase 1 and 2 of Kilcarn works;

Environment – bulky waste drop-offs in Dunboyne

Libraries – sensory tables in library branches; re-opening of Nobber Library;

Community – wifi4EU programme in Kells.

Responses and clarifications were provided on the issues raised by the Management Team.

6.2 Report from the Corporate Policy Group

The Meetings Administrator advised the meeting that the Corporate Policy Group reviewed the agenda for the full Council meeting and received information on the particulars of some items. The CPG received an overview of the Annual Roads Programme 2020 and on the current state-of-play on the review of the County Development Plan and the next steps in this statutory process. The report was noted by the Elected Members.

6.3 Report from the Protocol Committee

The Meetings Administrator gave a summary of items considered by the Protocol Committee, including: a presentation on the events to be organised as part of the Decade of Centenaries in 2020 and approved the list of conferences and training events in accordance with Circular LG 04/2019. The report was noted by the Elected Members.

7 Correspondence

7.1 Circular Letter: EUIPR 01/2020 – Department of Housing, Planning and Local Government re. Planning and Development (Amendment) Act 2018 (Commencement) Order 2020, and Planning and Development Act 2000 (Exempted Development) Regulations 2020.

The correspondence was noted by the Elected Members.

7.2 NTA re. Sustainable Transport Measures Grants (STMG): 2020 Allocation.

Councillors Mike Bray sought clarification on the levels of allocation to north Meath. Mr. Des Foley provided a response on the other sources of funding for transport projects in the county.



Miontuairiscí / Meeting Minutes

The correspondence was noted by the Elected Members.

- 7.3 Correspondence from Irish Water in response to Notice of Motion 9.9 adopted at the February 2020 meeting of the full Council re. prohibitive and exorbitant costs associated with connecting into the public water, public waste water and sewerage systems particularly for one-off houses.

The correspondence was noted by the Elected Members.

- 7.4 Correspondence from the Department of Housing, Planning and Local Government in response to Notice of Motion 9.9 adopted at the February 2020 meeting of the full Council re. prohibitive and exorbitant costs associated with connecting into the public water, public waste water and sewerage systems particularly for one-off houses.

The correspondence was noted by the Elected Members.

- 7.5 Correspondence from the Department of Justice and Equality in response to Item 10.6 adopted at the December 2019 meeting of the full Council re. full implementation of the recommendations of the Working Group to Report to Government on the Protection Process on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers i.e. the McMahon Report 2015.

The correspondence was noted by the Elected Members.

8 Notice of Question

8.1 Submitted by Councillor Nick Killian

“Under Part 5 of the disability Act 2005 can the CEO indicate the total no of staff currently employed with a disability under the current target of 3%. In addition as outlined under the Governments "Comprehensive Employment Strategy for People with Disabilities 2015 2024" can the CEO indicate what measures are been taken by Meath County Council for the increase from 3% to 6% as outlined in this strategy.”

Response

Meath County Council reviews the number of persons with a disability employed in the organisation in the previous year on an annual basis. The Council has exceeded the 3% target for a number of years and in recent years this has increased further i.e. in 2017 – 4.91% of staff, and 2018 – 5.12% of staff. The Council’s Equality Officer is currently working with the HR Department to collate the figure for 2019.



Miontuairiscí / Meeting Minutes

As an equal opportunities employer Meath County Council will continue to promote this as well as accommodate and facilitate applications for jobs and work placements from candidates from a range of backgrounds including persons with a disability. This is managed by the HR Department by way of recruitment and selection policies, and procedures. The Council currently employs staff members with disabilities across our range of service areas/departments with appropriate accommodations where required put in place in order to do so.

The response was noted by the Elected Members.

8.2 Submitted by Councillor Ronan Moore

“What percentage of Meath County Council’s housing stock could be defined as universal design i.e. appropriate housing for people with disabilities; and what percentage of houses either acquired or built by Meath County Council in the last three years could be defined as being of universal design (broken down by year).”

Response

The National Disability Authority defines Universal Design as the ‘design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people, regardless of their age, size, ability or disability’. Central philosophy to Universal Design is the flexibility and ease of adaptability of a home to meet people’s changing needs over time in a cost effective way. The guidelines are a first step in a process of raising awareness about the benefits of Universal Design and future proofing homes through Universal Design thinking.

The National Disability Authority has produced a series of documents setting out guidelines for Universal Design, covering Home Location & Approach, Entering & Moving about the Home, Spaces for Living and Elements & Systems within a House. It is important to note that many of these guidelines are standard practice, and are incorporated into new build stock, while also following Department of Housing, Planning & Local Government social housing design guidelines and Building Regulations.

For new capital build projects, the Department of Housing, Planning and Local Government does not fund Universal Design requirements beyond what is included under Part M of the Building Regulations 2010. Part M requires that dwellings are visitable by people with disabilities and aims that buildings should be accessible and usable by everyone, including people with disabilities. Older housing stock comply with earlier versions of Part M, first introduced in 1991, and revised in 1997 and 2000 respectively.

Aside from compliance with Part M, Departmental funding will be provided for units where a design is necessary for specific circumstances to deal with the requirements of particular individuals who have a disability, whereby the design of the home environment needs to be tailored to meet their



Miontuairiscí / Meeting Minutes

requirements, and based on an Occupational Therapist's report. Such funding is provided on a case by case basis.

For the period 2017-2019, 345 new units have been delivered by Meath County Council. All units are in compliance with Part M of the Building Regulations, with 25 units (7%) specifically designed for persons with a physical disability, with the provision of ground floor bedroom/s and level access shower rooms.

Under the Local Authority Adaptation Works Scheme, Meath County Council conducts physical adaptations to a number of existing housing stock in order to facilitate the needs of tenants with a disability. Over the past four years, works have been completed on 204 units, to the value of €1,840,843.

The response was noted by the Elected Members.

9 Notice of Motion

9.1 Submitted by Councillor Ronan Moore

“That Meath County Council commits to ensuring a minimum of 7% of all new social housing stock either built or acquired by 2023 be of universal design, i.e. appropriate housing for people with disabilities.”

Supporting Information subject to the motion being proposed, seconded and considered.

Meath County Council's Strategy for Housing Persons with a Disability provides the overall strategic direction in respect of social housing applicants that are living with a disability. The strategy aims to ensure access for people with a disability to the full range of housing options which will allow them to live independently in their own communities, where appropriate.

Approximately eight percent of the overall social housing waiting list are applicants with a disability (physical, mental health, intellectual, sensory).

Under the auspices of the MCC Housing & Disability Steering Group, the Housing Department monitors the delivery of social housing for persons with a disability, including on-going review of pipeline delivery to ensure the delivery of specific housing types, in particular for applicants with a physical disability, where specific housing provision is necessary beyond Part M of the Building Regulations.

This review includes reference to direct construction, Part V, targeted acquisitions and Approved Housing Body delivery. Furthermore, periodic 'offer zone' analysis is completed by means of forward planning for those applicants with a disability who are nearing an offer of an allocation within the



Miontuairiscí / Meeting Minutes

next 12-18 month period. This exercise duly informs housing delivery strategies in the short term, so as to ensure, as far as possible, the existence of suitable units at the time of allocation.

In 2019, 102 direct allocations of a social house were made to applicants with a disability, representing 21% of all direct allocations for the period concerned. The Housing Department remains committed to fulfilling its responsibility in respect of applicants with a disability, and will continue to seek Departmental approval, in relation to all available capital delivery mechanisms, for housing designed for specific circumstances to deal with the requirements of particular individuals with a disability, above what is provided through standard design and compliance with Part M Building Regulations.

Any commitment made on the universal design of the Council's housing stock would be contingent on an appropriate level of funding being available from the Department of Housing, Planning and Local Government.

This item was deferred.

9.2 Submitted by Councillor Emer Toibín

“That speed ramps and flashing lights are installed approaching the drop off and collection points of all country schools across Meath where levels of speeding endanger children trying to gain access to their school and where to date they have not been installed despite ongoing calls from overwrought parents and teachers.”

Supporting Information subject to the motion being proposed, seconded and considered.

The Council has a standard to provide the following measures on public roads outside schools:

- (a) 50 km/h per hour speed limit.
- (b) Signage on either side of the school, in accordance with traffic signs manual
- (c) Road markings on each side of the school, indicating school ahead, and/or slow down.

Flashing amber signals are provided to supplement warning signage where it is deemed that prevailing circumstances such as vehicle speeds or road alignment constitute a significant danger to children crossing. Where necessary, additional traffic management measures are considered at individual schools on a case by case basis.

Meath County Council's Road Safety Plan 2015/2020 contains further Road Safety actions in relation to schools. The focus of Meath County Council's Road Safety Plan in relation to schools is mainly aimed at educating all road users in the proper and safe use of roads in order to change user attitudes and behaviour and to stimulate an awareness of the need for improvement. There is a specific sub-target in relation to supporting schools in delivering road safety education and encouragement to young road users throughout the County. The education of young road users is



Miontuairiscí / Meeting Minutes

important in establishing road safety attitudes and behaviour. Exposure to road traffic education and training skills at this early age can increase awareness in the safe use of the road environment.

The Road Safety Officer has established strong links with the schools in the County and works with them on an individual basis to implement the measures in the Road Safety Plan and address specific concerns. The Road Safety Officer for Meath County Council, in conjunction with An Garda Síochána and the Road Safety Authority, continues to roll out Road Safety Education Programmes to all schools in the County and a target of 10,000 recipients is exceeded each year. These programmes include safety at and outside schools.

The enforcement of speed limits is a matter for An Garda Síochána. The Council will continue to co-operate with An Garda Síochána in the area of road safety education and encouragement.

It is suggested that if this motion is agreed it could be considered further by the Transportation Strategic Policy Committee.

The motion was proposed by **Councillor Emer Tóibín** and seconded by **Councillor Nick Killian**. There were interventions by **Councillors: Padraig Fitzsimons, Sean Drew, Joe Bonner and Maria Murphy**. An amendment proposed by **Councillor Sean Drew** and seconded by **Councillor Maria Murphy** that the motion apply to all schools and not just to country schools was agreed.

The supporting information and the amended motion were noted and will be forwarded to the Transportation SPC for further consideration.

9.3 Submitted by Councillor Alan Lawes

"That Meath County Council provides a 24/7 homeless emergency service."

Supporting Information subject to the motion being proposed, seconded and considered.

Meath County Council provides a 24/7 emergency homeless service through Meath County Council's Emergency Out-of-Hours number, which covers all services provided by the Local Authority, including Housing, in the event that an emergency situation arises outside normal working hours.

All calls received by the Emergency Out-Of-Hours facility are assessed and responded to, as appropriate.

The majority of homeless calls relate to clients already known to the Homeless Service, and where prior engagement has already taken place. In 2019, 11 cases were logged to the Emergency Out-Of-Hours number relating to homelessness, eight of which were already known to our Homeless Service, while one case (submitted by Dublin Homeless Services), was deemed unknown to our services when the necessary follow up was completed.



Miontuairiscí / Meeting Minutes

The supporting information and motion, proposed by **Councillor Alan Lawes** and seconded by **Councillor Michael Gallagher**, were noted.

9.4 Submitted by Councillor Gillian Toole

"Meath County Council will ensure that development contributions received for Municipal District developments will be allocated for investment in the relevant MD & no longer centralised. Whatever programming is required for the recording & allocation of same to be implemented as soon as practicable."

Supporting Information subject to the motion being proposed, seconded and considered.

The Meath County Development Contributions Scheme 2016 – 2021 (the DCS) sets out the rates of contribution to be applied to developments and specifies the schemes and projects to which development levies will be applied. These schemes and projects are further reflected in the periodic Capital Plans presented to and approved by Council.

The DCS is prepared in accordance with the statutory process set out in S.48 of the Planning & Development Acts 2001-2015 as amended. It is subject to a period of public consultation, consideration of any submissions made and its adoption is a reserved function of the elected members.

The current scheme, having been considered by the Planning & Economic Development S.P.C. and unanimously adopted by the full Council in December 2015, sets out in paragraph 10 (page 14) that money accruing under the scheme *"...shall be applied to the provision of public infrastructure, facilities and their enabling costs on a countywide basis"*. Any changes to the current scheme can only be made in the context of a formal review in accordance with S.48. The scheme is due to be reviewed in 2021 and it would not be possible to consider the terms of this motion outside of that statutory process.

This item was deferred.

9.5 Submitted by Councillor Emer Toibín

"That Meath County Council calls on the Irish Government to recognise that Parental Alienation is "substantial and sustained dissatisfaction within a care-giver - child relationship associated with significant disturbance in functioning" as coded by the World Health Organisation in the latest International Classification of Diseases (version 11) and to implement recommendation 36 of the Report of the Reform of the Family Law System (October 2019)."



Miontuairiscí / Meeting Minutes

This item was deferred in favour of the new motion tabled by Councillor Emer Tóibín, under Standing Order 90, as follows:

“Meath County Council demands that the HSE reinstates full stroke services at Our Lady’s Hospital, Navan and that the HSE commits now to the necessary planning and funding to strengthen both stroke and A&E services going forward and that the HSE guarantees the future of A&E services in our county hospital”

The motion was proposed by **Councillor Emer Tóibín** and seconded by **Councillor Francis Deane**. There were interventions from other **Councillors: Padraig Fitzsimons; Nick Killian and Aisling O’Neill**.

The motion was agreed.

10 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
- 10.4 Schedule of Chief Executive’s Orders – Community

Noted by the Elected Members.

11 Any Other Business

Councillor Maria Murphy raised the issue of recent correspondence on the Older Peoples Council.

Councillor Paul McCabe decried the forthcoming closure of Moynalty Credit Union.