



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

### ***Ashbourne Municipal District***

#### ***Ordinary Meeting***

***10:00 a.m., 13<sup>th</sup> April 2021, via Zoom***

An Cathaoirleach, **Councillor Conor Tormey**, presided.

**Councillors Present:** Joe Bonner, Suzanne Jamal, Aisling O'Neill, Amanda Smith and Alan Tobin.

**Officials in Attendance:**

**Director of Service:** Fiona Lawless

**Meetings Administrator:** Claire King

**Executive Engineer:** Mel Cronin

**Staff Officer:** Triona Keating

#### **1 Confirmation of Minutes**

##### **1.1 Confirmation of minutes of Ordinary Meeting held on 2<sup>nd</sup> March 2021.**

The minutes of the Ordinary Meeting held on 2<sup>nd</sup> March 2021 were confirmed on the proposal of **Councillor Amanda Smith** and seconded by **Councillor Alan Tobin**.

#### **2 Matters arising from the Minutes**

There were no matters arising from the minutes.

#### **3 Expressions of Sympathy and Congratulations**

Sympathy was extended to:



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- The family of the late Paul Monahan, former Meath County Council employee, with tributes paid as a result of Paul's time working in Dunshaughlin Electoral Area.

Congratulations were extended to:

- Bernadine Carry and the Environment Department on the successful Green Kilometre Scheme;
- All the Tidy Towns groups who were participating in the Feel Good Project;
- Rachel Blackmore on becoming the first female winning jockey in the Aintree Grand National.

### **4 Statutory Business**

#### **4.1 Transportation**

- 4.1.1 To receive a Progress Report on works undertaken/planned for Ashbourne Municipal District.

The report had been circulated in advance and a further update provided at the meeting.

Matters raised by councillors included:

- Requested that the damaged trees in the park be replaced before the contractors complete the works.
- Referred to a section in the park, close to the older children's playground, where the grass is dead and queried whether a membrane had been installed to retain the wetland area.
- Welcomed the improvements resulting from drainage works in Deerpark and queried whether the drain was to be continued to prevent flooding



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on the laneway – there are no plans to undertake additional drainage works unless an issue arises and this will be monitored.

- Requested an update on the provision of signage to prevent HGVs accessing Johnstown – there is a delay in the signs being delivered and an update will be provided when available.
- Referred to the tree pruning and other works undertaken on the laneway to the rear of the school and urged that agreement be reached with the school to complete works including public lighting.
- Requested that that works be progressed on the Milltown Road.
- Queried who is responsible for security around the Irish school with the unauthorised access causing a nuisance.
- Welcomed the works at Oberstown Cross.
- Queried when CIS applications can be submitted – applications submitted are added to the list, which is being progressed on an annual basis.
- Queried when footpath works would commence in Mountainview, Stamullen and Church View, Ardcah – the contract will go out in the next week or two and an outline programme of works will be provided once the contractor is appointed.

### **4.2 Planning**

4.2.1 To consider taking in charge of the following and the making of a declaration that the roads within the developments shall be public roads in accordance with Section 11 Roads Act 1993 and the Planning & Development Acts 2000-2020.

- Millbourne Phase 2, Ashbourne.

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Reference was made to the queries raised at the March meeting and it was pointed out that two related emails had been circulated to councillors. Reference was made again to the safety issues resulting from the lack of definition between the footpath and road and it was agreed to request clarification from Planning on this aspect of the estate design.

Due to the need to have the estate included in the housing estate speed limit review, it was agreed on the proposal of **Councillor Alan Tobin** and seconded by **Councillor Aisling O'Neill** to take the estate in charge.

### **4.3 Water Services**

#### **4.3.1 To receive an update on the Stamullen Wastewater Pumping Station & Rising Main Project.**

Paul Kelly, Senior Executive Engineer and Peter Brady, Executive Engineer, Water Services delivered a presentation, which provided a route overview and information on works management, including proposed road closures. It is hoped to appoint a contractor in October 2021 and complete works at the end of 2023, with a further update to be provided at a later stage.

Matters raised by councilors included:

- Queried when the linear park will be handed over – negotiations are ongoing with the developer to identify the optimum timeframe for delivery. It is intended to minimize any disruption, with the proposal to go under the gravel pathway in the Linear Park. It is up to the developer to comply with the planning conditions with Irish Water to get a wayleave from the developer.
- Queried whether the plans will go on public display – as permission is in place, there is no public consultation required but consultation will take place with key stakeholders. A process is in place in relation to advertising and accepting submissions in relation to road closures and this will be implemented at the appropriate time.

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- Queried the approach to be taken and timeframe – initially, 2 kms will be laid in Fingal in 2021 to coincide with overlay works on the R132 (as an advance contract) followed by 4kms from the plant to the Fingal boundary (in main contract).
- Queried the cost and whether funding has been secured – Irish Water is committed to the project. The tender process will determine the costs. These will then be reviewed by Irish Water prior to formal contractor appointment.
- Queried whether the works would ensure future capacity requirements would be met – it is envisaged that the plant will meet capacity for Stamullen and its hinterland to 2040.
- Queried whether there would be issues of smell in Stamullen during certain weather conditions. – the rising main is sealed. There will be no odour issues at Stamullen. Chemical treatment is included in the design to ensure no odour downstream. Provision is made in the design for cleaning of the rising mains.
- Queried whether there were likely to be archaeology implications – various routes had been considered and this was considered the best route, with an archaeologist required to be in attendance.
- Queried the possibility of providing cycleways and footpaths to Balbriggan in addition to road reinstatement – Meath County Council is working closely with Fingal County Council and the provision of cycle lanes may be considered. Provision of same is a matter for Fingal County Council in the Fingal County Council administrative area.
- Referred to the poor road infrastructure serving Stamullen and whether the NTA would allow the road through City North to be opened temporarily as a diversion route – access to Stamullen is a challenging issue. Meath County Council Water Services is actively exploring the Backlands Option as an alternative to minimise disruption to road users. Use of diversions at City North through third party lands not envisaged.

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- Queried whether these works will result in improved water quality in the River Delvin and Gormanston beach – with regard to the River Delvin, the current treatment at the plant complies with the licence requirements. It is difficult to be categorical with regard to an improvement to Gormanston Beach area as waste (from other sources) can enter the Delvin river downstream of the Stamullen Wastewater Plant. However, there will be positive environmental benefits as there will be no discharge to the River Delvin once the project is completed so benefit to Gormanston beach area is likely.
- Referred to the condition of the routes being proposed as diversion routes – the council is aware of the issues and, closer to the road closures, these routes will be risk assessed in terms of potholes and overhanging hedges. The existing potholes will be added to the list for repair.

### **4.4 Corporate Services**

- 4.4.1 To note Municipal District Allocations submitted by Councillors on behalf of Ashbourne Municipal District.

The list of allocations, circulated in advance, was noted.

## **5 Notice of Question**

### **5.1 Submitted by Councillor Alan Tobin**

“The attached photos show a proposed pedestrian access that should have been kept open but was bricked up by the developer. I have looked at the online files and cannot find details of previous planning permissions on the Council website. One of the planning applications was DA 120 431. Can I ask Planning for clarity on this as there are issues with public rights of way in the area?”

#### **Response:**



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*There is no registered right of way on these lands as per the Meath County Development Plan. Link attached:*

<https://meathcountydevelopmentplan.files.wordpress.com/2015/04/appendix-14-public-rights-of-way.pdf>.

The response was noted.

### **5.2 Submitted by Councillor Aisling O'Neill**

“In light of the recent increase in illegal dumping in the County, does the Environment Section of Meath County Council send letters to households requesting proof of proper waste disposal as is allowed under legislation?”

**Response:**

*In 2018 the Council adopted the County of Meath (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws, 2018. The purpose of these Bye Laws is to give additional powers to Local Authorities to target persistent offenders who do not have appropriate arrangements in place for waste disposal.*

*Where complaints are received that a household does not have appropriate arrangements in place for the disposal of their waste, these Bye Laws give the powers to issue letters seeking details of any such arrangements and to call to the household (in normal times) to discuss the matter or to take appropriate action thereafter as necessary.*

The response was noted.

## **6 Notice of Motion**

### **6.1 Submitted by Councillor Conor Tormey**

“That Meath County Council erect a bus stop between St.Declan’s graveyard & The Pillo hotel.”



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### **Supporting information subject to the motion being proposed, seconded and considered:**

*The provision of bus stop infrastructure, in particular the erection of bus stop poles, shelters, and information carousel units, is a matter for the National Transport Authority (NTA) and the relevant bus operators in the first instance. Meath County Council does not have a direct responsibility for the provision of such infrastructure but will assist as necessary to provide same including a bus stop between St.Declan's graveyard & The Pillo Hotel, if deemed necessary by the NTA. It is noted that given the current width of the N2 and the traffic volumes and speed on this section of the N2, there would be safety concerns in relation to introducing bus stops at this location particularly in relation to how pedestrians would cross the road safely. It is further noted that the existing bus stops on the R135 that serve the Pillo Hotel are approximately 500-600 metres from the graveyard.*

It was pointed out that those travelling from Slane/Ardee cannot disembark on the north side of the Pillo Hotel but must travel into Dublin and take a return route. It was also pointed out that bus stop on the opposite side of the road would facilitate those visiting the graveyard. It was agreed to refer this to Transportation and requested that they raise it with the NTA.

The supporting information and motion, proposed by **Councillor Conor Tormey** and seconded by **Councillor Alan Tobin**, was agreed.

### **6.2 Submitted by Councillor Alan Tobin**

“To call on Meath County Council to carry out a coastal biodiversity study for the area of coastline between the rivers Nanny and Delvin and review any implementation of recommendations from such a study including possible designation as SAC or SPA.”

### **Supporting information subject to the motion being proposed, seconded and considered:**

*The request to carry out this study is being considered by the Councils Biodiversity Officer and in conjunction with similar requests for other locations. In determining the necessity for such studies discussions will take place with relevant stakeholders including National Parks and Wildlife and where considered desirable the statutory process for designation as an SAC or SPA has to be followed.*



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*The legal basis on which SACs/SPAs are selected and designated is the [EU Habitats Directive and EU Bird Directive](#), transposed into Irish law by the [European Communities \(Birds and Natural Habitats\) Regulations 2011 \(S.I. No. 477 of 2011\)](#), as amended. The National Parks and Wildlife Service, Department of Housing, Local Government and Heritage are responsible for site designation and notification of stakeholders for in relation to same. The Site Designations Unit also co-ordinate access to information on all designated sites and deal with appeals on land designation.*

*The NPWS Research Unit undertake scientific surveys and research to provide baseline and monitoring data to underpin policy, designations, protection and management of wildlife habitats and species. A number of biodiversity surveys of the Meath coast have been undertaken by the NPWS (through the Dune Monitoring Survey and Coastal Monitoring Programme) and Meath County Council over the years. See links below for some details:*

<https://www.npws.ie/protected-sites/sac/001957>

<https://www.npws.ie/protected-sites/spa/004158>

The supporting information and motion, proposed by **Councillor Alan Tobin** and seconded by **Councillor Amanda Smith**, was agreed.

### **6.3 Submitted by Councillor Alan Tobin**

“To investigate if it is feasible for our outdoor staff to seek an immediate solution for people with a disability and provide a safe concreted hard surface for up to 4 cars at Gormanston beach at the location indicated below.

The area designated in pink, would need a proper foundation, some steel mesh, a concrete surface and a ramp on to the beach. Four designated spaces in blue. The yellow box is for 3 big belly bins for general, recyclable and food waste.”

**Supporting information subject to the motion being proposed, seconded and considered:**

*There are particular site characteristics that make it an unsuitable location for the proposed parking and bin layout as suggested. The site is constrained in terms of*



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*manoeuvring to park vehicles. There would be significant conflict between reversing vehicles and pedestrians walking to and from the beach, especially if all the parking spaces were occupied as there is no turning circle at the end of the lane. The area is subject to tidal flooding and it is worth noting that the section of beach immediately in front of the proposed location had flood defence measures in place (boulders, gabions, pilings and earth bank) which was subsequently washed away. There are also statutory requirements that would need to be followed due to the proposed location being in or adjacent to the Delvin River Estuary such as a Foreshore Licence, Railway Order, Appropriate Assessment and possibly Environmental Impact Assessment reports which would add significantly to the costs of any proposed project. The proposed location would also expose the bins to saltwater spray resulting in rust and maintenance issues.*

It was requested that consideration be given to the provision of some parking spaces whilst the beach is closed and until alternative parking provided.

The supporting information and motion, proposed by **Councillor Alan Tobin** and seconded by **Councillor Amanda Smith**, was agreed.

### **6.4 Submitted by Councillor Aisling O’Neill**

“In relation to the N2 Rath to Kilmoon project, that Meath County Council explores other alternatives to the present plan that can be delivered at a lower cost, in the quickest timeframe and the most environmentally friendly manner. The new Climate Bill, which has a target of net zero emissions by 2050, focuses on public transport solutions above road infrastructure and, to meet the new criteria, a park and ride system with improved public bus services should be the first option. I ask the support of my fellow Councillors.”

#### **Supporting information subject to the motion being proposed, seconded and considered:**

*Meath County Council continues to work in partnership with Fingal County Council and in association with Transport Infrastructure Ireland, to develop the N2 Rath Roundabout to Kilmoon Cross scheme. The N2 between Rath Roundabout and Kilmoon Cross currently has a substandard alignment and safety is compromised due to a number of at-grade junctions and private accesses along the existing road. This section of the N2 experiences a number of existing traffic problems including major delays and long tailbacks from the signalised junction at Primetestown in the morning and evening peak periods. The*



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*proposed scheme intends to improve journey times, journey time reliability and to reduce stop-start traffic on the N2 corridor. The scheme also intends to address the environmental and safety impacts associated with these traffic problems.*

*A range of feasible scheme options was initially identified within the study area. In addition to the offline route corridor options, a Traffic Management Option to utilise existing junctions and improvements within the existing road boundary to manage demand and access control was also assessed. In addition, consideration and assessment of any feasible public transport solutions which meet the project objectives was also undertaken. A previous study looked at upgrading individual junctions including the one at the N2/R155 at Primetestown. This report concluded that upgraded junctions would be operate at or close to capacity under existing traffic conditions, with no reserve capacity available to accommodate additional growth on the N2 and adjoining roads. They would therefore have a short design life and it was noted that the N2 requires a full upgrade to accommodate the projected increase in traffic along the route*

*The process of identifying a preferred option goes through a rigorous process and is subjected to peer review to ensure that the right solution is identified that meets the project objectives. We are not aware that it is the Government's intention that road schemes currently in the planning phase will be cancelled should the Climate Action and Low Carbon Development (Amendment) Bill 2021 be enacted, particularly when road schemes such as the N2 Rath to Kilmoon Scheme are supported by current policies in the National Planning Framework (Ireland 2040), the National Development Plan (2018-2027) and the National Transport Authority's Transport Strategy for the Greater Dublin Area. Until instructed otherwise, it is the Council's intention to continue the process of identifying a preferred option which can be developed and submitted for statutory planning approval.*

The supporting information and motion, proposed by **Councillor Aisling O'Neill** and seconded by **Councillor Alan Tobin**, was agreed.

### **7 Strategic Policy Committee & Corporate Policy Group Reports – For Information Purposes**

- 7.1 To note the Corporate Policy Group Meeting Minutes of 26<sup>th</sup> February 2021.

The report was noted.



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- 7.2 To note the report from the Climate Action, Environment and Emergency Services SPC meeting of 25<sup>th</sup> March 2021.

The report was noted.

- 7.3 To note the report from the Housing, Community & Cultural Development SPC meeting of 7<sup>th</sup> April 2021.

The report was noted.

### **8 Correspondence**

- 8.1 Correspondence received from Mr Ambrose McLoughlin, Secretary of the Milltown Sports Field Trust.

The correspondence was noted. It was also noted that this is not council property and the landowners can erect a plaque, if they wish.

- 8.2 Correspondence received from Mr Kieran Costello, KN Group in response to the notice of item 8.1.2 from the March Meeting re concerns raised by Ashbourne United.

The correspondence was noted. Following a request, it was agreed that the district engineer would meet with the contractor and club representatives on site to see if snagging works were in compliance with the licence.

### **9 Any Other Business**

There was no other business.

This concluded the business of the meeting.

**Signed:**



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**Cathaoirleach**