

## *Minutes of July Meeting 2013*

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Minutes of Ordinary Meeting of Louth County Council held in County Hall, Dundalk on Monday 15<sup>th</sup> July 2013

### **In attendance:**

<b>Cathaoirleach:</b>	Cllr. D. Breathnach
<b>Members:</b>	Councillors: P. Bell, M. Bellew, M. Butler, T. Byrne E. Corrigan, L. English, F. Godfrey, J. Lennon, J. Loughran, F. Maher, C. Markey, P. McGeough, I. Munster, M. Murnaghan, M. O' Dowd, L. Reilly, P. Savage, T. Sharkey, P. Smith, O. Tully
<b>Officials:</b>	J. Martin, County Manager F. Pentony, Director of Services B. Woods, Head of Finance J. McGuinness, Director of Services M. Curran, Director of Services M. Murtagh, Senior Executive Officer R. McKenna, Senior Engineer P. Connolly, Senior Executive Engineer P. Donnelly, Meetings Administrator
<b>Apologies:</b>	C. Moss, Senior Executive Officer G. Kelly, Senior Engineer

### **Minute No. 142/13**

#### **Confirmation of Minutes**

**Proposed by Cllr. F. Godfrey**

**Seconded by Cllr. P. Bell**

**And Resolved:-**

That the minutes of the Annual General Meeting held on 17<sup>th</sup> June 2013 be confirmed.

**Minute No. 143/13**

**Confirmation of Minutes**

**Proposed by Cllr. O. Tully  
Seconded by Cllr. L. English  
And Resolved:-**

That the minutes of the Ordinary Meeting held on 17<sup>th</sup> June 2013 be confirmed.

**Minute No. 144/13**

**Minutes – For Information**

The minutes of the following meetings were noted.

- |   |            |
|---|------------|
| • CPG   | 06/06/2013 |
| • North Louth Area Committee                  | 05/06/2013 |
| • South Louth Area Committee                  | 10/06/2013 |
| • Economic Development & Forward Planning SPC | 09/05/2013 |

**Minute No. 145/13**

**Committee Reports**

- Corporate Policy Group – An Cathaoirleach Cllr. D, Breathnach reported on the meeting of 5<sup>th</sup> July 2013
- Economic Development & Forward Planning SPC – Cllr. C. Markey reported on the meeting of 20<sup>th</sup> June 2013

**Minute No. 146/13**

**To consider County Managers Report in respect of development of Playground, Louth Village**

**Proposed by Cllr. J. Lennon  
Seconded by Cllr. F. Godfrey  
And Resolved:-**

That having considered the County Managers report dated 1<sup>st</sup> July 2013 in respect of the proposed development of a playground at Fr. Finn Park, Louth Village confirm the recommendations therein in accordance with Section 179 of the Planning and Development Act, 2000 as amended and the Planning and Development Regulations 2001 – 2009

**Minute No. 147/13**

**Tribute to County Manager**

An Cathaoirleach Cllr. Declan Breathnach paid tribute to Mrs. Joan Martin for her role as County Manager since August 2012.

**Minute No. 148/13**

**Appointment of County Manager**

**Proposed by An Cathaoirleach Cllr. D. Breathnach**

**Seconded by Cllr. F. Godfrey**

**And Resolved:-**

To confirm the appointment of Ms. Philomena Poole as County Manager for Louth in accordance with Section 145 of the Local Government Act, 2001 as per the recommendation of the Public Appointments Service in correspondence dated 21<sup>st</sup> June 2013.

**Minute No. 149/13**

**Declaration of Public Roads**

**Proposed by Cllr. M. Murnaghan**

**Seconded by Cllr. L. English**

**And Resolved:-**

That having considered the report dated 5<sup>th</sup> July in the matter, to confirm the roads in the development known as the Loakers, Blackrock, Co. Louth to be Public Roads in accordance with Section 11, Roads Act, 2003 and Section 180 Planning and Development Act, 2000 as amended.

**Minute No. 150/13**

**Transportation & Marie Progress Report**

The Transportation & Marie Progress Report dated 5<sup>th</sup> July 2013 was discussed and noted by the members. Members were advised that every effort was being made in respect of the delivery of the Narrow Water Bridge project despite tender costs being significantly higher than forecast.

**Minute No. 151/13**

**Planning Progress Report**

The Planning Progress Report dated 8<sup>th</sup> July 2013 was discussed and noted by the members. Members sought a report in regard to silting at Annagassan Harbour for the September meeting.

**Minute No. 152/13**

**Housing Progress Report**

The Housing Progress Report dated 8<sup>th</sup> July 2013 was discussed and noted by the members.

**Minute No. 153/13**

**Environmental Progress Report**

The Environmental Progress Report dated 4<sup>th</sup> July 2013 was discussed and noted by the members. Members were advised that the landfill site at White River would cease to receive municipal waste with effect from 31<sup>st</sup> August. Bottom ash would continue to be accepted until 31<sup>st</sup> December 2013 or as advised.

**Minute No. 154/13**

**Finance Quarterly Report**

The Finance Quarterly Report dated 5<sup>th</sup> July 2013 was discussed and noted by the members.

**Minute No. 155/13**

**Fire Services Quarterly Report**

The Fire Services Quarterly Report dated 8<sup>th</sup> July 2013 noted by the members.

**Minute No. 156/13**

**Allocation of Members Community Grants**

**Proposed by Cllr. M. Murnaghan**  
**Seconded by Cllr. L. English**  
**And Resolved:-**

To confirm the allocation of Members Community Grants numbering thirty two as listed with the agenda.

**Minute No. 157/13**

**Conference & Events**

**Proposed by Cllr. M. Murnaghan**

**Seconded by Cllr. F. Godfrey**

**And Resolved:-**

To approve the attendance of Members at conferences endorsed by the Corporate Policy Group on 5<sup>th</sup> July 2013 and recorded in the Conference and Events register.

**Minute No. 158/13**

**Votes of Sympathy**

The following votes of Sympathy were recorded.

- Mr. John Duff Waterworks Caretaker on the death of his Mother Mrs. Catherine Duff
- Ms. Eva Beirne, (Men's Sheds Coordinator) on the Death of her Mother Mrs. Evelyn Burlingham
- The Family of the late Pdraig Faulkner, former TD and Minister for Education.

**Minute No. 159/13**

**Vote of Congratulations**

A vote of congratulations was recorded in respect of the Ageing innovation award accepted by the County Manager, Mrs. Joan Martin in Brussels recently on behalf of the collaboration on Ageing group (COLLAGE) which includes Louth County Council; The DkIT based Netwell and Casala research centres and University College Cork. The group were one of only thirteen in Europe to receive the top three-star status.

**Minute No. 160/13**

**Suspension of Standing Orders**

**Proposed by An Cathaoirleach, Cllr. D. Breathnach**

**Seconded by Cllr. J. Lennon**

**And Resolved:-**

To suspend Standing Orders in accordance with Standing Order 24 to permit the business of the meeting continue until 1.45 pm.

**NOTICES OF MOTION**

**Minute No. 161/13**

**Proposed by Cllr. T. Sharkey**

**Seconded by Cllr. E. Corrigan**

"In light of the fact that St Francis National School's new building is due to open in Blackrock in the coming months and that Gort na Mara, Seafield Road is due to be occupied by residents, that Louth County Council proceeds with the design and installation of a pedestrian footpath from the Seafield Rd / Dublin Road junction to Sandy Lane in Blackrock."

**Reply**

***Approval to allocate funding for this footpath out of the additional Restoration Improvement Grant, notified to the Council in June, was submitted to the Department on 27<sup>th</sup> June.***

**Minute No. 162/13**

**Proposed by Cllr. I. Munster**

**Seconded by Cllr. T. Byrne**

"Calling on the council to facilitate the Clogherhead Coast Guard in providing a piece of land between the Red Sail Fish Factory and the Inner Dock in Clogherhead (which was previously occupied by the Neptune Adventure centre) to allow them to erect a portal cabin to operate and continue their life saving work".

**Reply**

***While we have no proposal to dispose with this area of land, we will be happy to meet with the Coast Guard Authorities to discuss their requirements.***

**Minute No. 163/13**

**Proposed by Cllr. E. Corrigan**

**Seconded by Cllr. P. Smith**

**And resolved;**

"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" And that the motion be circulated to all Councils.

**Minute No. 164/13**

**Proposed by Cllr. P. Smith**  
**Seconded by Cllr. P. Bell**  
**And resolved;**

"That this Council calls for the reintroduction of the ban on the below cost selling of alcohol as an interim measure to address alcohol misuse, especially among younger people, and notify Minister Bruton of the decision".

**Minute No. 165/13**

**Proposed by Cllr. M. O'Dowd**  
**Seconded by Cllr. L. English**  
**And resolved;**

This Council calls on the Government to create and implement a regional jobs strategy combining funding agencies, third level institutions, industry and trade unions with a particular emphasis on opportunities for young people.

**Minute No. 166/13**

**Proposed by Cllr. E. Corrigan**  
**Seconded by Cllr. I. Munster**  
**And resolved;**

"That this Council calls on the government to release in full the Walsh Report into Symphisiotomy and to proceed with the process of redress for the victims of this procedure. The victims are elderly and have suffered long years of pain as a result of Symphisiotomy and also delays in the publication of the report."

**Minute No. 167/13**

**Proposed by Cllr. F. Godfrey**  
**Seconded by Cllr. E. Corrigan**

That Louth County Council identifies all the quarries in county Louth – in use and disused – and ensures that the owners make them safe. Louth County Council should make clear their policy regarding the future of quarries after their working lifetime. Despite being in private ownership, as the Planning Authority, Louth County Council should ensure that old quarries are made safe, filled in, landscaped and the area returned to its original condition.

**Reply**

***Louth County Council has identified a total of 46 quarries in the County and this figure includes those that are in operation and those that have ceased operation. The safety of a quarry is the responsibility of the owner/operator. Many of the older quarries that have ceased operation are beyond the enforcement powers of the Council. In recent years the conditions attached to planning permissions for quarries require that they be reinstated at the end of their useful life.***

**Minute No. 168/13**

**Proposed by Cllr. F. Godfrey**

**Seconded by Cllr. T. Byrne**

That Louth County Council investigates and monitors the removal and disposal of millions of tonnes of sand from the mouth of the Boyne River by Drogheda Port Company under licence.

Is there a timescale on the licence? When is it up for renewal?

Townsppeople in Drogheda are concerned by frequent dustings of sand and dust on cars and houses.

Can Louth County Council confirm who monitors the effects of airborne sand and dust during removal and storage on the Quayside?

Can Louth County Council provide readings from the past five years?

**Reply**

***Drogheda Port Company is operating under a Licence/Permit issued by the Department of Communications Marine & Natural Resources. Louth County Council has no role in the issuing and or monitoring of the conditions of such a licence/permit. The monitoring of air conditions is a matter for the Environmental Protection Agency and again Louth County Council do not have a role in regard to same.***

**NOTICES OF QUESTION**

**Minute No. 169/13**

**Cllr. I. Munster**

Will this council carry out renovation works to the public toilets at Port Oriel, The Harbour Clogherhead?

**Reply**

***There is no provision in this year's budget to carry out any major renovation works. Please note that these toilets were painted last year. Minimum works to improve the facility will be carried out as soon as possible.***



**Minute No. 170/13**

**Cllr. J. Loughran**

"In relation to an outstanding request from myself 3 years ago for details of property purchased by Louth County Council, when will the full report be made available?"

**Reply**

***Substantial amounts of information have already been given. Further discussion will be had with Cllr. Loughran to determine what is now outstanding.***

**Minute No. 171/13**

**Suspension of Standing Orders**

**Proposed by An Cathaoirleach, Cllr. D. Breathnach**

**Seconded by Cllr. J. Lennon**

**And Resolved:-**

To suspend Standing Orders in accordance with Standing Order 24 to permit the business of the meeting continue until 1.45 pm.

**Minute No. 172/13**

**Cllr. T. Sharkey**

"In relation to the purchase of a property at Tullagee which Louth County Council purchased in 2011:

- A. How many engineering studies were carried out by LLA staff?
- B. How many engineering reports were written by LLA staff?
- C. How many engineering studies and reports were carried out by an outside consultant on behalf Louth Local Authorities?
- D. Who carried out the valuation for Louth County Council?
- E. When did Louth County Council become aware of this house being available for purchase?

"In relation to the purchase of a property in 32 The Beeches, Clogherhead which Louth County Council purchased in 2011:

- A. How many engineering studies were carried out by LLA staff?
- B. How many engineering reports were written by LLA staff?
- C. How many engineering studies and reports were carried out by an outside consultant on behalf Louth Local Authorities?
- D. Who carried out the valuation for Louth County Council?
- E. When did Louth County Council become aware of this house being available for purchase?

**Reply**

**The purchase of both of these houses, amongst others, was initiated in the latter part of 2010 following an allocation for capital acquisitions by the Department of the Environment in June 2010. As a result of this allocation, Louth County Council placed an advert in the local newspapers requesting expressions of interest from possible vendors on 16th July 2010. Auctioneers were also contacted.**

**It is our policy that the Vendor provides a BER certificate and Certificates of Compliance with planning and building regulations. Independent market valuations are obtained to assist the negotiation process. All units are “snagged” by Council technical staff as part of the same process.**

- A. For both houses, the above protocols were applied.**
- B. For both houses, the above protocols were applied.**
- C. Aside from BER assessments, in the case of the house at Tullagee, the vendor additionally supplied a 2008 dated condition survey carried out for Bank of Ireland on the property and a 1998 certificate for treatment of timbers in the house**
- D. The market valuation details are provided in the table below**

<b>32 The Beeches</b>	<b>Tullagee</b>
<b>1. John Little, Property Partners (€160,000)</b>	<b>1. Gunne Property 26/11/10 (€130,000) 2. Gallagher Property Consultants 01/12/10 (€150,000) 3. John Little Property Partners 26/11/2010 (€140,000)</b>

- E. The purchase of the two houses in question was initiated in the final quarter of 2010 following LCCs drive to identify houses that met identified demand as part of this 2010 acquisitions programme.**
- F. The purchase of the house at Tullagee was closed in December 2010. The purchase of the house at the Beeches, Clogherhead was closed in early 2011.**

**Minute No. 173/13**

**NOTICES OF MOTION FROM OTHER COUNCILS**

The Members noted the following Motions from other Councils.

- Monaghan Town Council 14/06/2013
- Monaghan County Council 18/06/2013
- Wexford Borough Council 20/06/2013
- Leitrim County Council 21/06/2013
- Dundalk Town Council 24/06/2013
- Dundalk Town Council 24/06/2013

**Minute No. 174/13**

**CORRESPONDENCE**

The Members noted the following correspondence

- Challenge of Change 02/07/2013
- Environment Community & Local Government 03/07/2013
- Letter to Mr. James Reilly TD 28/05/2013

**Minute No. 175/13**

**COUNTY MANAGER'S REGISTER**

The Members noted that the County Managers Order Register to-date was available.

**Minute No. 176/13**

**Fire Alarm**

Noted - the fire alarm sounded at circa 1100 a.m. and members responded accordingly and vacated the building. The alarm was as a result of a routine fire drill required under the Councils Fire Safety plan.

**Minute No. 177/13**

An Cathaoirleach, Cllr. Declan Breathnach extended get well wishes to Cllr. Jim Ryan who had recently underwent surgery. Best wishes were also extended to Cllr. Marianne Butler for the safe and successful delivery of her baby.

*Minutes of July Meeting 2013*

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The business the meeting been completed the meeting concluded.

The Minutes were confirmed at a meeting of Council held on:-

Date: \_\_\_\_\_

Cathaoirleach: \_\_\_\_\_

Meetings Administrator: \_\_\_\_\_