

*Minutes of November Ordinary Council Meeting 2013*

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Minutes of Ordinary Meeting of Louth County Council held in County Hall, Dundalk on Monday 18<sup>th</sup> November 2013

**In attendance:**

**Leas Cathaoirleach:** Cllr. L. Reilly

**Members:** Councillors: M. Bellew, M. Butler, T. Byrne, E. Corrigan, A. Donohoe, L. English, F. Godfrey, A. Grehan, J. Lennon, F. Maher, C. Markey, F. McCoy, P. McGeough, I. Munster, M. Murnaghan, P. McQuillen, M. O' Dowd, J. Ryan, P. Savage, T. Sharkey, P. Smith, O. Tully

**Officials:** P. Poole, County Manager  
F. Pentony, Director of Services  
B. Woods, Head of Finance  
J. McGuinness, Director of Services  
G. Kelly, Senior Engineer  
M. Murtagh, Senior Executive Officer  
P. Donnelly, Meetings Administrator

**Apologies:** Cllr. D. Breathnach, Cathaoirleach  
Cllr. P. Bell  
Ms. J. Martin, Director of Services

**Minute No. 240/13**

**Confirmation of Minutes**

**Proposed by Cllr. F. Godfrey**

**Seconded by Cllr. L. English**

**And resolved:-**

That the minutes of the Ordinary Meeting held on 21<sup>st</sup> October 2013 be confirmed.

**Minute No. 241/13**

**Minutes – For Information**

The minutes of the following meetings were noted.

- |  |            |
|--|------------|
| • CPG  | 11/10/2013 |
| • Dundalk Carlingford/Dundalk South Area Committee | 09/10/2013 |
| • Ardee Area Committee Meeting                     | 10/10/2013 |
| • Drogheda East & West Area Committee              | 07/10/2013 |
| • Economic Development & Forward Planning SPC      | 20/06/2013 |
| • Traveller Accommodation Consultative Committee   | 05/09/2013 |

**Minute No. 242/13**

**Committee Reports**

- Corporate Policy Group – An Leas Cathaoirleach Cllr. L. Reilly reported on behalf of Cllr. D. Breathnach re proceedings of the meeting of 8<sup>th</sup> November 2013
- Environment SPC – Cllr. M. O’Dowd reported on the meeting of the 12<sup>th</sup> November 2013

**Minute No. 243/13**

**Date for Budget Meeting**

**Proposed by Cllr. F. Godfrey  
Seconded by Cllr. L. English  
And Resolved:-**

To confirm the recommendation of the CPG that the Annual Budget meeting will be held on Monday 16<sup>th</sup> December 2013 immediately following the Ordinary December meeting of Council.

**Minute No. 244/13**

**Section 183 Notice**

**Proposed by Cllr. F. McCoy  
Seconded by Cllr. O. Tully  
And Resolved:-**

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That having considered the notice dated 25<sup>th</sup> October 2013 recommending the disposal of 92 Sliabh Breagh, Ardee by way purchase to Mr. John McKenna the matter be confirmed.

### **Minute No. 245/13**

#### **Section 183 Notice**

**Proposed by Cllr. O. Tully**  
**Seconded by Cllr. F. Godfrey**  
**And Resolved:-**

That having considered the notice dated 25<sup>th</sup> October 2013 recommending the disposal of 20 Orchard Villas, Termonfeckin by way purchase to Ms. Geraldine Reynolds the matter be confirmed.

### **Minute No. 246/13**

#### **Section 183 Notice**

**Proposed by Cllr. L. English**  
**Seconded by Cllr. F. McCoy**  
**And Resolved:-**

That having considered the notice dated 25<sup>th</sup> October 2013 recommending the disposal of 58 Gort na Glaise, Blackrock by way purchase to Ms. Rosemary Ogunnaiké the matter be confirmed.

### **Minute No. 247/13**

#### **Overdraft Facility**

**Proposed by Cllr. F. Maher**  
**Seconded by Cllr. F. McCoy**  
**And Resolved:-**

That having considered the matter as presented by the Head of Finance, Council hereby approves the continuation of the Councils 2013 overdraft facility of €5 million with the Council's Bank to the end of December 2014.

**Minute No. 248/13**

**Transportation & Marine Progress Report**

The Transportation & Marine Progress Report dated 8<sup>th</sup> November 2013 was discussed and noted by the members and upon which queries were addressed by the Senior Engineer. These matters included the Community Involvement Scheme for local roads, Speed limits on the N2, The Drogheda Northern Cross route; Access to King Johns Castle; dredging of Annagassan Harbour; condition of hedgerows along county roads.

**Narrow Water Bridge**

In the matter of the Narrow Water Bridge project the Senior Engineer outlined that the project was tendered for in February 2013 with assessments been completed in June. The shortfall in funding was identified as a result of unexpectedly high tender prices. The preferred tender was valid for 180 days i.e. 16<sup>th</sup> September 2013; this has by agreement been extended to 16<sup>th</sup> January 2014. There is a deadline of June 2015 to have SEUPB funding allocations spent.

Following an all party cross border convention hosted at the Offices of Louth County Council on Friday 15<sup>th</sup> November a press statement was issued confirming the support of all parties in the project. The County Manager did at 1501 hrs on the same day receive by email from SEUPB advising that the European funding of €17.4 Million was been withdrawn.

The County Manager confirmed that SEUPB had in the past confirmed that the project is value for money and that she had requested that the funding not be reallocated until at least the 8<sup>th</sup> of December. The County Manager also advise that a delegation including An Cathaoirleach and The Director Of Services was attending a meeting in Stormont Parliament Buildings, today Monday 18<sup>th</sup> November to meet the Deputy First Minister, Martin McGuinness MLA in regard to the project.

In response to questions regarding funding commitments the following was confirmed:

Louth County Council	€2.0 million
Newry & Mourne District Council	€1.75 million
Down District Council	€0.5 million

Every effort had been made to secure the shortfall of €10 million from the Departments of Finance of both Governments and a Philanthropic source.

The Senior Engineer was satisfied that the work that had been done to bring the project to its current stage was not lost as there had been significant progress both in engineering and political understanding of the project.

The County Manager in thanking the team for all their efforts assured the members that efforts would continue to secure funding for the project.

**Minute No. 249/13**

**Planning Progress Report**

The Planning Progress Report dated 8<sup>th</sup> November 2013 was noted by the members. There was a discussion on the matter of bonds associated with developments and views expressed as to the practice of accepting insurance bonds instead of cash bonds. It was confirmed that Council as a Planning Authority could not refuse an insurance bond. Where this had been the case in the past, on appeal to An Bord Pleanala the appeal was successful. A report on bonds will be presented to council at a future date.

**Minute No. 250/13**

**Votes of Sympathy**

The following votes of Sympathy were recorded.

- To Mrs. Cousins and her Family on the death of the former Cathaoirleach of Louth County Council Mr. Jim Cousins.
- To Anne McDonnell, Finance Section of the death of her Mother, Mrs Kathleen Currid
- To Anne D. Callan, Planning Office of the death of her Mother-in-law, Mrs. Logue
- To the Family of Shane Whelan who died following an accident at Monasterboice

**Minute No. 251/13**

**Housing Progress Report**

The Housing Progress Report dated 13<sup>th</sup> November 2013 was presented by the Director of Services who addressed the Member's queries which included pest control; Anti Social Behaviour; rate of refusal of allocations; voids and the reallocation of same; rough sleepers count; merging of services with the Town Authorities and challenge of identifying staff responsible for specific functions and rent arrears.

**Minute No. 252/13**

**Environmental Progress Report**

The Environmental Progress Report dated 5<sup>th</sup> November 2013 was presented by the Director of Services who addressed the Member's queries which included; the operation of the Oxygen site on the Coe's Road; number of schools involved in the green flag scheme; brown bin scheme in Drogheda; update on the unauthorised landfill site at Cavan Hill area.

**Minute No. 253/13**

**Allocation of Members Community Grants**

**Proposed by Cllr. P. Savage  
Seconded by Cllr. F. Godfrey  
And Resolved:-**

To confirm the allocation of Members Community Grants numbering sixty three as listed with the agenda.

**Minute No. 254/13**

**Conference & Events**

**Proposed by Cllr. F. Godfrey  
Seconded by Cllr. L. English  
And resolve:-**

To approve the attendance of Members at conferences considered by the Corporate Policy Group at their meeting of on 8<sup>th</sup> November 2013 and recorded in the Conference and Events register.

**NOTICES OF MOTION**

**Minute No. 255/13**

**Proposed by Cllr. I. Munster  
Seconded by Cllr. F. Godfrey  
And Resolve:-**

That this Council values quality education as a means to promoting personal social, intellectual, cultural and economic development.

This Council is concerned that many young students in Louth are in over sized classes, and many more have more than 30 students.

Louth County Council calls on the Minister for Education and the Department of Education to appoint enough teachers to ensure this situation ends.

We also call on the Department of Education and Skills to implement a new system that establishes the numbers of new students entering school 6 months before the start of each school year.

**Minute No. 256/13**

**Proposed by Cllr. C. Markey  
Seconded by Cllr. M. Murnaghan  
And Resolve:-**

That LCC draft an appendix to the annual budget document that outlines in greater detail the programme expenditure

**Reply**

***The format of the budget document is set out by department regulations and local amendments to the document are not permitted. However Members will be provided with supplementary information which will provide background to the budget document***

**Minute No. 257/13**

**Proposed by Cllr. E. Corrigan  
Seconded by Cllr. I. Munster  
And Resolve:-**

'As the commitment given by government that 80 percent of money received from local property tax would be spent locally to provide local services has been reneged on by government, we once again ask, that this council now call on government to axe the Property Tax'

**Minute No. 258/13**

**Proposed by Cllr. M. Murnaghan  
Seconded by Cllr. P. Savage  
And Resolve:-**

That Louth County Council recognise the fact that broadband and mobile phone coverage are critical elements to the future development of our county. In particular, I am calling on this authority to recognise the fact that North Louth is suffering when it comes to these fundamental pieces of the "new infrastructure" that will drive this region forward. North Louth has a vast number of "black spots" when it comes to broadband and mobile phone coverage. This is hindering business, business start-ups and education in the area, as large pockets of the community have little or no access to either. In order to progress the entrepreneurial spirit that undoubtedly exists within this district, North Louth needs this infrastructure to be put in place. And that this Authority writes to the Minister for Communications, Energy and Natural Resources together with the Broadband Service Providers expressing our concern regarding the service coverage.

**Reply**

***The Director of Services for Economic and Cross Border Development is currently chairing a Task group on the Subject of Broadband services. The group is a subcommittee of the Louth Economic Forum. The Director will present the draft action plan to SPC and to Council at their December meeting. As is practice the draft action plan will also be presented to the County Development Board at their next meeting***

**Minute No. 259/13**

**Proposed by Cllr. M. Murnaghan  
Seconded by Cllr. C. Markey**

That this authority allocate funding in the forthcoming budget to the Louth Community Men's Sheds. I am making this proposal as the funding for these facilities currently comes from the International Fund for Ireland, which is due to expire at the end of this calendar year. The "sheds" are run by the Netwell Centre, who are devoted to promoting positive ageing within our communities. Currently in Louth there are three sheds, located in Drogheda, Dundalk and in Cooley. These facilities are used by retired/semi retired men, whom come together and share their skills with each other. Retirement can be a sentence to those whom receive it, a sentence to loneliness and isolation. As this authority was a pioneer in promoting age friendly, this is an ideal project for this county to promote and support financially

**Reply**

***Louth County Council recognises that the Men's Shed facility is an excellent service provided in a number of communities across the county. The Council will in conjunction with the facility provider explore opportunities of drawing in funding.***

**Minute No. 260/13**

**Motion Cllr. P. Bell**  
Deferred as the member was absent



**NOTICES OF QUESTION**

**Minute No. 261/13**

**Cllr. M. O'Dowd**

What is the insurance position for community and resident groups that maintain the green area in estates where the said green area has not been taken in charge by the Council?

**Reply**

***'Louth County Council cannot insure a property that we have no interest in, and therefore would not have insurance cover for any residential or community groups that carry out works or activities in estates that are not taken in charge. The advice received from our insurers suggests that all resident or community groups should carry their own insurance for any activities they are carrying out in any estate including ones where the estate has been taken in charge.'***

The response was noted

**Minute No. 262/13**

**Cllr. O. Tully**

"How much income was collected for berthing charges at Port Oriel Harbour Clogherhead for the last 5 years and how much of this was reinvested in maintenance of the harbour over the same period".

**Reply**

***The income collected for berthing charges at Port Oriel, Clogherhead during the period 2008 to 2012 inclusive amounted to €238,259.***

***The expenditure incurred during the same period was €216,150. In addition, during this period, the Council paid €986,959.71 in Loan Interest and Capital Repayments in respect of the Loan for the improvements and extension to the Harbour.***

The response was noted

**Minute No. 263/13**

**Cllr. T. Sharkey**

"In relation to the house in Tullagee Knockbridge bought by this council in 2010/2011, how much funding was received from SEAI for energy efficiency works on this house and what works were carried out on this house in the last year and what was the cost of these works? Also, when did council staff decide

that this house was in need of energy conservation works, was an independent survey carried out on this house, by which engineer and what were the findings of that survey?

**Reply**

***“Members will be aware there has been some media coverage in relation to the Council’s Social Housing Investment Programme for 2010. You will also be aware that I directed a review to be conducted by the Council’s Internal Auditors Deloitte. That report has been received and I have now instigated a full investigation into matters surrounding the purchase of the two particular properties involved. All of the appropriate steps and procedures have been put in place to facilitate this investigation.***

***This will be a de novo investigation – therefore the investigation team will start from scratch. The Deloitte report will not be made available to the Investigation Team, to the individuals involved or indeed to any third party and I have emphatic legal advice to that effect.***

***This investigation will be carried out in a timely manner however until it is fully concluded the Council will not engage or comment on any matter which in any way surrounds it in order to ensure that the outcome is not prejudiced for the individuals involved or for the organisation.”***

There followed an exchange in the matter within which the Leas Cathaoirleach indicated to Cllr. Sharkey that he was unhappy with his comments re the County Managers actions. The member was requested to withdraw the comment by the Leas Cathaoirleach, which he declined to do.

The Leas Cathaoirleach adjourned the meeting.

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

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

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

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