

Minutes of September Meeting 2013

Minutes of Ordinary Meeting of Louth County Council held in County Hall, Dundalk on Monday 16th September 2013

In attendance:

| | |
|-----------------------|---|
| Cathaoirleach: | Cllr. D. Breathnach |
| Members: | Councillors: P. Bell, M. Butler, T. Byrne, E. Corrigan, A. Donohoe, L. English, F. Godfrey, J. Lennon, J. Loughran, F. Maher, C. Markey, F. McCoy, P. McGeough, F. Maher, I. Munster, M. Murnaghan, M. O' Dowd, L. Reilly, J. Ryan, P. Savage, T. Sharkey, P. Smith, O. Tully |
| Officials: | P. Poole, County Manager J. Martin, Director of Service F. Pentony, Director of Services B. Woods, Head of Finance J. McGuinness, Director of Services M. Curran, Director of Services C. Moss, Senior Executive Officer M. Murtagh, Senior Executive Officer E. McManus, Administrative Officer P. Donnelly, Meetings Administrator |
| Apologies: | G. Kelly, Senior Engineer |

Minute No. 178/13

New County Manager

The Cathaoirleach introduced and welcomed the new County Manager Ms. Philomena Poole. The County Manager in responding thanked the Cathaoirleach and looked forward to working with the members. The County Manager noted and thanked Ms. Joan Martin for her work as County Manager over the last twelve months.

Minute No. 179/13

Confirmation of Minutes

Proposed by Cllr. F. Godfrey

Seconded by Cllr. L. English

That the minutes of the Ordinary Meeting held on 15th July 2013 be confirmed.

Minute No. 180/13

Minutes – For Information

The minutes of the following meetings were noted.

- | | |
|--|------------|
| • CPG | 05/07/2013 |
| • Dundalk Carlingford/Dundalk Sth Area Committee | 03/07/2013 |
| • Ardee Area Committee Meeting | 04/07/2013 |
| • Drogheda East & West Area Committee | 01/07/2013 |
| • Traveller Accommodation Consultative Committee | 10/04/2013 |

Minute No. 181/13

Committee Reports

- Corporate Policy Group – An Cathaoirleach Cllr. D. Breathnach reported on the meeting of 6th September 2013

Minute No. 182/13

Raising of a Loan for €2 million

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

That having considered the report dated 9th September 2013 in respect of the raising of a loan in the amount of two million euro in accordance with Section 106 of the Local Government Act, 2001 (as Amended) for the purpose of contributing to the constructions costs of the Narrow Water Bridge.

Minute No. 183/13

Declaration of Public Roads

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

That having considered the report dated 3rd September in the matter, to confirm the roads in the development known as The Spires, Termonfeckin, 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. 184/13

Declaration of Public Roads

Proposed by Cllr. F. McCoy

Seconded by Cllr. L. Reilly

And Resolved:-

That having considered the report dated 3rd September in the matter, to confirm the roads in the development known as Tierney Street, Ardee, 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. 185/13

Declaration of Public Roads

Proposed by Cllr. F. Godfrey

Seconded by Cllr. O. Tully

And Resolved:-

That having considered the report dated 3rd September in the matter, to confirm the roads in the development known as Rockabill Cove, Termonfeckin, 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. 186/13

Draft Public Libraries Strategy 2013 - 2017

The members noted details of the Public consultation on the draft strategy for Public Libraries 2013 – 2017 with the consultation process being recorded from 2nd September to 11th October 2013.

Minute No. 187/13

Nomination of Member to the Board of Louth Leader Partnership.

The requirement for nomination arose as a result of the term of office of Cllr. T. Byrne ending.

There were two nominations for the position

Cllr. T. Byrne
Proposed by Cllr. L. Reilly
Seconded by Cllr. F. McCoy

Cllr. Edel Corrigan
Proposed by Cllr. I. Munster
Seconded by Cllr. P. Smith

There followed a roll call vote on the matter

Cllr. T Byrne

Cllrs. D. Breathnach, T. Byrne, A. Donohoe, L. English, F. Godfrey, J. Lennon, C. Markey, F. McCoy, F. Maher, M. Murnaghan, M. O'Dowd, L. Reilly, P. Savage, O. Tully. **(14)**

Cllr. E. Corrigan

Cllrs. P. Bell, E. Corrigan, J. Loughran, P. McGeough, I. Munster, T. Sharkey, P. Smith. **(7)**

Abstain

Cllrs. M. Butler, J. Ryan. **(2)**

Absent

Cllrs. M. Bellew, A. Grehan, P. McQuillen. **(3)**

The Cathaoirleach confirmed Cllr. Byrne elected.

Minute No. 188/13

Correspondence to Louth Leader Partnership

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

That a letter issue to the CEO of Louth Leader Partnership advising that Louth County Council had two nominees for the vacancy one of which was a woman,

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and that the matter be referred to the Minister by the CEO before the appointment is confirmed.

The Meetings Administrator advised of the difficulty in issuing such a letter as there was no provision in law to allow for a reserve function of Council (for which the nomination of an elected member to a public body is, as per Schedule 14 of the Local Government Act, 2001 (as amended)) to transfer to a third party. The writing of such a letter would therefore be ultra vires. Advising the Partnership of the nomination process would however be in order as it is a matter of public record.

Minute No. 189/13

Transportation & Marine Progress Report

The Transportation & Marine Progress Report dated 5th September 2013 was discussed and noted by the members.

Minute No. 190/13

Votes of Sympathy

The following votes of Sympathy were recorded.

- To the family of the later Mr. Eamon McGuire, Former Director of Services and Chief Fire Officer with Louth County Council.
- To the family of the late Mr. Eugene Byrne brother of Cllr. Tommy Byrne.
- To Ms. Ursula Healy (Housing Section) and her family on the death of her Mother Mrs. Brigid Murphy.
- The Family of the late Mr. Paul Keane, Sportsman Dundalk
- The Family of Mr. Aidan McCrystal, Bellurgan, Dundalk.
- The family of the late Mr. Richie McKinney, Louth Men's Association.

Minute No. 191/13

Votes of Congratulations

Votes of congratulations were extended to the following.

- The success of all the Tidy Towns Groups following the recent announcement of the results for 2013. In particular to those who retained their medal status including, Dundalk, Drogheda, Tallanstown, Ardee, Knockbridge and Blackrock. Particular thanks were paid to the many volunteers for their commitment and continued hard work in making Louth a wonderful place to live.

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- To the football teams across the county on their success to date including, Cooley Ladies, St. Patricks Athletic, Cooley Kickhams, Huntertown rovers and the Newtown Blues.
- The members of the Louth County Fire Service who took part in the World Fire Police games hosted in the North of Ireland recently.
- To Fr. Iggy O'Donovan on leaving Drogheda to take up a new post.
- Cllr. Marianne Butler and the recent birth of her Son, William Frank.
- Larry Dunne on his recent success in winning the National Greyhound Darby.

Minute No. 192/13

Planning Progress Report

The Planning Progress Report dated 6th July 2013 was discussed and noted by the members.

Minute No. 193/13

Housing Progress Report

The Housing Progress Report dated 9th September 2013 was discussed and noted by the members. The County Manager reported to the members in regard to recent enquiries regarding the Social Housing Investment Programme. The County Manager outlined that the Council's internal audit service provider, Deloitte had commence work auditing the process at her direction. The County Manager outlined the importance of the matter being dealt with in a comprehensive manner and confirmed that the matter would be reported on to Council when the audit process was completed.

Minute No. 194/13

Environmental Progress Report

The Environmental Progress Report dated 5th September 2013 was discussed and noted by the members. The Director agreed to source a report in respect of the water meter programme for County Louth.

Minute No. 195/13

Suspension of Standing Orders

Proposed by Cllr. M. Murnaghan

Seconded by Cllr. F. McCoy

And Resolved:-

To suspend Standing Orders in accordance with Standing Order 24 to permit the business of the meeting continue until 2.00 pm.

Minute No. 196/13

Library & Archives Quarterly Report

The Library & Archives Quarterly Report dated 4th September 2013 was discussed and noted by the members.

Minute No. 197/13

Arts Service Quarterly Report

The Arts Service Quarterly Report for the period July to September as circulated with the Agenda was noted by the members.

Minute No. 198/13

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 six as listed with the agenda.

Minute No. 199/13

Conference & Events

Proposed by Cllr. F. McCoy

Seconded by Cllr. O. Tully

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To approve the attendance of Members at conferences endorsed by the Corporate Policy Group on 6th September 2013 and recorded in the Conference and Events register.

Amendment

Proposed by Cllr. T. Sharkey

Seconded by Cllr. E. Corrigan

That the decision to confirm the Conference attendance be deferred until the October meeting.

There followed a roll call vote

For – Cllrs. E. Corrigan, J. Loughran, P. McGeough, I. Munster, T. Sharkey. **(5)**

Against – Cllrs. D. Breathnach, T. Byrne, A. Donohue, L. English, F. Godfrey. J. Lennon, C. Markey, F. McCoy, F. Maher, M. Murnaghan, M. O'Dowd, J. Ryan, P. Smith, O. Tully. **(14)**

Abstain – Cllrs. P. Savage **(1)**

Absent – Cllrs. M. Bellew, P. Bell, M. Butler, A. Grehan, P. McQuillen, L. Reilly **(6)**

The amendment was defeated and the motion was confirmed as resolved.

NOTICES OF MOTION

Minute No. 200/13

Proposed by Cllr. P. Smith

Seconded by Cllr. F. McCoy

“Calling on Louth County Council to ensure that in their negotiation with the Dept of Transport in relation to the future of Drogheda Port, the Council demand that any future arrangement in which the Council has responsibility for the Port be such that Drogheda Port is debt free and that monetary provision is provided by the government for the construction of training walls at the site of the sand bar”

Reply

Discussions in relation to the future of Drogheda Port have not yet commenced. Clearly the best interests of the Council and County along with the minimisation of any future liabilities to fall on the Council will be key elements for us in any such discussions.

Minute No. 201/13

**Proposed by Cllr. F. Godfrey
Seconded by Cllr. J. Ryan**

Cllr. F. Godfrey

That Louth Local Authorities begin a programme of building one bedroom extensions with bathroom facilities onto Local Authority houses to accommodate sick or infirm elderly people. With an ageing population and Louth being a designated Age Friendly County, we should lead the way in making the choice for older people to remain living at home a reality. Those houses built mainly in the 1950's with only one reception room downstairs, should be fitted with another room that could be used as a bedroom for those unable to get up and down the stairs.

This would benefit the whole community in creating employment through the building programme itself.

Reply

"Louth County Council continually review both our stock and tenant needs within the available financial resources, in this case Internal Capital Receipts from the sale of other stock. On that basis identified need is addressed on an individual basis to ensure best investment of limited resources."

Minute No. 202/13

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

Cllr. F. Godfrey

That Louth Local Authorities urgently address the serious issues of unoccupied/derelict houses/closed or boarded up houses and properties in the County.

There are thousands of unoccupied houses/buildings/properties in County Louth being vandalised, damaged and set on fire which is costing thousands of euro in fire fighting charges and other costs annually. These premises are unsightly and an eyesore in many towns in the County.

The Local Authority must become pro-active and tackle this problem head on - make the property owners responsible for maintaining their property, or pay up or forfeit their property to the Local Authority if the said property is not maintained or charges build up against them within a timeframe.

How many Enforcement Orders have been issued in the past 10 years? How many prosecutions have ensued?

Reply

The Planning Enforcement Unit do not issue enforcement notices in respect of Derelict Sites Act, 1990, instead they issue Section 11 Notices. This notice generally refers to the dilapidated condition of the derelict property and orders the scheduled works to be carried out within the timescale specified in the notice.

Number of Derelict sites on Register

| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------|------|------|------|------|------|------|------|------|------|
| 23 | 21 | 21 | 21 | 18 | 18 | 18 | 22 | 25 | 25 |

Number of Derelict Section 11 notices issued to owners of Derelict Sites

| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------|------|------|------|------|------|------|------|------|------|
| 8 | 0 | 0 | 0 | 0 | 1 | 4 | 6 | 1 | 2 |

Minute No. 203/13

Proposal by Cllr. M. O'Dowd

As the member was absent the matter was deferred in accordance with Standing Order 12 (vi) (b)

That Louth County Council writes to the Office of the DPP to ask what further resources are required by that office to ensure the timely prosecution of those who may be guilty of offences following the planning and payments tribunals and the banking collapse.

Reply

This is a matter for the members

Minute No. 204/13

Proposal by Cllr. P. Bell

As the member was absent the matter was deferred in accordance with Standing Order 12 (vi) (b)

"That Louth County Council supports SIPTU's call for Minister Hogan to engage with Local Development Company (LDC) workers and their union to address their issues arising from the planned alignment of LDC's with local authorities"

Minute No. 205/13

**Proposed by Cllr. F. McCoy
Seconded by Cllr. L. Reilly**

“To propose that the Ardee Pay Parking revert back to the pilot scheme that was in place for the last number of months and that we adopt the first hour free parking and also the half day on a Saturday. In addition to this, we would put the second hour up from forty cent to one euro going forward”

Reply

Any change in the Pay Parking Scheme for Ardee requires the amendment of byelaws and has a number of statutory requirements including consultation and publication of drafts. The Council are at present reviewing the current scheme.

Minute No. 206/13

**Proposed by Cllr. O. Tully
Seconded by Cllr. L. Reilly**

"That Louth County put in place a proper maintenance program for Port Oriel Harbour Clogherhead and implement same".

Reply

Louth County Council has a maintenance programme in place for Port Oriel Harbour, Clogherhead which is dependent on the funding available. Funding over the last few years, and 2013 in particular, has been severely restricted and many of the maintenance works required can only be carried out if grants are made available.

In 2013 repairs have been carried out on the harbour wall under a grant from the Department of Agriculture Food and the Marine. In addition repairs have been carried out to the crane and orders for repairs to the lights have been placed. The replacement of electrical power pillars is being progressed. Louth County Council will continue to maintain the facility within the budget available and will seek to have this budget supplemented by grant aid when possible.

Minute No. 207/13

**Proposed by Cllr. I. Munster
Seconded by Cllr. F. Godfrey**

“Calling on this council to extend the Mobile Library Service to include Aston Village and Termon Abbey estates”

Reply

The Council's Mobile Library Service is currently being reviewed and a provision can be made to include Aston Village and Termon Abbey Estates in the timetable. The Schools Library van currently provides books to Aston Village Educate Together National School.

Minute No. 208/13

Suspension of Standing Orders

Proposed by Cllr. M. Murnaghan

Seconded by Cllr. F. McCoy

And Resolved:-

To further suspend Standing Orders in accordance with Standing Order 24 to permit the business of the meeting continue until 2.10 pm. For the purpose of dealing with motion number (vii)

Minute No. 209/13

Proposed by Cllr. J. Loughran

Seconded by Cllr. I. Munster

"That this Council supports the campaign on humanitarian grounds, to repatriate Michael Campbell from a Lithuanian prison to serve the remainder of his sentence at home in Ireland. With particular regard to the findings by Professor Rod Morgan (Professor of Criminal Justice in the Department of Law) University of Bristol, of the inhuman and degrading conditions in the prison and that this request is carried out with immediate effect."

Reply

This is a matter for the members

Following a discussion on the matter there was a roll call vote.

For – Cllrs. E. Corrigan, J. Loughran, P. McGeough, I. Munster, J. Ryan, P. Savage, t. Sharkey. **(7)**

Against – Cllrs. T. Byrne, A. Donohue, L. English, C. Markey, M. Murnaghan, O. Tully. **(6)**

Abstain – Cllrs. D. Breathnach, F. Godfrey, J. Lennon, F. McCoy **(4)**

Absent – Cllrs. M. Bellew, P. Bell, M. Butler, A. Grehan, F. Maher, P. McQuillen. M. O'Dowd. L. Reilly, P. Smith. **(9)**

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The motion was confirmed.

The time being 2.10 p.m. the business the meeting concluded.

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

Date: _____

Cathaoirleach: _____

Meetings Administrator: _____