

Minutes of Ordinary Meeting of Louth County Council held in County Hall, Dundalk on Monday 18th April 2016

In attendance:

Cathaoirleach: Cllr. P. Savage

Members: Councillors: P. Bell, M. Butler, J. Byrne T. Byrne, K. Callan, E. Coffey E. Corrigan, R. Culhane, T. Cunningham, M. Dearey, M. Doyle, K. Flood, F. Godfrey, J. Green, C. Keelan, J. Loughran, C. Markey, J. McGahon, P. McGeough, K. Meenan, D. Minogue, L. Reilly, P. Smith, J. Tenanty, O. Tully, M. Yore

Officials: J. Martin, Chief Executive
B. Woods, Head of Finance
J. McGuinness Director of Services
F. Pentony, Director of Services
E. O’Gorman, Director of Services
P. Donnelly, Director of Services
P. Finn, Senior Engineer
G. Kelly, Senior Engineer
T. McEvoy, Head of LEO
M. Murtagh, Meetings Administrator

Apologies: Cllr. T. Sharkey

Minute No. 47/16

Confirmation of Minutes

Proposed by: Cllr. P. Bell
Seconded by: Cllr. O. Tully
And resolved:

That the minutes of the Meeting held on Monday 21st March 2016 be confirmed.

Minute No. 48/16

Matters Arising

- Minute 36/16 Confirmed that the development in Clogherhead is Oriel Cove Housing Estate

Minute No. 49/16

Minutes for noting

The following minutes were noted by the members.

Borough District of Drogheda 7th March 2016
Corporate Policy Group 21st March 2016
Municipal District of Ardee 3rd March 2016
Municipal District of Dundalk 1st March 2016
Planning & Environment SPC 9th December 2015

Minute No. 50/16

Chairman's Report – Corporate Policy Group Meeting held on 8th April 2016

The Cathaoirleach, Cllr. P. Savage presented the report. Members considered and agreed the draft Agenda for the April Monthly Meeting. Councillors Community Grants (No. 30) were noted and recommended for approval as were Conferences & Events (No.4) as presented. Members discussed details for the Centenary Commemorations scheduled for 24th April and agreed to recommend extending the Partnership Agreement between Louth County Council and LAPUA Town Council to include South Ostrobothnia Council. Members also stressed the importance of placing Notices of Motion on Municipal / Borough District Agenda where appropriate with only those with a county wide impact to be placed on Agenda for Monthly Meeting.

Minute No. 51/16

Monthly Management Report

Members considered the Management Report dated 7th April 2016. Queries in regard to the report were addressed by the Chief Executive, Members of the Management Team, and Senior Staff. Issues addressed included:-

- Amount of rates outstanding and the need to introduce an amnesty or incentive scheme to encourage occupancy of vacant properties and increase footfall in commercial areas. Ms. B. Woods, Head of Finance confirmed that rates in Louth were lower than in neighbouring counties and that an incentive scheme was in place but the local authority was determined to meet its obligation in collecting outstanding rates
- Civic Awards – Progressed through two meetings of Protocol Committee with final recommendations being prepared for approval by the Protocol Committee and recommendation to the Corporate Policy Group. It is hoped that the scheme will be on the Agenda for member's consideration at the May Monthly Meeting.
- Beach Wheelchairs – J. McGuinness, Director of Services advised that the scheme could only succeed if a local community partner was identified to operate the initiative locally and no such group was identified as being interested to date
- Leader Programme – J. McGuinness, Director of Services advised that the Local Development Strategy is currently with the Department and it is hoped to have approval before the end of May.
- Boice Court – Phase 1 complete, phase 2 approved and phase 3 with Department for approval to develop in the same contract as phase 2.
- An Easter Service – Sold out during the run of performances – examining the feasibility of adding further dates during Heritage Week, provided funding is available

Minute No. 52/16

Section 183 Notice – Proposed Disposal of Land at 1 Bothar Brugha, Drogheda

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

That having considered the notice on the matter dated 23rd March 2016 to confirm the disposal of land at No. 1 Bothar Brugha, Drogheda to Clement Corrigan for a consideration of €400

Minute No. 53/16

Transfer of Partnership Agreement between Louth County Council and Lapua Town Council to South Ostrobothnia Council

**Proposed by Cllr. O. Tully
Seconded by Cllr. R. Culhane
And resolved:**

To approve the Transfer of Partnership Agreement between Louth County Council and Lapua Town Council to South Ostrobothnia Council

Minute No. 54/16

2014 Audited Annual Financial Statement including Auditor's and Audit Committee's Report

**Proposed by Cllr. M. Dearey
Seconded by Cllr. M. Doyle
And resolved:**

To defer consideration of this item to the May monthly meeting

Minute No. 55/16

Conferences and Events

**Proposed by Cllr. F. Godfrey
Seconded by Cllr. R. Culhane
And resolved:**

To approve the attendance of members recorded in the Conference & Events Register at such Conferences and Events listed within the agenda.

Minute No. 56/16

Allocation of Members Community Grants

**Proposed by Cllr. P. Bell
Seconded by Cllr. M. Yore
And resolved:**

To approve Members Community Grant Allocations (No. 30) as listed on the report circulated with the agenda

Minute No. 57/16

Notice of Motion

**Proposed by Cllr. M. Dearey
Seconded by Cllr. M. Butler**

"That, in light of the now grave and imminent threat of serious inundation of our main towns through a combination of high tides and increasing winter rainfall levels, that Louth County Council calls on Government to expedite the flood protection measures for our homes and businesses and land management plans for the Neagh Bann and Eastern River Basin districts"

The proposer Cllr. Dearey highlighted the fact that the study is undertaken on the basis of current sea levels and doesn't factor in potential future risks including glacier movement which could pose a long-term threat. The view was expressed

that Dundalk is almost certain to be approved, but what is being proposed would only protect against current levels. The other 7 areas in the county identified as being at risk including Drogheda, Termonfeckin, and Baltray will require interim works while awaiting funding for long term solutions. Members stressed that the local authority must proactively seek funding to alleviate identified threats and call on the government to react as soon as the plans are officially published.

Minute No. 58/16

Notice of Motion

Proposed by Cllr. P. Smith

Seconded by Cllr. M. Yore

Calling on Louth County Council to contact the relevant Minister and request that the current Rates legislation be reviewed to take account of the current business environment and consider introducing the following changes:

- 1) Eliminate the two moiety payments as currently in place and instead ensure that when the rate demand is received it details the amount due and allows for the respective rate payer to enter into a payment plan (if necessary) with the Local Authority to clear any outstanding debt.
- 2) Allocate powers, similar to the Revenue to the Local Authority for the collection of rates.
- 3) Require the Business Person/Company to register each year on-line the property(ies) that they are operating from and that they sign up to the way they are going to pay e.g. one payment lump sum, monthly, weekly etc. The system would be beneficial to both the local authority and the Revenue in collecting taxes.

Louth County Council ask that Section 32 of the Local Government Reform Act 2014 be examined and clarification issued as to how the above changes can be implemented"

Ms. B. Woods, Head of Finance advised that the issues raised in the Notice of Motion are being addressed nationally and pointed out that the allocation of powers, similar to the Revenue Commissioners, to the local authority for the collection of rates would require national legislation. A number of members expressed concern at the possible provision of these powers and the Chairman called for a show of hands on the Notice of Motions as presented on the agenda

For *16 members*
Against *7 members*
Absent *6 members*

Accordingly the Notice of Motion was carried

Minute No. 59/16

Notice of Question

Proposed by Cllr. A. Cassidy

How many legal proceedings have been initiated for recovery of outstanding commercial rates in each of the years from 2009 to 2015 under the Poor Relief (Ireland) Act, 1838 as amended and Poor Relief (Ireland) Act, 1849 and what is the monetary value of each year's total?

REPLY:

The response to this Question is currently being collated by staff and the response will issue in due course

Members requested that a timeframe be provided for supplying the information and it was agreed that the response would be provided as soon as possible

Minute No. 60/16

Notice of Question

Proposed by Cllr. E. Corrigan

"How many bonds were refunded to developers under the Planning & Development Act 2000 in each of the years from 2009 to 2015 and what is the total monetary sum for each year?"

REPLY:

The response to this Question is currently being collated by staff and the response will issue as soon as is practicable.

Members requested that a timeframe be provided for supplying the information and it was agreed that the response would be provided as soon as possible

Minute No. 61/16

Notice of Question

Proposed by Cllr. T. Sharkey

"What graveyards in Louth have been vested to the County Council, what resources are required for their maintenance and what funding is made available from various sources to support this work?"

REPLY:

Aside from the graveyards in Dundalk (Dowdalshill Cemetery) and Drogheda (Newtown Cross Cemetery) which Louth County Council manages, there are 29 other graveyards which are accepted as being vested in Louth County Council as detailed in the list below. The Council employs part time caretakers in 11 of these 29, as highlighted below:

	NAME	VESTED IN LOUTH COUNTY COUNCIL?	MAINTENANCE DONE BY
1	Charlestown Graveyard	Yes	LCC Caretaker
2	Dromin Graveyard	Yes	LCC Caretaker
3	Dunany Graveyard	Yes	LCC Caretaker
4	Mapastown Graveyard	Yes	LCC Caretaker
5	Millockstown Graveyard (Jumping Church)	Yes	LCC Caretaker

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6	Monasterboice Graveyard	Yes	LCC Caretaker
7	Richardstown Graveyard	Yes	LCC Caretaker
8	Shanlis Graveyard	Yes	LCC Caretaker
9	Smarmore Graveyard	Yes	LCC Caretaker
10	Stickillen Graveyard	Yes	LCC Caretaker
11	Urney Graveyard	Yes	LCC Caretaker
12	Cappogue Graveyard	Yes	
13	Clogherhead Graveyard	Yes	
14	Clonmore Graveyard	Yes	
15	Kilsaran Graveyard	Yes	
16	Little Calvary Graveyard	Yes	
17	Louth Old Graveyard	Yes	

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18	Louth Village Graveyard	Yes	
19	Mayne Graveyard	Yes	
20	Mosstown Graveyard	Yes	
21	Mullary Graveyard	Yes	
22	Newtownstalaban	Yes	
23	Philipstown Graveyard	Yes	
24	Port Graveyard	Yes	
25	Rathdrummin Graveyard	Yes	
26	Stabannon Graveyard	Yes	
27	Tallanstown (Churchpark)	Yes	
28	Tullyallen Graveyard	Yes	
29	Darver Graveyard	Yes	

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The Annual budget of €521,000 for Burial Grounds in Louth is consumed as follows:

Dundalk: Louth County Council took over the running of Dowdalshill cemetery in Dundalk from the Dundalk Joint Burial Board in 2014 and as well as incurring administrative costs in its running, the Council also employs a gang of 4 permanent staff on the site there who are responsible for all maintenance and grave digging, etc.

Drogheda: Louth County Council took over the management of the Newtown cemetery in Drogheda also in 2014 and is responsible for the repayment of significant loan charges outstanding from its development.

The County area: The council employs part-time caretakers at 11 of the 29 graveyards vested in the Council, and this accounts for virtually the entire budget available for spending on these graveyards outside of the two main towns

Utility costs, waste removal costs, some costs incurred in facilitating the annual blessing of the graves and costs incurred in minor repairs to plant and equipment are also covered by this budget.

While there is no budget for works on the graveyards for which caretakers are not provided, some benefit from the attention of local voluntary groups. The council encourages such community involvement in the care of rural graveyards (not restricted to those vested in the Council) through the award of €1,500 annually through the Louth Looking Good awards.

Minute No. 62/16

Notice of Question

Proposed by Cllr. T. Cunningham

What is the monetary total of commercial water rates write-offs made by the Chief Executive in each month from January 2015 to January 2016?

REPLY:

As this matter must be referred to Irish Water a response will be made available following that consultation.

The response was noted by the members

Minute No. 63/16

Notice of Question

Proposed by Cllr. P. McGeough

What is the update position of the comprehensive report that was requested into flooding in Dromiskin?

REPLY:

The compilation of the information, already available within the Council, has commenced and the matter is being progressed as resources become available. It will be several months before a comprehensive report will be completed and then the report will be brought to the Municipal District

Members noted the response and the proposer stressed the need to prioritise the significant amount of work required to alleviate the problem in Dromiskin

Minute No. 64/16

Vote of Sympathy

Members paid tribute to former Councillor Tommy Reilly who passed away in March having been a member of Louth County Council during the period 1991 – 2008 and serving as Chairman on two occasions. Members noted he always had the interest of the County at heart and served the County with distinction. Sympathy was extended to his wife Madge, sons Damian, Liam and Tomás and daughters Siobhan and Roisin. Ms. J. Martin, Chief Executive offered the condolences of the staff of Louth County Council.

Minute No. 65/16

Correspondence

Mr. F. Pentony, Director of Services advised members that a letter had issued the previous week confirming that the Minister was not now proposing to make a Ministerial Draft Direction in relation to the County Development Plan. It was agreed that the correspondence would be circulated to the members.

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That concluded the business of the meeting.

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

Date: _____

Cathaoirleach: _____

Meetings Administrator: _____