

*Minutes of Ordinary meeting of Council December
2016*

Minutes of Ordinary Meeting of Louth County Council held in County Hall, Dundalk
on Monday 19th December 2016

In attendance:

Cathaoirleach: Cllr. P. Bell

Members: Councillors: M. Butler, J. Byrne, T. Byrne, K. Callan, A. Cassidy, E. Coffey, E. Corrigan, T. Cunningham, M. Dearey, M. Doyle, K. Flood, F. Godfrey, C. Keelan, , J. McGahon, P. McGeough, K. Meenan, D. Minogue, L. Reilly, P. Savage, T. Sharkey, J. Tenanty, O. Tully, A. Watters, M. Yore

Officials: J. Martin, Chief Executive
J. McGuinness Director of Services
E. O’Gorman, Director of Services
F. Pentony, Director of Services
P. Donnelly, Director of Services
B. Woods, Head of Finance
M. Daly, Senior Executive Officer
A. Lawler, Senior Executive Officer
P. Finn, Senior Engineer
M. Quinn, Senior Executive Planner
T. McEvoy, Head of LEO
A. Sherry, Meetings Administrator
J. Lawrence A/ Senior Executive Officer

Apologies: Cllrs. J. Green, P. Smith

Minute No. 198/16

Confirmation of Minutes

Proposed by: Cllr. F. Godfrey

Seconded by: Cllr. O. Tully

And resolved:

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That the minutes of the ordinary meeting held on 21st November 2016 be confirmed.

Minute No. 199/16

Matters arising

- Cllr. McGeough pointed out that he had not seconded the minutes of the Council meeting of the 17th October, 2016, as stated in the minutes of the meeting of 21st November, 2016. It was undertaken to amend the minutes accordingly
- It was undertaken to report to the Infrastructure, European and Cross Border Affairs Strategic Policy Committee in relation to enforcement procedures adopted by other local authorities in relation to disabled parking spaces.
- Members were informed that work should commence in relation to the Cu Chulainn school in the new year.

Minute No. 200/16

Confirmation of Minutes

Proposed by: Cllr. L. Reilly
Seconded by: Cllr. M. Dearey
And resolved:

That the minutes of the Budget meeting held on 21st November 2016 be confirmed.

Minute No. 201/16

Minutes for noting

The following minutes were noted by the members.

Corporate Policy Group 10th November 2016
Borough District of Drogheda 7th November 2016
Municipal District of Dundalk 1st November 2016
Municipal District of Ardee 3rd November 2016
LCDC 22nd September 2016
Louth Drugs & Alcohol Forum 7th April, 5th May, 2nd June & 7th July 2016
Housing, Community Planning & Emergency Services SPC 19th September 2016

Minute No. 202/16

Motion from Housing SPC

Motion arising from the Housing SPC held on 28th November 2016 – “Calling on the Minister for Housing to set aside the minimum income limit requirement of the new Incremental Tenant Purchase Scheme, and that the Council also refer this to the Oireachtas Joint Committee on Housing

The Director of Housing explained that this motion was in response to tenants who were in receipt of social welfare but had sufficient resources to purchase their Council house not being eligible to do so under the scheme.

Members noted the report.

Minute No. 203/16

Monthly Management Report

Members considered the Management Report dated 30th November 2016. Queries in regard to the report were addressed by the Chief Executive, Members of the Management Team, and Senior Staff. Issues addressed included:-

- The issue of the retrospective arrears that was applied to tenant’s rent accounts was raised and in particular the lack of a mechanism to write off the arrears where the tenant was not responsible for the situation. It was pointed out that this prevented tenants from applying for the Incremental Purchase Scheme.
- Members were informed that an application for funding will be made in the New Year in relation to the restoration of the Drogheda town walls.
- A Glossary of the acronyms used in the housing report was requested to be included in future reports.
- Concerns were raised about the existing differential rent scheme and members were informed that the new national scheme had not yet been introduced by the Department of Housing, Planning, Community and Local Government.
- Several members expressed the view that the current definition of homelessness resulted in people without a home not being counted and that extra effort was needed to encourage homeless people to make themselves known to the Council.

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- It was agreed that the 12 month rule in relation to warnings issued for anti-social behavior should be discussed at the Housing, Community Planning and Emergency Services SPC, along with the possible need for emergency homeless accommodation in the Mid-Louth area.

Minute No. 204/16

Nominations to LCDC (Local Community Development Committee)

Proposed by: Cllr. M. Yore

Seconded by: Cllr. L. Reilly

And resolved:

To appoint Mr. Ciaran Reid and Mr. Breannan Casey to the above committee as per recommendation from Mr. Joe McGuinness, Director of Services & endorsed by the Corporate Policy Group, in correspondence dated 1st December 2016 as circulated with the Agenda.

Minute No. 205/16

Annual Reports 2014 & 2015 – for Approval

Proposed by: Cllr. E. Coffey

Seconded by: Cllr. K. Callan

And resolved:

To approve the draft Annual Reports for 2014 & 2015 as circulated with the Agenda

Minute No. 206/16

Votes of Sympathy

Votes of sympathy were extended by the members to the families of:-

- To Pat Casey, Housing & Community; Libraries & Emergency Services on the death of his mother Mrs Catherine (Nancy) Casey (née Sullivan) and on the death of his uncle Mr Jim McKeever.

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- To Dermot Smith, Operations on the death of his sister Ms. Mary Kilcoyne (née Smith)
- To John McKeever, Operations on the death of his father Mr. Jim McKeever
- To Brian Harten, Economic Development, Infrastructure & Compliance- Arts on the death his father Mr. Bernard (Benny) Harten
- To the Archbishop of Armagh Rev Eamon Martin & to the family of Bishop Gerard Clifford recently deceased

Minute No. 207/16

Notice of Motion

Proposed by: Cllr. A. Watters

Seconded by: Cllr. J. Byrne

"Calling on Louth County Council to begin the process of developing a Disability Action Plan for Louth"

Reply:

Louth County Council currently fulfils a range of legal obligations in relation to people with disabilities. There is also reference to disability in the Louth Local Economic and Community Plan. It is suggested that relevant staff meet with Councillor Watters to discuss his proposal with a view to bringing a report back to Council on the issue in due course.

Members unanimously supported the motion and affirmed their desire for Louth to be a disability-friendly County

Minute No. 208/16

Presentation by OPW - Public Consultation on the Draft Flood Risk Management Plans

Mr. Aidan Harney from the Office of Public Works gave a presentation to the members in the above matter and answered questions from the members in this regard

Minute No. 209/16

Conferences and Events

Proposed by: Cllr. M. Butler

Seconded by: Cllr. O. Tully

And resolved:

To approve the attendance of members recorded in the Conference & Events Register at such Conferences and Events (No.5) listed within the agenda & endorsed by the Corporate Policy Group on 8th December 2016

Minute No. 210/16

Allocation of Community Grants

Proposed by: Cllr. M. Butler

Seconded by: Cllr. K. Callan

And resolved:

To approve Members Community Grant Allocations (No. 11) as listed on the report circulated with the agenda

Minute No. 211/16

Notice of Motion

Proposed by: Cllr. C. Keelan

Seconded by: Cllr. M. Yore

That this Council investigate the feasibility of adopting the Community Hedge Cutting Grant Scheme in this local authority area as has been done in Clare County Council which encourages a joint approach between local residents and landowners to address the issue of ongoing maintenance of roadside boundaries.

Reply:

The responsibility for the maintenance of hedge row lies with the land owner and the Council manage this by way of engagement with the respective land owners and when necessary the issue of a Section 70 notice in respect of overgrown hedge row. Council also use the services of a contractor to manage hedge rows at junctions and where road signs are obstructed. Technical staff have engaged with Clare County Council in this matter, however we are not satisfied that the safety issues and indeed the liability both for the operator and other road users are clarified sufficiently enough to allow us progress a Community scheme.

The response was noted by the members

Minute No. 212/16

Notice of Motion

Proposed by: Cllr. Pio Smith

" This Council rejects proposals contained in Part 2 of the Housing Miscellaneous Provisions Bill 2016 in relation to the setting up of a Strategic Housing Division within An Bord Pleanála. We note that the objective of this particular proposal is to fast-track planning applications for residential developments of 100+ units. Planning and the planned provision of housing has always been a key function of the local authority planning system and any move, no matter how temporary, would be viewed by the Council as further dilution of the role of the local authority. The Association firmly believes that the local planning system should be plan-led. Such an approach enables local people shape the communities where they live, provide for quality design with appropriate amenities, adhere to all local and county development plans and be delivered at the level closest to the public. This level has and should continue to be at local authority level"

By agreement this motion was deferred to the January 2017 meeting

Minute No. 213/16

Notice of Motion

Proposed by: Cllr. M. Dearey

Seconded by: Cllr. M. Butler

"That 10% of our Roads Budget be allocated to Sustainable Transport infrastructure in 2017"

Reply:

It is not possible to allocate 10% of the Roads Budget to Sustainable Transport Infrastructure, as the only discretionary funding available is the amount allocated in the 2017 Revenue Budget from development contributions to the Roadworks Programme. It is recommended that any allocation is postponed until full details of the Road Grants Allocations for 2017 are known

It was pointed out to the members that this would be a very small sum of money that would reduce the amount available for road maintenance. Concern was expressed at the possibility of the money available for rural roads being reduced and the need for additional resources for this purpose to be made available nationally. Cllr. Dearey emphasised the need to begin a debate in relation to sustainable transport.

Minute No. 214/16

Notice of Motion

Proposed by: Cllr. F. Godfrey

Seconded by: Cllr. M. Yore

That Louth County Council limits the further erection of wind turbines in the county due to their unsightliness and possible detrimental health effects to nearby residents"

Reply:

The County Louth Development Plan 2015-2021 identifies areas suitable for Wind Farm and Wind Energy development. The Department of Environment, Community & Local Government (DECLG) advised in Circular letter PL20-13 of 20 December 2013 that local authorities should defer amending the existing development plan policies and should operate existing policies until the completion of the review process of the wind energy development guidelines and renewable energy export policy and development framework, or as otherwise advised by the DECLG.

In the course of the debate it was highlighted to the members that the existing County development plan dictated the nature of planning for the County and that a lengthy statutory process was necessary to amend the Plan. The need to complete the review strategy within the timescale of the current County Development Plan was highlighted

The following amendment to the motion

**Proposed by Cllr. T. Cunningham
Seconded by Cllr. P. McGeough**

Amendment:- Until the completion of the review process of the wind energy development guidelines and renewable energy export policy and development framework

This was agreed by the members

Minute No. 215/16

Notice of Motion

**Proposed by: Cllr. D. Minogue
Seconded by: Cllr. F. Godfrey**

Louth County Council to amend Section 5.15.2 of the Louth County Development Plan ('LCDP') including Map 5.16 to extend the 'Collon Uplands Area of High Scenic Quality' to the area of the complete valley from Mount Oriel down to the ridgeline at Drakestown / Corrocan - as identified in light blue in the attached mark-up. The foregoing amendments will also apply to: (a) Map 11.1 in Appendix 11 of the LCDP and (b) having the effect of extending Development Zone 2 on Map 3.1 to include the area identified in light blue on the attached mark-up as well.

Reason:

The amendments are necessary in order to protect the scenic quality of the landscape. At present, the cut off for the Collon Uplands Area of High Scenic

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Quality is the middle of the base of the valley which does not make any spatial sense. The proposed amendment to the 'Area of High Scenic Quality' is in keeping with the LCDP's objectives for protecting the landscape along scenic routes (specifically SR22) and the identified 'Views and Prospects' (e.g. VP 31, VP34, etc.) as indicated on Map 11.1 in Appendix 11.

Reply:

The development zones as identified in this and previous historic Development Plans were based on a Landscape Character Assessment (prepared in accordance with Government's Guidelines). Consequently, to amend the geographic area of Development Zone 2 at this location would require a comprehensive review of the entire Landscape Character Assessment of the Development Plan

The reply was noted by the members

Minute No. 216/16

Notice of Motion

Proposed by: Cllr. D. Minogue

Seconded by: Cllr. O. Tully

Louth County Council to amend Sections 3.10.1 Development Zone 1 and 3.10.2 Development Zone 2 of the LCDP as follows with new text underlined:

'RD 31

To permit only very limited development appropriate to these sensitive landscapes. This would include limited one- off housing active recreational amenities such as pedestrian and cycle paths, equestrian trails, ecological corridors, small scale ancillary recreational facilities, agriculture and related activities. Certain unique, location tied or resource based developments and non-wind renewable energy schemes will be open to consideration. Such development will only be considered where it does not adversely impact on the conservation objectives of the Natura 2000 sites.'*

'RD 33

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To permit only essential resource and infrastructure based developments and developments necessary to sustain the existing local rural community. Such development would include limited one-off housing*, agricultural developments, extensions to existing authorised uses and farms, appropriate farm diversification projects, tourism related projects (excluding holiday homes), active recreational amenities such as pedestrian and cycle paths, equestrian trails, ecological corridors, small scale ancillary recreational facilities, and non-wind renewable energy schemes.'

Reason: To limit the locations for industrial wind energy from being located in Development Zones 1 and 2 given the policy objective to preserve and protect the scenic quality of the landscape.

Reply:

The Department of Environment, Community & Local Government (DECLG) issued Circular letter PL20-13 to all planning authorities stating that a number of policy initiatives were under review including:

- **Focused review of the wind energy development guidelines**
- **Renewable energy export policy and development framework**

In this regard, the DECLG advised that the preparation or variation of local authority development plans must take account of all relevant and up to date national policies. Local authorities should defer amending the existing development plan policies and should operate existing policies until the completion of this review process or as otherwise advised by the DECLG.

The reply was noted by the members

That concluded the business of the meeting.

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

Date: _____

Cathaoirleach: _____

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Meetings Administrator: _____