

Minutes of Ordinary Meeting of Louth County Council held in County Hall, Dundalk on Monday 15th February 2016

In attendance:

Cathaoirleach: Cllr. P. Savage

Members: Councillors: P. Bell, D. Breathnach M. Butler, T. Byrne, K. Callan, A. Cassidy, E. Corrigan, R. Culhane, T. Cunningham, M. Dearey, M. Doyle, K. Flood, F. Godfrey, J. Green, C. Keelan, J. Loughran, J. McGahon, P. McGeough, K. Meenan, D. Minogue, I. Munster, L. Reilly, T. Sharkey, 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

Minute No. 15/16

Confirmation of Minutes

Proposed by: Cllr. L. Reilly
Seconded by: Cllr. J. Tenanty
And resolved:

That the minutes of the Meeting held on Monday 18th January 2016 be confirmed.

Minute No. 16/16

Matters Arising

- Minute 02/16 – Members were advised that an initial meeting had been held with staff from Monaghan County Council. Matters being progressed and a further meeting will be held
- Minute 02/16 – In response to a request for an update on the status of Colaiste Cuchulainn, F. Pentony, Director of Services confirmed that the position was as advised at the Dundalk Municipal District Meeting of 2nd February 2016. CPO confirmed, awaiting guidance from State Solicitor
- Minute 05/16 – Members were advised that inter department transfers of staff were still ongoing which made it impossible to produce a staff list. Work is advancing and it is hoped to have the updated list available within the next two weeks
- Minute 05/16 – Noted that Page 9 of the Chief Executive’s Report highlighted that the legal advice referred to in the matter of rent arrears was verbal. Councillors confirmed that a number of affected tenants were seeking legal advice, and suggested that the local authority should seek written legal advice in the matter
- Minute 08/16 – Members asked that the establishment of the committee be prioritised and timeframed
- Minute 02/16 – Hippocampe Beach Wheelchair – Matter being progressed but the identification of an on-site partner has been identified as crucial to the initiative. J. McGuinness, Director of Services will provide a further update at the next meeting
- Minute 12/16 – Customer Services Review will take time to complete – best practice in other local authorities currently being examined to assist in introducing improvements
- Minute 05/16 – BIDS actively pursuing issue of Town Centre Manager but low rates base is contributing to the difficulty. Noted that Company Law applies in this case and that Directors are bound by the law. Agreed that the matter could be progressed at Municipal District level with the possibility of inviting BIDS representatives to a round table discussion in the matter

Minute No. 17/16

Minutes for noting

The following minutes were noted by the members.

Borough District of Drogheda 11th January 2016

Corporate Policy Group 8th January 2016

Economic Development & Enterprise Support SPC 14th December 2015

Municipal District of Ardee 14th January 2016

Municipal District of Dundalk 12th January 2016

Minute No. 18/16

Chairman's Report – Corporate Policy Group Meeting held on 5th February 2016

The Cathaoirleach, Cllr. P. Savage presented the report. The Draft Agenda for the February meeting was considered and agreed. Councillors Community Allocations (No. 33) were noted and recommended for approval. Schedule of Conferences / Events (No. 4) was noted and recommended for approval. Dog Litter and Control Bye-Laws were recommended for approval. Discussion took place in relation to the Boundary Commission Review with participation of elected members requested. A discussion took place on Notices of Motion – a number of formerly rejected motions were discussed and it was agreed to place them on the Agenda to facilitate discussion by the members. It was agreed to amend the format of the Chief Executive's Report to include a report on developments not taken in charge under the Planning Section of the report. Further agreed that the two relevant Directors of Services would meet with the Louth Agricultural Show committee to discuss event management issues with a recommendation made to allow them make a presentation to full Council if they wish, when these issues have been addressed separately.

Minute No. 19/16

Monthly Management Report

Members considered the Management Report dated 5th February 2016. Queries in regard to the report were addressed by the Chief Executive, Members of the Management Team, and Senior Staff. Issues addressed included:-

- It was clarified that the 50% rate reduction on vacant properties was governed by national legislation and not local policy
- It was clarified that the issue of Management Companies in housing estates is a planning issue covered by a condition in Planning Permissions
- Members were advised that following the meeting between officials from Louth and Monaghan County Councils it was agreed that Monaghan County Council would carry out a traffic survey on minor roads following which a further meeting would be held
- Retirement of Mr. Padraic White as Chairman of the Louth Economic Forum not referred to in the report but noted that the February minutes of the Economic Development SPC will record tributes paid
- Noted that a funding application had been made for the second phase of the refurbishment of St. Mary's Abbey
- Meeting took place with BIDS / Chief Executive / Chamber of Commerce with a follow-up meeting scheduled for 6/8 weeks
- Figures in relation to housing stock allocation, maintenance requests, and voids are a picture in time. Refusal rate still very high which contributes to the problem but the advancement of Choice Based Lettings will address this
- Diesel Laundering – has new marker contributed to a different type of waste and is there a risk of radiation as a result?
- Meetings on-going in relation to Drogheda Port and issue almost finalised. Some information may be commercially sensitive and consideration will have to be given to what can be released
- Tenant Purchase Scheme approved by Minister with effect from 1st January – awaiting guidelines from Department. Decision will have to be made in relation to what units will be eligible – it is hoped to make a presentation on the scheme at the March monthly meeting
- Introduction of pay by weight - Cost to companies of upgrading equipment is very significant and people using other householders bins becoming an issue
- Senior Engineer will examine the potential need for signage at pedestrian crossing at Monasterboice. The need for a second bus shelter at the location raised

- Costs in relation to the clean-up of illegal dumping site at Knockbridge refunded by the Department – cost will be verified. Members anxious to know if person (s) responsible will be pursued for the recovery of costs
- Transfer Scheme is part of the Allocation Scheme and SPC decision would be required for any amendments
- Emergency Services – Funding for Regional Training Centre an interim solution and not what is required to fund the proposal covered by Part 8. No plans developed yet for Dunleer Fire Station – will take a number of years to complete project

Minute No. 20/16

Nomination to LCDC (Local Community Development Committee)

**Proposed by Cllr. O. Tully
Seconded by Cllr. M. Butler
And resolved:**

That Ms. Sadie Ward McDermott would replace Mr. Peter Kierans as the LMETB nominee on the LCDC.

Minute No. 21/16

Dog Litter & Control Bye-Laws

**Proposed by Cllr. D. Breathnach
Seconded by Cllr. O. Tully
And resolved:**

That the Dog Litter and Control Bye-Laws 2015 be approved
Agreed that a launch of the Bye-Laws would be organised to create awareness around the issue of dog fouling in the expectation that the Bye-Laws will become largely self-enforcing.

Minute No. 22/16

Conference and Events

Proposed by Cllr. J. Tenanty

Seconded by Cllr. O. Tully

And resolved:

To approve the attendance of members recorded in the Conference and Events register at such conferences and events listed with the agenda

Minute No. 23/16

Allocation of Members Community Grants

Proposed by Cllr. M. Yore

Seconded by Cllr. P. Bell

And resolved:

To approve members Community Grant Allocations (No. 33) as listed on the report circulated with the agenda

Minute No. 24/16

Approval of the Restoration Improvement Multi-Annual Programme 2016 -18

Proposed by Cllr. J. Tenanty

Seconded by Cllr. M. Yore

And resolved:

To approve the multi annual programme distributed to the members – noted that relevant sections of the programme had been discussed at the three Municipal / Borough District meetings

Minute No. 25/16

Votes of Sympathy

Votes of sympathy were recorded in respect of the following.

- Rosarie Meade, Social and Community Section on the death of her mother Mrs. Marie Meade
- Family of Evan McArdle, Dundalk

Minute No. 26/16

Vote of Congratulations / Thanks

- John Cotteral, Louth Volunteer Centre on his new appointment
- Brian Elmore on his retirement from Louth County Council

Minute No. 27/16

Notice of Motion

Proposed by Cllr. A. Cassidy

Seconded by Cllr. K. Flood

"Given that Louth County Council does not employ a full time Tourism Officer, and that tourism is a key strategic objective of the county's economic development, I am asking that the elected members discuss this matter in the chamber so the Chief Executive will be fully aware of the elected members views on the matter"

Reply:

All matters relating to staffing issues in a Local Authority are Executive Functions and the motion is therefore out of order and should a resolution be passed such resolution will be null and void and ultra vires.

In addition, the motion is incorrect in that Louth County Council already fund two fulltime Tourist Officers, one in the Boyne Valley in conjunction with Meath County Council and the Dundalk Tourist Officer in association with Dundalk BIDS

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The proposer expressed his dissatisfaction with the response, but Mr. F. Pentony, Director of Services advised that an annual contribution, formerly made to MERTO, is now provided to fund the appointment of Tourism Officers in Dundalk and the Boyne Valley. It was agreed that F. Pentony would confirm the amount of the contribution.

Minute No. 28/16

Notice of Motion

**Proposed by Cllr. T. Byrne
Seconded by Cllr. C. Keelan
And Resolved**

"I call on Louth County Council to fully support Meath County Council in the naming of Mattock Bridge at Rossin Slane on the N51 at the Meath, Louth border after Philip Clarke a local man who died during the fighting of Easter week 1916"

Reply:

The motion was fully supported by the members

Minute No. 29/16

Notice of Motion

**Proposed by Cllr. T. Cunningham
Seconded by Cllr. Paul Bell
And Resolved**

"That Louth County Council calls on the new Government to ban all Super Trawlers from fishing in Irish Waters"

The motion was fully supported by the members and it was agreed to write to the Dept in this matter

Minute No. 30/16

Notice of Motion

Proposed by Cllr. M. Dearey

Seconded by Cllr. M. Butler

“That Louth County Council develop and submit a proposal to the Dept of the Environment and Local Government for the re establishment of the County Architect’s Office as envisaged in Government Policy on Architecture 2009 to 2015, Action 7.

In order to advance the quality of the designed environment, the Department of the Environment, Heritage and Local Government, in collaboration with the City and County Managers Association, will consider the benefits of each county/city council submitting plans for the provision of in-house architectural services, headed at the level of City or County Architect whose responsibilities may include:

- i. the promotion of architectural quality within the built environment;
- ii. specific engagement with infrastructure and public realm projects;
- iii. engagement with NGO and private sector activities in the promotion of architecture and architectural heritage, including exhibitions and publications and local awards schemes in order to promote architecture among the wider public.

The plans submitted will include the deployment of architects and other related professionals including architectural conservation officers to ensure that architectural conservation issues are proactively addressed. This may also include proposals to regionalise specific expertise in creating efficiencies given the current economic difficulties and limited resources available”

Reply:

All matters relating to staffing issues in a Local Authority are Executive Functions and the motion is therefore out of order and should a resolution be passed such resolution will be null and void and ultra vires.

The proposer indicated that he had a difficulty with the reply in that it was not making a direction on a staffing matter, but rather seeking support to engage with the Department to examine the merit of re-instating the post of Architect.

Minute No. 31/16

Notice of Motion

Proposed by Cllr. I. Munster

Seconded by Cllr. K. Flood

"That this council calls on the Chief Executive of Louth County Council to appoint a "Director of Services" for the Borough District of Drogheda"

Reply:

All matters relating to staffing issues in a Local Authority are Executive Functions and the motion is therefore out of order and should a resolution be passed such resolution will be null and void and ultra vires.

The proposer of the motion stressed the importance of having a Director of Services to promote and manage Drogheda and queried if the Chief Executive had made application to the Department to fund an additional post at Director of Services level.

Following remarks made by Cllr. Munster on the performance of the Management Team, which she refused to withdraw, the Executive withdrew from the meeting.

End of minutes.

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

Date: _____

Cathaoirleach: _____

Meetings Administrator: _____