

Minutes of Ordinary meeting of Council February 2017

Minutes of Ordinary Meeting of Louth County Council held in County Hall, Dundalk on Monday 20th February 2017

In attendance:

Leas-Cathaoirleach: Cllr. C. Keelan

Members: Councillors: 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. Cassidy-Green, C. Markey, J. McGahon, K. Meenan, D. Minogue, L. Reilly, P. Savage, T. Sharkey P. Smith, J. Tenanty, O. Tully, A. Watters, M. Yore

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

Apologies: Cllrs. P. Bell, P. McGeough

Minute No. 16/17

Confirmation of Minutes

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

That the minutes of the ordinary meeting held on 16th January 2017 be confirmed

Minute No. 17/17

Matters arising

- Members raised their concerns around the sponsoring of the Purple Flag scheme by Diageo

Minute No. 18/17

Minutes for noting

The following minutes were noted by the members.

Corporate Policy Group 5th January 2017

Borough District of Drogheda 9th January 2017

Municipal District of Dundalk 10th January 2017

Municipal District of Ardee 12th January 2017

LCDC 30th November 2016

Housing, Community Planning & Emergency Services SPC 28th November 2016

Minute No. 19/17

Chairman's Report – Corporate Policy Group Meeting – 9th February 2017

Alan Sherry, Meetings Administrator presented the report. The minutes of the meeting of 5th January 2017 and 10th November 2016 were confirmed. Members were updated in relation to the holding of a Brexit workshop. Members were informed that they would be consulted on a submission from the Council in relation to the Ireland 2040 nation plan. The draft agenda for the February meeting was considered and agreed. The list of conference & events was considered and recommendation made, along with Councillors Community Grants (12). It was agreed to have a presentation from Louth Tidy Towns at the March meeting.

The Chief Executive informed the members that she would host a workshop for the elected representatives and other strategic policy committee members in relation to the Ireland 2040 plan.

Minute No. 20/17

Monthly Management Report

Members considered the Management Report dated 7th February 2017. Queries in regard to the report were addressed by the Chief Executive, Members of the Management Team, and Senior Staff. Issues addressed included:-

- Members requested that a more detailed report in relation to estates to be taken in charge be provided in future. It was agreed to circulate a detailed report at the Municipal/Borough meetings.
- It was agreed to provide the members with a breakdown of the cost associated with the Narrow Water Bridge project to date and the source of the funding for the expenditure.
- Concern was expressed at the number of planning applications requiring additional information and it was suggested that members be provided with details of the planning application process.
- While the EPA's positive assessment of environmental enforcement in Louth was acknowledged the need to improve out of hours procedures was highlighted.
- Concerns were raised around the imposition of debit balances on Council tenant's rent accounts as a result the Council not including reckonable income in previous rent assessments.
- The need to continually make the public aware of energy saving grants available to them was raised.
- The value of having further information in relation to the timescale of housing rent arrears was raised, e.g. >6 months.

Minute No. 21/17

Eilish Hardiman, Chief Executive Officer, Children's Hospital Group and John Pollock, Project Director, National Paediatric Hospital Development Board gave a presentation in relation to the new national children's hospital project and then answered questions from the members.

Minute No. 22/17

Section 183 Notice – Disposal of plot of ground and former pumping station at Mountain View, Reaghstown Ardee

Proposed by: Cllr. D. Minogue
Seconded by: Cllr. L. Reilly
And resolved:

That having considered the notice on the matter dated 3rd February 2017 to confirm the Disposal of plot of ground and former pumping station at Mountain View, Reaghstown Ardee for a consideration of €1,000.00 to Mr. Jack Young, Reaghstown, Ardee

Minute No. 23/17

Proposed by: Cllr. P. Savage
Seconded by: Cllr. M. Yore
And resolved:

Section 183 Notice – Disposal of Land at Clos Na Manach, Greenore Road, Carlingford

That having considered the notice on the matter dated 6th February 2017 to confirm the Disposal of Land at Clos Na Manach, Greenore Road, Carlingford for a consideration of €214,302.00 to Tuath Housing Association

Minute No. 24/17

To agree a date for the April Monthly Meeting of Council

As the third Monday of April is a bank holiday it was agreed by the Members to hold the April Monthly Meeting of Council on Monday 10th April at 10.00 a.m.

Minute No. 25/17

Section 85 Agreement with Westmeath County Council

Proposed by: Cllr. O. Tully
Seconded by Cllr. K. Callan
And resolved

To approve the Section 85 agreement between Louth County Council and Westmeath County Council in accordance with the provisions of Section 85 of the Local Government Act 200, Roads Act 1993 for the Management of Invasive Alien Plant Species on the road network within the administrative area of Louth County Council.

Minute No. 26/17

Proposed by: Cllr. C. Keelan
Seconded by Cllr. D. Minogue
And resolved

Nomination of six members to attend meeting with Transport Infrastructure Ireland

It was agreed that the following members should attend this proposed meeting:-
Cllrs. P. Bell, D. Minogue, L. Reilly, T. Cunningham, C. Markey, P. McGeough and J. Tenanty.

Minute No. 27/17

Votes of Sympathy

Tributes were paid by the members and the Chief Executive to the late Jim Lennon, and Brendan McGahon, former T.D. Cllr. McGahon, nephew of Brendan thanked the members and officials for their messages of sympathy.

Family of Eddie Filgate, former T.D. for Louth
Family of Michael Bent
Family of the late Olivia Donegan

Minute No. 28/17

Vote of Congratulations

Cllr. Tully and Savage were congratulated on the birth of their grandchildren Mairead McGuinness, MEP was congratulated on being elected Vice President of the European parliament.

Members were commended for their motion supporting the use of epipens in emergencies.

St. Comcilles GAA club were commended for reaching the Intermediate Club Football Final.

Minute No. 29/17

Conferences and Events

Proposed by: Cllr. M. Butler

Seconded by: Cllr. E. Coffey

And resolved:

To approve the attendance of members recorded in the Conference & Events Register at such Conferences and Events (No.9) listed within the agenda & endorsed by the Corporate Policy Group on 9th February 2017.

Minute No. 30/17

Allocation of Community Grants

Proposed by: Cllr. M. Yore

Seconded by: Cllr. M. Butler

And resolved:

To approve Members Community Grant Allocations (No. 12) as listed on the report circulated with the agenda

Minute No. 31/17

Notice of Motion

Proposed by: Cllr. K. Callan

Will Louth County Council undertake to operate a scheme in conjunction with the Fire Service to provide a service to commercial premises within the urban centres of Drogheda, Ardee, Dunleer and Dundalk for the purposes of removing vegetation and organic growth at height on commercial buildings, many of which are either listed or of historic importance.

Such a scheme would be undertaken on the basis of local businesses and occupiers agreeing to the terms of such a scheme as to be drafted by the Council. The scheme would not just assist traders but also improve our streetscapes and also assist in protecting our heritage.

Reply:

Louth County Council are not in a position to provide such assistance as the daily work routine of the wholetime fire crews in Dundalk and Drogheda is committed to drills, training and rolling out of the Community Fire Safety Strategy.

Following a lengthy discussion in which a range of views on the matter were expressed, the motion was withdrawn by the proposer

Minute No. 32/17

Notice of Motion

Proposed by: Cllr. M. Yore
Seconded by: Cllr. F. Godfrey

"That Louth Co Council should include directional arrows on all cycle lanes in County with immediate effect"

Reply:

The markings for use in the Cycle Tracks are prescribed in Chapter 7 of the Dept of Transport Traffic Signs Manual. 7.8.14 deals with Cycle Track Directional Arrows which are discretionary. We will continue to review the cycle lanes and apply directional signs where appropriate, and subject to the necessary resources being available

The response was noted by the members

Minute No. 33/17

Notice of Motion

Proposed by: Cllr. C. Keelan
Seconded by: Cllr. F. Godfrey

"That this Council request that the Minister of Health Simon Harris T.D. ensure that the drug Orkambi for Cystic Fibrosis sufferers be included in the GMS and LTI Scheme."

Reply:

This is a matter for the members

Members agreed the motion

Minute No. 34/17

Notice of Motion

Proposed by: Cllr. P. Smith

Calling on Louth County Council to arrange a meeting with the Minister of Finance with a view to outlining the benefits of having The Living City initiative extended to Drogheda and Dundalk. The Living City Initiative is a targeted pilot tax incentive which aims to seek to:

1. Encouraging people back to the centre of Irish cities to live in historic buildings
2. Encouraging the regeneration of the retail heartland of central business districts. The Initiative will provide tax incentives for works performed to refurbish residential and retail buildings either to bring them up to a habitable standard or even to make improvements to buildings which are currently inhabited. The incentives will be targeted at owner/occupiers rather than property developers.

If the Minister agrees to a meeting a representative sample of officials and councillors from the council can attend to state our case"

Reply: *This is a matter for the members*

This motion was deferred to the March Meeting

Minute No. 35/17

Notice of Motion

Proposed by: Cllr. M. Yore
Seconded by: Cllr. F. Godfrey

"That Louth County Council appoint an Access Officer who is involved in ensuring that the most up to date best practice guidelines are used in all aspects of Planning and Development in Co. Louth"

Reply

The Disability Act, 2005 provides a statutory basis for making public services accessible. The act provides that where practicable and appropriate public bodies are to make their public buildings, services and information

accessible to people with disabilities. The act also requires that where practical and appropriate the public body provide assistance if requested to persons with a disability in accessing services. The requirement to authorise an access officer is set out in section 26 of the act. The role is to provide or arrange for, and co-ordinate the provisions of assistance and guidance to persons with disabilities in accessing its services. This role has in practice been assigned to Corporate Services who exercise the functions where practical and appropriate.

In the matter of best practices in planning and development, there is a myriad of legislation and regulations in regard to access to other built environment including, The Building Control (Amendment) Regulations (2013) and The Building Regulations, Part M 'Access and Use' (2010) and Part B 'Fire Safety' (2006) where accompanying technical guidance documentation sets out the statutory requirement for access and egress from a building for people including those with disability. There is a requirement for a Disability Access Certificate (DAC) which demonstrates compliance with Part M. The Design Manual for Urban and Rural Roads and Streets (DMURS) provides the guidance relating to the design of urban roads and streets. Staffs across a number of Directorates are tasked with and continue the monitoring and enforcement such legislation and regulations.

Following a discussion, members agreed the motion

Minute No. 36/17

Standing orders suspended to allow the meeting continue to 2.00 p.m.

Proposed by: Cllr. C. Keelan
Seconded by: Cllr. F. Godfrey

Minute No. 37//17

Notice of Motion

Proposed by: Cllr. E. Coffey
Seconded by: Cllr. T. Byrne

Calling on Louth County Council to contact the relevant Minister and request that the current Commercial Rates Legislation be reviewed in light of the result of the Brexit Referendum and the significant detrimental impact on our Local and National SME'S and to consider the following:

1. **The Reform of the State Valuation System.** At present the entire weight of the commercial rate burden falls on traditional bricks and mortar of the premises across Ireland. I am proposing that the system should take into account the ability to actually pay the rates based on business profits and cash flow.
2. **That a new valuation structure should incorporate a self – assessment aspect.** If self – assessment was introduced valuations could be carried out locally and occupiers and entrepreneurs could apply the going rate. If misleading information was provided as it is the case in other areas of self – assessment, then those who supply it would be subject to penalties.
3. **That a rates reduction on a sliding scale be given to new SME businesses/start-ups,** i.e. 75% payment in Year 1, 50% payment in Year 2 and 25% payment in Year 3.
4. **That a 65% reduction on rates be given to existing SME'S/ Family businesses** for the period from 2009 – 2014 on production of Certified Audited Accounts for those years reflecting a minimum of 25% 'trading at a loss levels' for the years stated.

Reply:

This is a matter for the members

AMENDMENT

**Proposed by Cllr. M. Dearey
Seconded by Cllr. T. Sharkey**

That points 3 & 4 be removed from the original motion

For: Cllrs. J. Byrne, K. Callan, T. Cunningham, M. Dearey, J. Green, D. Minogue
J. McGahon T. Sharkey, O. Tully **Total nine (9)**

Against: Cllrs. E. Coffey, F. Godfrey, C. Keelan **Total three (3)**

Absent Cllrs. P. Bell, M. Butler, T. Byrne, A. Cassidy, E. Corrigan, R. Culhane, M.
Doyle, K. Flood, C. Markey, P. McGeough, K. Meenan, L. Reilly, P. Savage, P.
Smith, J. Tenanty, A. Watter, M. Yore **Total seventeen (17)**

The amendment to the motion was confirmed & members agreed to the amended motion

Minute No. 38//17

Notice of Question

Submitted by: Cllr. J. Byrne

How many houses have been purchased by the Local Authority (Excluding Voluntary Bodies) for Social Housing in 2015 and 2016?

Can you provide a breakdown for the amounts by each year and locations.

How many of the council owned landbanks that are zoned for residential provision have been submitted to the Dept for funding for Social Housing Provision upto and including December 2016?

REPLY:

Acquisitions 2015: 28

- **Ardee MD: 8**
- **Drogheda MD: 7**
- **Dundalk MD: 13**

Acquisitions 2016: 63 of which 2 were Part V Units and 4 units still in conveyance

- Ardee MD: 6
- Drogheda MD: 14

Dundalk: 43 (including units identified by CPO process and acquired by agreement)

Up to December 2016, Louth County Council have made proposals on nine sites that are available for development and a further four sites in Council ownership where it is proposed that the site be developed in partnership with Approved Housing Bodies. Staged approval has been received from the Department for four in total of these sites

Response was noted by the members

Minute No. 39/17

Notices of Motions from other Councils

Notices of Motions from other Councils as circulated with the Agenda were noted by the members

Minute No. 40/17

Correspondence

Correspondence as circulated with the Agenda 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: _____

Meetings Administrator: _____