

## **Municipal District of Ardee - September 2021**

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Minutes of the Municipal District of Ardee meeting held in Ardee Court House, Ardee, Co. Louth on Thursday 2<sup>nd</sup> September at 4.30 p.m.

### **In attendance:**

**Cathaoirleach:** Councillor J. Tenanty

**Members:** Councillors: P. Butterly, P. McGeough, D. Minogue, J. Sheridan

**Officials:** Joe McGuinness, Director of Services  
Gráinne Tuomey, Meetings Administrator  
John Lawrence, A/Director of Services  
Declan McMahon, Senior Executive Engineer  
John O'Hagan, Senior Engineer  
David Hanratty, Senior Engineer

### **Minute No. 77/21**

#### **Confirmation of Minutes**

The minutes of the meeting held on Thursday 1<sup>st</sup> July were confirmed on the proposal of Cllr. P. McGeough and seconded by Cllr. J. Sheridan.

### **Minute No. 78/21**

#### **Suspension of Standing Orders**

As it was the first Municipal District Meeting in person since MD Member, Cllr. Hugh Conlon (RIP) had passed away Cllr. D. Minogue asked if it was appropriate that MD members remember him.

Following a very brief discussion to confirm the wishes of all Elected Members present, the Cathaoirleach agreed to support a suspension of Standing Orders.

All Elected Members present confirmed their agreement of Suspension to the Meetings Administrator and the proposal to suspend standing orders was resolved.

### **Minute No. 79/21**

#### **Remembrance of Cllr. Hugh Conlon**

All Councillors spoke in fond remembrance of their colleague Councillor Hugh Conlon. Hugh was remembered as a friend; a character; a strong presence; a very experienced, knowledgeable and passionate Councillor; a politician who persistently fought hard for his

constituents, but who was always willing to help his fellow councillors and did so with humour and respect. Sadness for his immediate and extended family was remarked upon, and sincere sympathies were extended to all his loved ones. Joe McGuinness wished to be associated with all comments on his own behalf and on behalf of the Executive and Staff of Louth County Council many of whom had known Cllr. Conlon for many years and who also held him in high regard.

### **Minute No. 80/21**

#### **Matters Arising**

- John O'Hagan although noted as attending last meeting was not present.

Other items queried and clarified under this heading:

- Confirmation given that no lighting was planned with Salterstown signage installation
- Near misses at pedestrian crossing at Bank of Ireland highlighted
- Cllr's noted no update on Cappocksgate works

### **Minute No. 81/21**

#### **Housing Progress Report**

Members discussed the report as circulated at the meeting and John Lawrence, A/Director of Services advised Members on all items:

- Downsizing considerations mentioned in new 'Housing for All' strategy
- Downsizing of council tenants supported but not always possible in same area
- High Volume of Disabled Persons Grants noted
- Difficulty in transferring Council tenants in need to ground floor properties discussed
- Where accessibility adaptations have been carried out to Council Houses which were no longer required by existing tenants, tenants may be requested to transfer
- Demountable scheme query raised to accommodate individuals to free up properties but not supported

### **Minute No. 82/21**

#### **Operations and Marine Progress Report**

Members discussed the report as circulated at the meeting and Declan McMahon, Senior Executive Engineer responded on all Operations Matters with Joe McGuinness, Director of Service responding also on some matters.

The following matters were highlighted:

- Request for a water station to refill water bottles in Ardee similar to other MD's
- Feasibility study of extension to the Greenway to include Viking Trail and meet with Blueway
- The CIS road funding application scheme was again a matter of some debate. Using Salterstown village as an example Councillors expressed disagreement that any road that was used as a through road should be classed as a tertiary road that should be part funded by residents. Further to this while waiting either to apply or for funding to be granted an appeal was made that the roads not be let further disintegrate and that the council should maintain and fill potholes to prevent further erosion of the road surface. Councillors were advised that where CIS application had been made potholes may be filled prior to grant funding in exceptional circumstances.

The MD Councillors united in requesting a change on the policy of non-filling of potholes on tertiary roads.

The concept and provision of Parklets in Ardee were warmly welcomed, and all businesses were complimented on efforts they themselves made on outdoor dining outside of the scheme. However a request was made for consideration of the design type of parklet provision to match the location for any future parklet provision. It was noted that this was listed as a motion further in the meeting.

The following non-operation items were raised

- Update on falling slates at property in Castlebellingham – refer to dangerous structures

The following items were clarified to Councillors by the Director Joe McGuinness:

- Dromin Graveyard (and wall) is not in the ownership of Louth County Council.
- Green areas in estates taken in charge are not themselves taken in charge nor is any item within the green area
- Annagassan Junction works was reviewed by Management Team. Two separate road projects with funding from different schemes met at this junction. Part of the correction was covered by one of the schemes. A process is now in place to ensure proper communications were held to avoid similar arising again. Members were thanked for highlighting this issue.
- For reference the passing off a motion does not necessarily mean the council have the resources to hand, to make something happen

### **Minute No. 83/21**

#### **Infrastructure Report**

Members discussed the report as circulated at the meeting. John O'Hagan, Senior Engineer gave members a brief update on the status of the Ardee Bypass and responded on all Infrastructure Matters raised.

The following matters were noted:

- Provision of Lighting on N2 is predominantly at Junctions in line with anti-light pollution measures.
- The CFRAM team are to organise a briefing with Ardee and Dundalk Members to update on Flood Prevention plans.

### **Minute No. 84/21**

#### **Briefing on the MD Litter Management Plan**

Members received a briefing on process for the Ardee Municipal District Litter Management Plan from David Hanratty, Senior Engineer.

### **Minute No. 85/21**

#### **To agree that the MD meet on 18 October to consider the Municipal Budget**

Members discussed the proposal to meet on the 18<sup>th</sup> October to consider the Municipal Budget and it was agreed to meet before the Council Meeting in chamber and then go to St. Gerard's Hall for main council meeting.

The allocation of discretionary budgets not dealt with was raised, including the changes to the toilets at Ardee Library.

A report was requested on the number of units supplied with cameras and thumb locks and praise given to the scheme which assists persons feel secure in their homes and helps independent living.

A request was made for provision in the budget to fix the Christmas lights at Ardee Castle. It was thought that coloured lights to light up the stone work of the Castle had been installed over the summer and a request was made to light up the Castle with other MD's.

### **Minute No. 86/21**

#### **Notice of Motion**

**Proposed by: Cllr. J. Tenanty**

**Seconded by: Cllr. D. Minogue**

"That this municipal insist that it be included in the next Mattress Sofa amnesty collection as part of LCC sites for collections."

## **Reply from Ms C. Duff, Director of Services, Operations:**

The previous response in relation to the provision of a Civic Amenity Centre in Ardee applies in this case as the level of control and supervision required to manage a mattress/sofa amnesty without facilitating largescale free disposal of such expensive to recycle items is best suited to existing well managed civic amenity centres. Without such control, very large disposal and recycling costs would likely be incurred by the Council in providing such an amnesty.

Given the practical difficulties relating to the sourcing of an adequately sized and located site in Ardee for this purpose, and the large cost implications in relation to procurement of such a site, traffic management and access, the equipping and servicing of such a site, infrastructure development within the site, and management costs for such a centre, when set against the availability of the two very well developed, accessible and serviced recycling centres/amenity centres within very reasonable travelling distances of Ardee (Dundalk 22km/14 miles; Drogheda 26 km/17 miles), it is not considered that such a development could provide a value for money proposition.

Cllr. J. Tenanty expressed disappointment at the response to this motion. A comparison with other MDs who both have an amnesty was made and with MDs further afield who do not have a recycling facility but still hold a mattress amnesty was cited.

A request was made for two lorries to travel up and down from Ardee to assist with this. A group of volunteers was available to load the lorry.

Provision was made in the MD budget to assist with this although the unfairness of one MD having to fund something the other MDs received as standard was highlighted by Members.

David Hanratty suggested that Ardee was circa 25 mins from each recycling centre and some parts of the other MDs had similar journeys.

### **Minute No. 87/21**

#### **Notice of Motion**

**Proposed by: Cllr. J. Sheridan**

**Seconded by: Cllr. J. Tenanty**

"That Louth County Council would seek to regularise the situation with the LT-51755-0 at Mullacrew, Louth. The road is a de facto through-road between the R171-74 and the LS-5176-0, however the road is officially classified as a separate public road and private road. There are a total of nine houses on the road, six of which have entrances on the private section. I understand the road is impassable for emergency vehicles and large vehicles on the western (public) section. I would ask that a process of taking in charge of the eastern (private) section would commence."

## Reply from Ms C. Duff, Director of Services, Operations:

There is no obligation for LCC to take roads in charge. The process would be one of 'declaring them to be public roads', under Section 11 of the Roads Act, 1993, and taking on the liability of getting them to a standard. Under the Act, the road must be of general public utility and LCC must consider the financial implications for the Council which in this case is prohibitively high as the road needs substantial works to get to PSCI rating from 1-4 up to quality surface of 8-10.

There are two LCC grant schemes such as CIS/LIS that may be of benefit to the residents of said lane for resurfacing of the Public and private sections respectively.

Declaration of public roads. **11.—(1) (a)** A road authority may, by order, declare any road over which a public right of way exists to be a public road, and every such road shall be deemed to be a public road and responsibility for its maintenance shall lie on the road authority.

(b) Where a road authority proposes to declare a road to be a public road it shall—

- (i) satisfy itself that the road is of general public utility,
- (ii) consider the financial implications for the authority of the proposed declaration,
- (iii) publish in one or more newspapers circulating in the area where the road which it is proposed to declare to be a public road is located a notice indicating the times at which, the period (which shall be not less than one month) during which and the place where a map showing such road may be inspected and stating that objections or representations may be made in writing to the road authority in relation to such declaration before a specified date (which shall be not less than two weeks after the end of the period for inspection),
- (iv) consider any objections or representations made to it under *paragraph (iii)* and not withdrawn.

(2) The consideration of objections or representations and the making of an order under *subsection (1)* shall be reserved functions.

(3) The Minister may prescribe criteria for the declaration of roads to be public roads and a road authority shall comply with any such prescribed criteria when exercising its functions under this section.

(4) Every national road, regional road, motorway, busway and protected road shall be a public road and it shall not be necessary for a road authority to make an order under *subsection (1)* in relation to any such road.

(5) A certificate of a road authority that a road is a public road shall be *prima facie* evidence thereof.

(6) Every road which, immediately before the repeal of an enactment by this Act, was a public road shall be a public road.

(7) Any road constructed or otherwise provided by a road authority after the commencement of this section shall, unless otherwise decided by such road authority, be a public road and it shall not be necessary for the authority to make an order under *subsection (1)* in relation to any such road.

Declan McMahon advised that an application had been received on this but the application was incomplete and did not therefore make the criteria.

## **Minute No. 88/21**

### **Notice of Question**

**Submitted by: Cllr J. Tenanty**

“Can an update be given as regards to Parklets in Ardee as questions have arisen as ones chosen do not enhance the streetscape of the town and applicants have refused the current design?”

**Reply from Ms. C. Duff, Director of Services, Operations:**

The Parklets are not of any fixed design except to fit inside a car-parking bay (5m x 2m) on plan; whilst some are predominantly wooden structures the Ardee parklets are built of rot-proof wood and rust proof galvanised steel and are very durable. They are of a Scandinavian design and style incorporating stylish planters and outdoor seating areas in one. The provision of Parklets is a new initiative and the feedback from the public and retailers will be considered for any future Parklets.

**Members noted the response.**

## **Minute No. 89/21**

### **AOB**

Cllr. P. McGeough requested that the views of the Members were heard as to any further efforts that could be made regarding the closure of the Bank of Ireland in Dunleer. It was noted that this was not on the Agenda, however as it was due in October it was agreed to discuss this.

It was proposed by Cllr. P. McGeough and seconded by Cllr. J. Sheridan to issue a further letter to the Bank or Minister to rescind the decision.

## **Minute No. 90/21**

### **Congratulations**

Members offered congratulations to:

- Eva McCrystal Garda stationed in Ardee on winning 2 Gold medals and a Silver at the Paralympic Games
- St Mary's GFC on winning the Cardinal O'Donnell cup
- Barry Landy on the launch of his new book
- Cllr. John Sheridan on his engagement.

There being no other business, the meeting concluded.

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

**Date:** \_\_\_\_\_

**Cathaoirleach:** \_\_\_\_\_

**Meeting Administrator:** \_\_\_\_\_