

**Minutes of January Monthly Meeting of
Westmeath County Council held at 3.00 p.m. Monday 30th January 2017
in Council Chambers, Áras an Chontae, Mullingar, Co. Westmeath**

Presiding: Cllr F. McDermott, Cathaoirleach

Members present: Cllr. F. Keena, Cllr. A. McManus, Cllr. P. Hogan, Cllr. T. Farrell, Cllr. J. Dolan, Cllr. A. O'Rourke, Cllr. E Wallace, Cllr. M. Dollard, Cllr. L. McDaniel, Cllr. J. Penrose, Cllr. K. Glynn, Cllr A Duncan , Cllr A Whitney, Cllr J Shaw, Cllr. B. Collentine, Cllr P. Hill, Cllr M. O'Brien, Cllr U. Darcy

Officers present: Pat Gallagher, Chief Executive.
Barry Kehoe, Director of Service.
David Hogan, Director of Service.
Jimmy Dalton, Head of Finance.
Kevin Monaghan, Head of ICT
Gerry McCormack, Broadband Officer, ICT.
Paul Hogan, Senior Executive Architect.
Billy Coughlan, Meetings Administrator.
Breda Daly, Corporate Services.

Apologies: Cllr S. Clarke

3.40 p.m. An Cathaoirleach, Cllr F McDermott opened the Meeting and advised the Members that a resolution had been passed at the Finance Committee Meeting to adjourn the January Council meeting until the conclusion of the Finance meeting.

Emergency Motion:

On the proposal of Cllr. Paddy Hill and seconded by Cllr. Ken Glynn, the Members agreed the suspension of standing orders in order to unanimously approve the adoption of the following Emergency Motion:

"That the Members of Westmeath County Council call for an immediate suspension of the current RE-Evaluation Rates process pending a review in the interest of fairness to all business concerned."

CLÁR

1. Miontuairiscí.

- (i) On the proposal of Cllr. Tom Farrell seconded by Cllr. Ken Glynn the Members approved the minutes of December Monthly Meeting of

Westmeath County Council held in Áras an Chontae, Mullingar at 3.00p.m. on Monday 12th December 2016.

- (ii) The Members noted the minutes of CPG Meeting of Westmeath County Council held in Áras an Chontae, Mullingar at 8.30 a.m. on Wednesday, 7th December 2016.
- (iii) The Members noted the minutes of the minutes of Mullingar Municipal District meeting of Westmeath County Council held in the Council Chambers, Áras an Chontae, Mullingar on Monday 14th November 2016 at 2.00pm.
- (iv) The Members noted the minutes of the minutes of Mullingar Municipal District meeting of Westmeath County Council held in the Council Chambers, Áras an Chontae, Mullingar on Monday 19th December 2016 at 2.00pm.
- (v) The Members noted the minutes of the Athlone Municipal District Meeting held in Civic Centre, Church Street, Athlone on Monday 5th December 2016 at 2.00 p.m.

2. Management Report.

The Members noted the Management Report as circulated.

3. Chief Executive Orders.

The Members noted the Chief Executive Orders as circulated

4. Disposal of Land/Property

- (i) Proposed disposal of site at Mullingar Road, Tyrrellspass, Co Westmeath to Reps Sean and Dolores Brennan, Guilford, Mullingar Road, Tyrrellspass, Co Westmeath in accordance with the terms of Section 183 Notice of the Local Government Act 2001 circulated within the specified period.

An Cathaoirleach called for a vote by a show of hands and declared the disposal approved.

- (ii) Proposed disposal of site at Farran, Mullingar, Co Westmeath to Túath Housing, 29 Merrion Square North, Dublin 2 in accordance with the terms of Section 183 Notice of the Local Government Act 2001 circulated within the specified period.

An Cathaoirleach called for a vote by a show of hands and declared the disposal approved.

- (iii) Proposed disposal of additional land, comprising circa 0.454 acres, adjacent to Site No 2 at Macetown, Cloughan, Mullingar, Co Westmeath to

Alan Bardon, Macetown, Cloghan, Mullingar in accordance with the terms of Section 183 Notice of the Local Government Act 2001 circulated within the specified period.

An Cathaoirleach called for a vote by a show of hands and declared the disposal approved.

- (iv) Proposed 15 year lease of No. 13 Battery Heights, Athlone to Monsignor McCarthy Family Resource Centre in accordance with the terms of Section 183 Notice of the Local Government Act 2001 circulated within the specified period.

An Cathaoirleach called for a vote by a show of hands and declared the disposal approved.

- (v) Proposed disposal of Site No. 1 at Gaybrook to John Wylie and Sharon Cully (*to supersede Section 183 approved at Council Meeting of 21st September 2015*) in accordance with the terms of Section 183 Notice of the Local Government Act 2001 circulated within the specified period.

An Cathaoirleach called for a vote by a show of hands and declared the disposal approved.

- (vi) Proposed disposal of 0.0099 acres at Clonbrusk, Athlone to Mr Eamon Greene, Clonbrusk, Athlone in accordance with the terms of Section 183 Notice of the Local Government Act 2001 circulated within the specified period.

An Cathaoirleach called for a vote by a show of hands and declared the disposal approved.

- (vii) Proposed disposal of circa 0.0111 acres at rear Moreno, Clonbrusk, Athlone to Patrick and Catherine Brophy in accordance with the terms of Section 183 Notice of the Local Government Act 2001 circulated within the specified period.

An Cathaoirleach called for a vote by a show of hands and declared the disposal approved.

5. Section 85 Agreements:

The Chief Executive, Mr Pat Gallagher presented his report to the Members advising them in respect of the proposed Section 85 Agreements with the Local Authorities of Meath Louth Monaghan County Councils and recommended that Westmeath County Council enter into these Section 85 Agreements.

(i) To approve Section 85 Agreement with Meath County Council

On the proposal of Cllr. U D'Arcy and seconded by Cllr. T Farrell the Members unanimously approved the Section 85 Agreement with Meath County Council

(ii) To approve Section 85 Agreement with Louth County Council

On the proposal of Cllr. J Dolan and seconded by Cllr. K Glynn the Members unanimously approved the Section 85 Agreement with Louth County Council.

(iii) To approve Section 85 Agreement with Monaghan County Council

On the proposal of Cllr. A Duncan and seconded by Cllr. E Wallace the Members unanimously approved the Section 85 Agreement with Monaghan County Council

6. To approve the Westmeath County Council Audit Committee Draft Annual Work Programme 2017.

On the proposal of Cllr. J Shaw and seconded by Cllr. J Dolan the Members unanimously approved Westmeath County Council Audit Committee Annual Work Programme 2017.

7. To note audited Annual Financial Statement in respect of Westmeath County Council for year ended 31 December 2015.

The Members noted the Annual Financial Statement in respect of Westmeath County Council for year ended 31 December 2015.

8. To note Local Government Audit Report in respect of Westmeath County Council for year ended 31 December 2015.

The Members noted the Local Government Audit Report in respect of Westmeath County Council for year ended 31 December 2015.

9. To consider the Chief Executive's Report on the Construction of 33 No. residential units and associated site development works at Arcadia, Athlone, Co. Westmeath in accordance with Section 179 of the Planning and Development Act 2000-2014.

The Chief Executive presented his report to the Members advising them in respect of the proposed construction of 33 No. residential units and associated site development works at Arcadia, Athlone, Co. Westmeath.

Mr Gallagher recommended that the proposal proceed in accordance with the submitted documents and drawings and subject to the requirements listed in his report dated 25th January 2017.

Cllrs Farrell, Keena, O'Rourke and Penrose all welcomed the construction of residential units for Arcadia and paid compliments to the Chief Executive and the design team.

Mr David Hogan, Director of Services informed the Members that the development would go to tender in the 3rd quarter of 2017 followed by a construction period of approximately 18 months.

In response to Cllr Johnny Penrose query regarding a timeframe for St Laurence's development in Mullingar, Mr David Hogan informed the Members that the development will go to tender at the end of February 2017.

In response to Cllr M Dollard, Mr David Hogan advised the Members that Bun Daire, Kinnegad has been approved for 28 units with preliminary work underway as per Monthly Management Report.

On the proposal of Cllr. T Farrell and seconded by Cllr. P Hogan the Members unanimously approved the Construction of 33 No. residential units and associated site development works at Arcadia, Athlone, Co. Westmeath in accordance with Section 179 of the Planning and Development Act 2000-2014 as per the Chief Executive's Report.

10. To receive update on Civil Defence

The Chief Executive advised the Members that Mr Martin Murray, Director of Services was unavailable and Mr Gallagher proceeded to update the Members in respect of facilities being provided for the Civil Defence.

While the Members welcomed the provision of interim facilities within the Áras an Chontae campus of Westmeath County Council, to facilitate the full operation of the Civil Defence as considered at meetings held in December 2016 and January 2017 between The Director of Services, the Chief Fire Officer, the Civil Defence Officer and representatives of the Civil Defence volunteers, the Members requested that a permanent solution be found sooner rather than later.

In response to Cllrs Duncan, Glynn and McDaniel, the Chief Executive advised the Members that Westmeath County Council is committed to developing permanent accommodation for the Civil Defence. He stated that the current provision is accepted by all concerned as an interim solution to assist the timelines necessary to identify an overall permanent solution. This will be done as soon as possible and Members will be updated.

At the request of Cllr Glynn the Chief Executive undertook to provide an update on the Civil Defence at the April Finance Committee meeting of Westmeath County Council.

Mr Gallagher thanked the Members, the Chief Fire Officer, the Civil Defence Officer and Volunteers for their support and engagement over the last number of weeks.

11. To receive Presentation on the Athlone Boundary Committee Report

Mr Barry Kehoe, Director of Services presented the Athlone Boundary Committee Report to the Members.

Mr Kehoe informed the Members that the Athlone Boundary Committee requests that both Westmeath County Council and Roscommon County Council must now produce a unified vision for Athlone by completing:

- a joint local area plan for Athlone,
- a joint retail strategy for Athlone,
- a joint initiative to improve community cohesion,
- a comprehensive review of Local Authority service delivery leading to the preparation of a Service Delivery Plan.

Mr Kehoe further informed the Members of the Committees suggested timeframes for the above strategies and also informed the Members that the Committee stated *“in the event of substantial non-completion of the above four tasks within a four year period, it is the view of this Committee that the boundary be extended in order to achieve coherent sustain development for Athlone”*.

Mr Kehoe referred to Chapter 5, page 31 of the Report (*as circulated to the Members*) and he encouraged each Member to read the Report carefully.

Mr Kehoe also referred the Members to a letter addressed to both Chief Executives of Westmeath County Council and Roscommon County Council, dated the 30th December 2016 from the Department of Housing, Planning, Community and Local Government, (*as circulated to the Members*), requesting both Local Authorities to jointly prepare a scoping report scope setting out what steps would need to be taken to implement the specific measures recommended by the Boundary Review Committee.

Mr Kehoe informed the Members that both Local Authorities are required to have this scoping report returned to the Department by **31st March 2017**.

The Chief Executive, Mr Gallagher informed the Members that they will be advised of the Joint Westmeath and Roscommon County Council Scoping Report prior to its submission to the Department.

Cllr Dolan stated that Westmeath did not initiate the Boundary Commission process but it was a process they were asked to participate in by Government. He further stated that there were a lot of unhelpful comments and statements made at different meetings that lacked fact and Cllr Dolan asked that this be recorded. Cllr Dolan welcomed the recommendation of the Report stating a joint approach is the way forward.

Cllr Farrell also welcomed the Report and stressed the importance of both Local Authorities uniting together in order for the midlands to succeed.

Cllrs O'Rourke and Keena concurred with Cllrs Dolan and Farrell in that the Commission did not provide accurate information to the public and added that it was important to move forward with the Report and share resources.

In response to Members questions regarding the Joint Report, the Chief Executive again informed the Members that the Report requested by the DHPCLG is a Joint Report from both Westmeath and Roscommon Local Authorities and that Westmeath County Council staff will liaise with their opposite numbers in Roscommon County Council.

12. To receive update on National Broadband Plan

Mr Gerry McCormack, Westmeath County Council Broadband Officer updated the Members in relation to the *National Broadband Plan* (NBP) rollout in Westmeath. Mr McCormack informed that Members that the NBP is a government policy initiative that aims to bring high speed broadband to every premises in the state. As part of the process a Broadband Strategy will be developed for County Westmeath. He informed the Members that the delivery of the plan is broken into two main streams: areas where providers can deliver the service on a commercial basis and areas where state intervention is required to subsidise the delivery of service.

In response to Cllr Farrell, Mr McCormack informed the Members that the Department of Communications, Climate Action and Environment are engaged in competitive dialogue with three bidders who have been shortlisted, but no contract has been awarded to an Operator at present.

In response to Cllrs Hogan and Keena, Mr McCormack informed the Members that rollout for the NBP is expected to commence in 2018.

Mr McCormack advised the Members that the message to get out to the public is that property owners consult with the "*Broadband Interactive Map*" on www.broadband.gov.ie which highlights both Blue Area's (where connectivity is deemed to be at or above 30Mbps) and Amber Areas (where state intervention is

required). Mr McCormack advised the Members that where a premises is in the Blue Area on the “Interactive Map” property owners are asked to run a line speed check (www.speedtest.net), if speed checks are consistently below 30Mbps, property owners must then check with all service providers in the area to see if coverage can be increased to above 30Mbps. Where 30Mbps cannot be provided by commercial providers the details of the property must be submitted to the Department of Communications, Climate Action and Environment on (broadband@dccae.gov.ie).

In response to Members questions Mr McCormack advised that Westmeath is part of the Northern Broadband Action Group which will work with Local Authorities, Local Enterprise Offices, LEADER Groups and other relevant agencies to coordinate the broadband fallout.

13. **Motions:**
Emergency Motion:

“That the Members of Westmeath County Council call for an immediate suspension of the current RE-Evaluation Rates process pending a review in the interest of fairness to all business concerned.

Mr Billy Coughlan, Meetings Administrator, requested clarification on this Emergency Motion approved by the Members. The Motion was read out again by Cllr Hill and amended to include that the Motion “be forwarded to the Government Minister responsible for the Valuation Office”.

This amended Motion was unanimously approved.

14. **Recommendation(s) from Corporate Policy Group**
• Procedures for submitting Motions

At the request of Cllr Frank McDermott, Cathaoirleach Westmeath County Council, Mr Billy Coughlan, Meetings Administrator advised the Members “the Corporate Policy Group recommend that Motions pertinent to the full Council received by the Municipal Districts shall be rejected by the Meetings Administrator for the Municipal District who will then advise the Member submitting the Motion to resubmit the said Motion to the full Council for their consideration”.

The Members unanimously approved this Corporate Policy Group recommendation and Mr Coughlan undertook to advise the Municipals Districts accordingly.

15. **To receive reports and recommendations from SPC Chairpersons.**
There were no reports and recommendations from the SPC Chairpersons.

16. **Correspondence**

- **Letter from Minister Coveney addressed to Cllr M Dollard.**
The Members noted this correspondence.
- **Motion adopted by Waterford City & County Council**
The Members unanimously supported this resolution.
- **Motion adopted by Longford County Council**

Request to make presentation – J McNutly

Mr Coughlan advised the Members in relation to this request stating Ms McNutly had made a presentation to Longford County Council who resolved to write to Minister Harris requesting that the Orkambi Drug be made available to Cystic Fibrosis sufferers in Ireland.

On the proposal of Cllr K Glynn and seconded by Cllr L McDaniel, the Members unanimously supported the resolution adopted by Longford County Council and Mr Coughlan to advise Ms McNulty.

Vote of Congratulation:

Mr Coughlan informed the Members of the following:

- On the proposal of Cllr. P Hogan, it was unanimously agreed to extend a vote of congratulations to the Marist College, Athlone on their recent victory in the Leinster U-14 Schools Championship Final.

Votes of Sympathy:

- On the proposal of Cllr. P Hogan, it was unanimously agreed to extend a vote of Sympathy to the Derwin Family on the recent death of Mr Tommy Derwin, (RIP).

17. **Aon Gnó Eile.**

Conferences:

On the proposal of Cllr P Hogan and seconded by Cllr K Glynn the Members approved Conference attendance document as circulated.

Cllr T. Farrell's sought an update in respect of a meeting request with Transport Infrastructure Ireland (TII), Mr Coughlan advised the Members that he is awaiting a reply back from TII on the matter.

This concluded the business of the meeting

Cathaoirleach

Date