

**Minutes of June Monthly Meeting of
Westmeath County Council held at 3.00 p.m. Monday 26th June 2017
In Council Chambers, Áras an Chontae, Mullingar, Co. Westmeath**

Presiding: Cllr. J. Shaw.

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

Officers present: Mr. Pat Gallagher, Chief Executive.
Mr. Barry Kehoe, Director of Service.
Mr. David Hogan, Director of Service.
Mr. Martin Murray, Director of Service.
Mr. Jimmy Dalton, Head of Finance.
Mr. Billy Coughlan, Meetings Administrator.
Ms. Geraldine Barden, Clerical Officer.

3:00 pm: An Cathaoirleach, Cllr. John Shaw opened the meeting.

1. Miontuairiscí.

(i) On the proposal of Cllr. Glynn and seconded by Cllr. McDermott, the Members agreed to approve the minutes of May Monthly meeting of Westmeath County Council held in Council Chambers, Áras an Chontae, Mullingar on 29th May 2017 at 3.00 pm.

Matters arising:

Cllr. Johnnie Penrose requested clarification from the Executive in relation to the proposed Variation No. 2 to the County Development Plan – Wind Energy and what impact it would have in relation to the Draft Guidelines.

Mr. Pat Gallagher, Chief Executive, confirmed that the Variation made by the Members stands without direction and no communication has been received from the Department in relation to the revised Draft Wind Energy Guidelines and the Members will be advised when they do receive this information.

Cllr. Una D'Arcy expressed her disappointment at the disrespect shown to the Members by the Department with regard to the lack of communication in relation to the Variation and the Draft Energy Guidelines. Cllr. D'Arcy sought comment from the Department on Westmeath County Council's submission.

Cllr. Andrew Duncan congratulated Cllr. Penrose in relation to putting the motion forward and stressed that it was very welcome in light of recent developments in relation to the planning application received for North Westmeath concerning the four times set back distance and forty three decibel noise limit wind turbines.

Cllr. Duncan thanked Cllr. Hogan for his work on the submission from Westmeath County Council in relation to Variation No. 2 to the County Development Plan – Wind Energy.

Cllr. Hogan acknowledged and thanked the Members for their kind words. Cllr. Hogan advised that the Draft Regulations are somewhat different to what the Members proposed.

Replying to the Members, Mr. Pat Gallagher, Chief Executive, advised them in relation to the status of the adopted Variation as follows:

- The elected members' decision re. Variation No. 2 to the County Development Plan (CDP), and the reasons given for that decision, were sent to the Department as required by legislation.
- No Draft Direction was issued by the Minister/Department - the Minister is not obliged to issue a draft direction in response to the decision and reasons adopted by the elected members.
- Accordingly. Variation No. 2 took effect and is part of the County Development Plan.

In response to Cllr. Hogan, Mr. Gallagher advised the Members that the 2006 guidelines are still in force until the final adoption of revised national guidelines. In considering planning applications for wind energy development, regard will be to the guidelines as relevant national policy, and to the CDP as varied by the elected members as relevant local policy.

(ii) The Members noted the minutes of CPG meeting of Westmeath County Council held in the Board Room, Áras an Chontae, Mullingar at 8.30 a.m. on Wednesday, 24th May 2017.

(iii) The Members noted the minutes of Mullingar Municipal District meeting of Westmeath County Council held in St Joseph's Secondary School, Rochfortbridge on Monday, 8th May 2017 at 2.00pm.

(iv) The Members noted the minutes of the Athlone Municipal District Meeting held in Civic Centre, Church Street, Athlone on Tuesday, 2nd May 2017 at 3.00 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 property at Glasson, Athlone, Co. Westmeath to Mr. John Fagan 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 passed.

- (ii) Proposed disposal of House and plot thereof at 3 Milltownpass, Mullingar, Co. Westmeath to Mr. Frank Moran 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 passed.

5. To consider the making of Road Traffic (Special Speed Limit) (County of Westmeath) Bye Laws 2017.

Mr. Barry Kehoe, Director of Services advised the Members that this item will be deferred to the July Council Meeting. Mr. Kehoe advised that the Council is not in

possession of a letter of consent from TII as required in making a decision on speed limits for national roads.

He also advised that the Council is engaging with TII in relation to speed limits and ramps and the Executive is meeting with TII at the end of June to come to a conclusion on this.

6. To consider the Department of Transport, Tourism and Sport Strategy for the Future Development of Greenways.

Mr. Barry Kehoe, Director of Services gave the Members a presentation on the Department of Transport, Tourism and Sport, "Strategy for the Future Development of Greenways" public consultation paper which issued in a questionnaire format.

He advised the Members that the initial draft issued in April 2017 and the final draft is for consideration and resolution of the Members.

He also advised the Members that the document will be circulated to the Public Participation Network and the Local Enterprise Office for submissions. He further advised the Members that the deadline for submissions is 14th July 2017.

In response to the Members, Mr. Kehoe advised that the development of the greenway commenced in Athlone and is a work in progress, with further work needed to bring it up to the required standard and stated that Waterways Ireland are currently constructing sections of the Galway to Dublin Greenway in Counties Meath and Kildare on behalf of the local authorities there. He stressed the critical importance of the completion of the Dublin to Galway Greenway to support Westmeath as a destination not a pass through.

In relation to *Blueways*, Mr. Kehoe advised the Members that Waterways Ireland have recently developed the *Blueways* concept that promotes greater use of these waterways for water-based activities. The proposed increase in investment in greenways will also enable Waterways Ireland to increase the number and quality of access points to the water for canoes, kayaks and for swimming and other water based activities. There are many synergies between blueways and greenways and Waterways Ireland will play a significant role in the development of infrastructure for walking and cycling around the country.

Mr. Kehoe advised the Members that the Maynooth to Athlone section of the greenway will be fully open in 2018 and progress is being made from Athlone towards Dublin, which will be completed in late 2018 to early 2019.

In response to Cllr. O'Brien in relation to play areas and urban lighting, Mr. Kehoe noted this comment and advised that this matter will be considered going forward. He also advised the Members that information boards are being put in place.

Mr. Kehoe advised the Members that the new marketing and tourism officer had recently started work with Westmeath County Council, and she has a budget of €50,000 for marketing purposes. He also advised the Members that contact had been made with the producer of the television programme "Tracks and Trails" about having an episode on the Westmeath facilities filmed.

7. To approve the Draft 2016 Annual Report.

Mr. Billy Coughlan, Meetings Administrator, advised the Members of the Draft Annual Report 2016 which had been circulated to the Members at the April 2017 meeting for their review.

On the proposal of Cllr. O'Rourke and seconded by Cllr. Farrell, the Members approved the Draft 2016 Annual Report.

8. Motions:

Cllr. Una D'Arcy:

- *"That this council consider as a matter of urgency the preservation of the ancient road in Coole and take steps to protect the remnants of this significant piece of our history from further destruction."*

Cllr. D'Arcy advised the Members in relation to the ancient Togher at Coole, Co. Westmeath which is of global significance and Cllr. D'Arcy stressed that this is the responsibility to the heritage of Co. Westmeath and responsibility of the people of Coole to preserve this ancient Togher.

Cllr. Hogan questioned why there was no written response to the motion and proposed that a response from the executive is issued in reply to Cllr. D'Arcy's motion.

Cllr. Keena requested that the Heritage Officer make a presentation to the Members in relation to the Togher in Coole.

In response to the Members, Mr. Kehoe advised that the National Monuments Service is the responsible body for the preservation of ancient national monuments. He regretted that a written response to the motion had not been available at the meeting, but advised that he would circulate it to the members as soon as possible after the meeting. Mr. Kehoe advised that Westmeath County Council has done everything it can to preserve this road and it is a matter for the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs to preserve it.

Mr. Kehoe also advised that a decision has to be made at National level to have this Togher designated as a National Monument.

Mr. Kehoe advised that Westmeath County Council has an objective in the County Development Plan to protect this Togher. He advised that in 2014 an enforcement notice had been served under the Planning Acts because of concerns about damage to the Togher. The enforcement notice was the subject of High Court judicial review challenge. Following legal discussions the notice was withdrawn and the developer engaged with the National Monuments Service on the matter. Mr. Kehoe also advised the Members that it was unlikely that Westmeath County Council would have sufficient grounds to compulsorily purchase the Togher.

Mr. Pat Gallagher, Chief Executive advised the Members that there is no disagreement between the elected members and the executive as to the merits of preserving the Togher in question, but the relevant authority for doing so is the National Monuments Service. The issue had previously been raised by the Members and they were advised that it cannot legally be placed on the record of protected structures.

9. Recommendation(s) from Corporate Policy Group:

- To hold the July Finance Committee Meeting on 26th June 2017 at 1 p.m.

The Members retrospectively approved holding the July Finance Committee Meeting on 26th June 2017 at 1 p.m.

- To hold the July Monthly Council Meeting in the Athlone Civic Offices on 24th July 2017.

The Members unanimously approved this recommendation.

10. To receive reports and recommendations from SPC Chairpersons

There were no reports and recommendations from SPC Chairpersons

11. Correspondence

There was no correspondence.

12. Aon Gnó Eile

Conferences:

Mr. Billy Coughlan, Meetings Administrator, advised the Members in relation to the conference document which had been circulated to them for approval.

On the proposal of Cllr Duncan, seconded by Cllr O'Rourke, the Members approved the Conference attendance document as circulated:

The Percy French Festival Co. Roscommon
Wednesday 5th July to Friday 7th July 2017

In response to the Members with regard to protected structures, Mr. Barry Kehoe, Director of Services advised the Members that the record of protected structures comes up for review every six years. The process will be starting in the beginning of 2018 and there will be a process for people to make a submission if they wish to be on the record.

There will be grants amounting to €50,000 towards protected structures but there is an insurance issue that needs to be addressed. He also advised that there is a deficit of education as to what people can and can't do in relation to doing work on a protected structure and it is important that people take the right advice to preserve a building. The process will come up for review and will be advertised later this year. Any decisions will take effect in January 2020.

In response to the Members, Mr. Kehoe advised that it would be difficult to bring a review of protected structures forward in advance of the CDP review process, and the administration involved would leave a massive burden on planning section's resources.

Mr. Kehoe also advised that the Members can bring particular structures of concern to himself and they will be examined.

This concluded the business of the meeting

Cathaoirleach

Date