

**Minutes of the July Monthly Meeting of Athlone Town Council, which was held in the Civic Centre, Church Street, Athlone at 6.00 p.m. on Monday 2<sup>nd</sup> July, 2007.**

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**Attendance:**

Mayor: Cllr. P. Hogan

Members: Cllrs. A. Berry, J. Butler, M. Cooney, R. Lennon, N. McFadden, K. Molloy, E. Moran and K. Moran

Officers: Mr. Danny McLoughlin, County Manager  
Mr. Barry Kehoe, Director of Services  
Mr. John Walsh, Town Clerk  
Mr. Alan Kelly, Town Engineer  
Mr. Terence McCague, Senior Planner  
Mr. Aidan Bass, Administrative Officer  
Ms. Anne McNamara, Assistant Staff Officer

**Minutes:**

It was proposed by Cllr. K. Moran,

Seconded by Cllr. Butler and resolved,

“That we hereby adopt the Minutes of the June Monthly Meeting held on June 5<sup>th</sup> 2007”.

**Matters Arising from the Minutes:**

**Athlone Mixed School**

The Town Clerk in response to Cllr. McFadden stated that the negotiations concerning the alternative school premises were not yet finalised but he was confident it would be ready for September.

The Town Clerk informed Cllr. K. Moran that the Council would be contacting Rhatigans to try and provide more alternative car-parking for the increase in the number of workers coming to the Town Centre site.

The Director of Services said in response to Cllr. K. Moran too, that the Council hope to have a contractor on site by the first week in August to begin with the Crescent Junction.

**Hazelwood/Rindoon:**

The Director informed Cllr. Butler that the underground drainage problems had to be dealt with first, but he hoped he would have a programme of works drawn up and costed, for the September Meeting.

**Amendment to the Minutes:**

Cllr. Molloy requested that the Minute of the last Monthly Meeting be amended to include the County Manager's agreement that the street enhancement being carried out by Park Hood, be extended to the Westside, as part of its regeneration.

### **Flooding:**

Cllr. K. Moran requested that immediate action be taken to improve our Plan of Action in times of emergency, like this weekend when a watermain burst in the Cornamaddy area. All the Members agreed with this. The Director undertook to circulate a report within 2-3 weeks of what has been done in the short-term and what will be done through major drainage works.

### **Retail Strategy-Variation to the Town Plan:**

The County Manager circulated his Report on the 5 Submissions received on the Retail Strategy which was considered by the Members and after going through them, the County Manager said that none of the submissions were at odds with the Strategy, which demonstrated that the town is open for business and encourages it.

He informed the Members that the Variation did not require a Strategic Environmental Assessment as it would not have significant environmental effects and it was now up to them to make the variation, with or without modifications or refuse to make the variation. He recommended they make the Variation.

In general, the Members welcomed the review of the Retail Strategy and accepted the proposed variation. There was concern however about the development taking place on the west-side of the town, outside the functional area of the Town Council. The Members felt that there will have to be more co-operation between Athlone Town Council and Roscommon County Council. Cllr. Lennon felt we were losing the Westside business and residents to Roscommon, but the County Manager said that the regeneration of the Westside was ongoing, new businesses will be opening up there and more housing units will be provided, so the people will come back.

It was proposed by Cllr. Berry,

Seconded by Cllr. Molloy and resolved,

“Pursuant to the provisions of the Planning & Development Acts 2000-2006 and in particular Section 13 of the Planning & Development Act 2000 we hereby adopt the new Westmeath Retail Strategy and we hereby make a variation to the Town Development Plan and thereby incorporate the Westmeath Retail Strategy into it”.

### **Art Gallery:**

Mr. Keith Williams, Architect was introduced and he proceeded to give a presentation on his two proposals for the Fr. Matthew Hall.

He said he had examined the site, the Castle, the Church, the Fr. Matthew itself and he was aware of the history of the building. The existing hall with its two added wings was squashed between the river and the road in a very tight site. An art gallery had very

specific needs in terms of space and light and the existing building would not suit this use, it would not convert well. If retained, it could be used as an artists studio or a sculpture gallery possibly, but a new building would have to be built extending it, to provide the needs of an art gallery.

He showed images of the old and new together the 'hybrid' proposal which provided 791 sq. m. of floor area and would cost approximately €4m.

The second proposal was for a completely new building on the site of the Fr. Matthew Hall, purposed-built and designed to be an art gallery. He also showed images of this. It would have a floor area of 570 sq. m. and would cost approximately €3m.

The Members thanked Mr. Williams for his presentation. They had divided views on the two options, but did not support Cllr. McFadden's proposal not to put the options on public display, pending the outcome of the Fr. Matthew Hall being put on the Record of Protected Structures.

It was proposed by Cllr. E. Moran,

Seconded by Cllr. Molloy and resolved,

"That we hereby approve of the 2no. options for the development of the Fr. Matthew Hall site as an Art Gallery on public display and that the views of the public on them be invited".

### **Public Right of Way – Hillcourt/Cypress Gardens:**

Mr. Terence McCague, Senior Planner stated that following the public display period, 3 no. submissions were received and these were invited to attend and to make an oral submission. He had presided over the hearing and he circulated his report. The first submission was from the Cypress Gardens Residents Association. They were in favour of leaving the access open as it had been for the last 20 years with very little anti-social behaviour, they felt.

The second submission was from the Hillcourt Residents Association who wanted the access closed. They claimed it was only open for 6 years and they had terrible problems with anti-social behaviour.

The third submission was from Mr. J. O'Brien who wanted the access left open for everybody especially the students, who had been using it for the last 18 years. He felt the alternative road was very unsafe for pedestrians and in the interests of safety, the access should be left open.

Mr. McCague said that having heard all the issues, he felt the pedestrian safety was the primary consideration. He said the access should be clearly defined and upgraded to

provide a properly paved surface and should have adequate lighting. He recommended the retention of the right of way.

The Members were divided in their opinions to close or retain the right of way but the Town Clerk advised that the statutory procedures to extinguish the Right of Way had been conformed with and it was a reserved function of the Members to do so or not.

It was proposed by Cllr. Molloy,

And seconded by Cllr. Butler,

“Pursuant to the provisions of Section 73 of the Roads Act 1993 and having regard to the Report of Mr. T. McCague Senior Planner and the submissions received we hereby order that the public right of way between Cypress Gardens and Hillcourt, Athlone be extinguished with effect from August 15<sup>th</sup> 2007 and the Council shall execute appropriate works to effect this extinguishment.

A vote was taken on this proposal which resulted as follows:

In favour:

Cllrs. Berry, Butler, Hogan, McFadden, Molloy and K. Moran. 6no.

Against:

Cllr. Cooney, Lennon and E. Moran. 3no.

The Mayor declared the resolution adopted by 6no. votes to 3no. votes and that the order had been made to extinguish the public right of way.

### **Phasing of Cornamaddy Area Action Plan:**

The Director reminded the Members that they agreed in principle at the April meeting to revise the Plan by excluding the phasing requirements. The revision was advertised and no submissions or observations were received and he recommended that they approve of the Variation.

Cllr. McFadden said the residents had wanted a gradual development of the area and she proposed no decision be taken until further discussions took place. There was no seconder.

It was proposed by Cllr. K. Moran,

Seconded by Cllr. Cooney and resolved,

“Pursuant to the Planning and Development Acts 2000-2006 and in particular Section 13 of Planning & Development Act 2000 we hereby make a variation to the Cornamaddy

Area Action Plan and the Westmeath County Development Plan as applied to Athlone Town by the exclusion of Section 6.1 in its totality and its replacement by the following new Section 6.1.

The Planning Authority will use its powers as provided under the Planning and Development Act, 2000 to ensure that development is carried out in an orderly fashion and that the necessary social and physical infrastructure identified in the Local Area Plan will be completed concurrent with the provision of houses. In particular instances, the Planning Authority may require developers to front load infrastructure before the development and/or sale of dwellings. There will be an expectation that a certain proportion of the neighbourhood and community facilities identified in the plan should be completed before the sale of all residential dwellings.

In cases where there is inertia or other delays, that could affect the orderly development of the area or the provision or completion of necessary elements of infrastructure, the Council will consider using its powers of compulsory acquisition.

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

It was proposed by Cllr. McFadden,

Seconded by Cllr. K. Moran and resolved,

“That we suspend Standing Orders in order to deal with the remaining items on the Agenda”.

### **Annual Financial Statement:**

The Annual Financial Statement for the year ended 31<sup>st</sup> December 2006 was presented to the Members.

Mr. Aidan Bass indicated that Revenue Expenditure for the year was €10m while the Revenue Income was €10.5m in giving a surplus of €470,377. Capital Expenditure was €5.3m giving a total expenditure of €15.3m and the Capital Income was €8.6m.

He then outlined the areas where over expenditure had taken place for the Member's consideration and approval.

It was proposed by Cllr. Molloy,

Seconded by Cllr. Berry and resolved,

“Pursuant to the provisions of the Local Government Acts 1925-2001, we hereby accept and approve of the Annual Financial Statement for 2006 and approve of the excess expenditure as set out hereunder:

Subprog	Subprog Description	Budget	Expenditure	Excess Expenditure	Explanation for Excess
10102	Rent & Annuity Collection	73,828	81,499	-7,671	Bad Debt Provision Rents
10204	Loan Charges (Loans)	145,233	146,686	-1,453	Shared Ownership Loans
10801	Direct Admin & Overheads	207,069	212,088	-5,019	Miscellaneous Housing Administration
20105	County Roads Rates	311,018	317,057	-6,039	Road Maintenance
20106	Public Lighting	210,700	216,050	-5,350	E.S.B. Costs
20301	Operation & Maintenance of Traffic Management	157,971	222,703	-64,732	Block Grant (Contra Income)
30101	Operation and Maintenance	0	340	-340	Minor overexpenditure
40308	Miscellaneous	46,500	53,715	-7,215	Partnership W.C.C. 2 years
40501	Promotion of Interests of Local Community	168,150	174,575	-6,425	European Festival (Contra income)
50103	Domestic Refuse	180,000	331,818	-151,818	Contribution to Refuse Collection
50104	Street Cleaning	313,478	315,942	-2,464	Emptying Litter Bins
50308	Miscellaneous	20,000	21,453	-1,453	Health & Safety
50402	Provision of Buildings	40,500	75,032	-34,532	Maintenance of Fire Station(Contra Savings)
60401	Recreation & Amenity	283,477	480,218	-196,741	Capital Fund - Arts Centre/Castle
80301	Rate Collection	57,554	68,224	-10,670	Bad Debt Provision Rates
80303	Irrecoverable Rates	358,569	443,036	-84,467	Underprovision in Budget
80801	Direct Admin. & Overheads	0	125	-125	Minor overexpenditure

### **Overdraft Accommodation:**

It was proposed by Cllr. K. Moran,

Seconded by Cllr. Butler and resolved,

“Pursuant to the provisions of the Local Government Acts 1925-2001, we hereby approve of the borrowing by means of temporary overdraft accommodation in the sum of €4m in respect of the half year ending December 2007”.

### **Representational Payment:**

It was proposed by Cllr. Cooney,

Seconded by Cllr. Butler and resolved,

“Pursuant to the Local Government Act 2001, we hereby approve of the revised annual representational payment to the Members as set out in the Department of the Environment Circular Letter LG17/07 with effect from 1<sup>st</sup> June, 2007”.

### **Mayor’s Reception:**

It was unanimously agreed to host a Mayor’s Reception for the Midland Vintage and Classic Car Club on Friday 24<sup>th</sup> August, 2007.

### **Disposal of Land:**

It was proposed by Cllr. Molloy,

Seconded by Cllr. K. Moran and resolved,

“Pursuant to the provisions of the Local Government Act 2001, the Housing Act 1966, section 90 of the Housing Act 1966 and the Landlord and Tenant (Ground Rents) No.2 Act 1978, we hereby approve of the disposal of the fee simple interest in the property as set out in the schedule hereunder:

#### **SCHEDULE**

<b><u>Description of Property</u></b>	<b><u>Name of Purchaser</u></b>	<b><u>Purchase Price</u></b>
6 Iona Park	Kathleen Dempsey	€45.40
3 Tormey Villas	Eamon Connolly LPR Bridget Connolly decd	€45.40

### **Managers Orders:**

The Members noted the summary of Managers Orders circulated.

### **Fairtrade:**

The Members noted a letter of thanks from the Athlone Fairtrade Committee, for its financial contribution and its assistance with the launch of Athlone as a Fairtrade Town.

### **Water Abstraction from Lough Ree:**

It as agreed to circulate a letter received from Westmeath County Council regarding the water abstraction by Dublin City Council. It stated that it would be more appropriate to wait for a definite proposal from Dublin City Council before making an agreed submission.

### **I.B.A.L. Report:**

The Town Clerk stated that Athlone was rated as “Littered” in 35<sup>th</sup> place, however he pointed out that only one of the areas outlined, was within the Town Councils area. He

said the report would be circulated to all the places mentioned in it, requesting them to improve their efforts.

**A.O.B.**

**Play area at Parnell Square:**

Cllr. K. Molloy requested that works be stopped on the preparation of the play area at Parnell Square, as the residents are totally opposed to it. He requested that a report be given to the Members at the September Meeting.

*This concluded the business of the meeting.*