

**Minutes of the November Monthly Meeting of Athlone Town Council, which was held in the Civic Centre, Church Street, Athlone at 6.00p.m. on Monday 2<sup>nd</sup> November, 2009.**

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**Attendance:**

Mayor: Cllr. M. Cooney

Members: Cllrs. S. Buckley Byrne, J. Henson, P. Hogan, G. McFadden, K. Molloy, K. Moran, A. O'Rourke and A. Shaw.

Officers: Mr. Barry Kehoe, Director of Services  
Mr. John Walsh, Town Clerk  
Mr. Alan Kelly, Town Engineer  
Ms. Anne McNamara, Assistant Staff Officer

**Minutes:**

It was proposed by Cllr. Moran,

Seconded by Cllr. Shaw and resolved,

“That we hereby confirm and adopt the Minutes of the October Monthly Meeting held on October 5<sup>th</sup> 2009.

**Waste Collection & Disposal Report:**

The Mayor welcomed Mr. Ray Kenny, Director of Services, Westmeath County Council to the Meeting and Mr. Kenny proceeded to summarise the main issues of his Report on Waste Collection as follows: Ballydonagh Landfill site is to close in March/April 2010 and this will increase waste disposal costs for the Council; the obligation to roll out the Brown Bin Collection is estimated to cost €500,000; the current contract is due to end in December with an, estimated loss of €430,000, increasing to a possible €600,000 in 2010 and the Council as a provider and regulator of a service is untenable in the long term. He added that there is no longer a need for the Council to provide the waste collection service now, as there are 8 private licenced operators in the County who can provide it at a cheaper rate to the public. He informed the Members that Westmeath County Council had decided at their Meeting on October 19<sup>th</sup> last, to cease providing the service at the end of the year. They agreed however to form a three person committee to meet with the Executive to examine the possibility of retaining the Waiver Scheme to some degree or in some format.

In response to Members queries on the Town service, the Town Clerk stated that projected loss for the town in 2009 is €198,000, taking into account the reduction in costs and in income. The income reduction is €140,000 due to loss of customers to the private sector, meaning that losses would have been €350,000, if there had not been reductions in expenditure.

The waiver scheme cost the Council €165,000 in 2009.

The Director Mr. Kehoe said that the Town Council could not run an independent service for the town, as it would put too much of a strain on resources, both on staff and finance. He said the Executive recommend the cessation of the service.

Cllr. Hogan said he did not support this recommendation, as the loss of the waiver scheme would cause hardship. He felt that the Council should look into other ways of raising money and retain the service. Cllr. Henson said the decision had been made in Mullingar, but he did not want to see the waiver scheme lost either.

All the other Members expressed concern over the loss of the waivers also, but accepted that the service is running at too much of a loss for the Council to sustain it. They also hoped that the quality and extent of the service would not deteriorate and Cllr. Buckley Byrne said that the Council as Regulator should ensure a quality service. Mr. Kenny assured the Members that the service was good in all the other counties that had gone private and they were not maintaining waiver schemes.

In response to Members queries on the sale of the service, the Director, Mr. Kenny informed them that it is virtually impossible to get a valuation of it, as the database is a “moveable feast”. The numbers change constantly as people can buy tags from any operator and all the Council actually has, is a list of names and addresses. No contracts exist with the customers. The blue and grey bins will also be sold he said but it was thought best to advertise the sale of the service by tender, to see what the market will bear.

Cllr. Moran expressed fears that littering will increase and asked that the Council purchase a camera to help prevent this. The Director Mr. Kehoe agreed to cost this at Budget time.

It as proposed by Cllr. Moran,  
and seconded by Cllr. Shaw,

“That we hereby approve of the termination of the Town Council waste/refuse collection service on December 31<sup>st</sup> 2009 and that the service be offered for sale by tender by Westmeath County Council. We further approve of the Town Council having a representative on the Westmeath County Council Committee which will examine the Waiver Scheme”.

It was proposed by Cllr. Hogan,  
Seconded by Cllr. Henson,

“That the Council continue to provide the waste/refuse collection service, together with the Waiver Scheme”.

As there was a proposal and counter proposal a vote was taken on Cllr. Cooney’s proposal which resulted as follows:

In favour: Cllrs. Buckley Byrne, Cooney, McFadden, Molloy, Moran, O’Rourke and Shaw.

Against: Cllr. Henson and Hogan.

As the vote was 7no. in favour and 2 against, the Mayor declared the resolution to have been adopted to terminate the waste/reuse collection system.

It was proposed by Cllr. Molloy,  
Seconded by Cllr. McFadden and resolved,  
“That Cllr. Shaw be the representative of Athlone Town Council on the Westmeath County Council Committee to examine the waiver scheme”.

The Members thanked Mr. Kenny for attending the Meeting.

### **Anti-Fraud and Corruption Policy and Contingency Plan:**

The Director briefly summarised the Policy and Plan which had been circulated to the Members.

He said it detailed what constitutes fraud and corruption, deals with accountability, the roles of the Members, Directors and employees, conflicts of interest, the role of the audits and the public, the deterrence, prosecution and disciplinary action. He said it was a comprehensive policy which supports the Council’s aim to maintain an honest organisation and it will be reviewed every two years. The Members unanimously approved of the Policy and Plan.

It was proposed by Cllr. Moran,  
Seconded by Cllr. McFadden and resolved,  
“That we hereby approve of the Westmeath Local Authorities Anti-Fraud and Corruption Policy and Contingency Plan 2009-2011”.

### **Casual Trading Bye-Laws:**

A Draft of the Casual Trading Bye-Laws had been circulated and the Town Clerk said they would regulate and control casual trading in the town. Trading will be permitted in designated areas, at events in town but with a licence, issued by the Council. The designated areas are Market Place and around the Castle, the Civic Square and 1 bay in St. Mary’s Square and these are outlined on the attached maps. General goods will be permitted at Market Place and the Castle but fruit, vegetables, flowers, craft items, fancy goods and food but excluding hot food prepared on site will be permitted at the Civic Square. St. Mary’s Square will be restricted to fish sales only. The Town Clerk said the Council will provide the stalls at the Civic Square and vehicles or wheeled stalls will not be permitted, except for handcarts.

He then outlined the days and the fees as follows:

Tuesdays, Thursdays, Fridays and Saturdays (with Mondays and Wednesdays prior to Christmas) from 9.00a.m. to 6.30p.m. at the Market Square, Castle and Civic Centre, while trading at St. Mary’s Square will be permitted on Thursdays and Fridays only.

#### **Fees:**

- (a) Trading 1 day per week - €350.00 per annum
- (b) Trading 2 days per week - €500.00 per annum

- (c) Trading up to 4 days per week - €1000.00 per annum
- (d) Trading 1-4 days per week - €200.00 per month
- (e) Trading 1-4 days per week - €100.00 per week
- (f) Trading 1 day per week - €50.00 per day

These fees could be varied from time to time by resolution of the Council.

The Members unanimously welcomed the Bye-Laws believing they would make things better for the casual traders and the rate-paying businesses alike. The Town Clerk confirmed that the marking and signage will be provided and stall sizes will be regulated, 4m x 4m being the largest permitted. He said any officer of the Council could be the authorised person, but it will usually be the Traffic Wardens that will monitor casual trading. Cllr. Buckley Byrne thanked the Town Clerk for his work on the Bye-Laws and said the regulated trading will add to the ambience of the Westside.

The Town Clerk informed the Members that the Draft Bye-Laws now have to go on public display for 4 weeks, with a further 2 weeks to receive submissions or observations. A report will then be drawn up and presented to the Members again. Following their approval, they will become effective after 30 days.

It was proposed by Cllr. Molloy,  
Seconded by Cllr. Buckley Byrne and resolved,  
“Pursuant to the Casual Trading Act 1995, we hereby approve of the Draft Bye-Laws going on public display and the implementation of the process to have them adopted with or without amendment”.

### **Consultative/Discussion Forum:**

The Town Clerk stated that as the Council shares a boundary with Roscommon, a Forum is needed to consider issues of mutual concern such as services, planning and coordination. He said a Forum should be established between the Town Council and the Athlone Area Members of both Roscommon and Westmeath County Councils and suggested they select the Membership. Following a discussion, it was agreed that the Mayor, and two other Members (one being an Area Member) sit on the Forum.

It was proposed by Cllr. Molloy,  
Seconded by Cllr. McFadden and resolved,  
“That we hereby establish a Consultative/Discussion Forum between Athlone Town Council and the Area Members of both Roscommon and Westmeath County Councils to meet as required”.

### **Relocation of the Tourist Office:**

The Town Clerk informed the Members that a Deputation made up of Cllrs. Buckley Byrne, O'Rourke and Shaw and himself, had met with Kevin Kidney, General Manager of Failte Ireland, East & Midlands Region, regarding the Tourist Office. He said the Members had expressed their concern about its location and accessibility and Mr. Kidney agreed to relocate

on a trial basis to the Civic Centre for the 2010 on the basis that the Castle will be closed for refurbishment. The Members welcomed the move and the Mayor thanked the Town Clerk and the Deputation for their role.

### **Managers Orders:**

The Members noted the summary of Managers Orders as circulated.

### **Questions:**

Question 1. Cllr. G. McFadden:  
“Would this Council erect a bollard at the end of Abbey Lane at St. Peter’s school to stop it from being a through road, and also extend the parking on the lane to facilitate the residents?”

**Answer:** **The current width and alignment of Abbey Lane prohibits the extension of on street parking. A bollard to prevent access from the Excise Street side can be put in place if the Members so wish but this would require an additional bollard outside No.7 Abbey Lane as there is no turning area beyond this point.**

Question 2 Cllr. G. McFadden:  
“When will this Council take Evergreen Avenue, Baylough in charge?”

**Answer:** **Significant works are required to bring this estate up to an acceptable level for taking in charge and a costing of this work will be prepared.**

Question 3. Cllr. G. McFadden:  
“Would this Council replace the damaged railings in woodlands between the houses and the bypass?”

**Answer:** **These railings are continually being vandalised and damaged by people and the Council has and will again repair any damage caused.**

Question 4. Cllr. A. O’Rourke:  
“Work began earlier in the year to repair footpaths in Arcadia and Retreat Park, is it the Councils intention to recommence these improvement works by year end?”

**Answer:** **This area will be examined and prioritised in the context of the general footpath conditions in the town and the available funding from the 2010 Block Grant.**

Question 5. Cllr. A. O'Rourke:  
"As a gesture of goodwill to businesses in Athlone and in an effort to promote 'shopping local' in the run up to Christmas, will the Council agree to provide free car parking on two Saturdays in December?"

**Answer:** Free car parking will be provided in the Councils car parks and street parking areas on the 12<sup>th</sup> and 19<sup>th</sup> December 2009, but the control bye-laws will continue in force.

Question 6. Cllr. P. Hogan:  
"Will this Council investigate indiscriminate dumping on scenic Shannon walkway adjacent The Big Meadow?"

**Answer:** The Council will arrange to have this matter investigated by the Community Warden

Question 7. Cllr. P. Hogan:  
"What is the reason for delay in the provision of new public lighting at Retreat Heights/Retreat Road and when does this Council envisage these lights will be operating?"

**Answer:** The Council has no current proposals to install public lighting at the location of Retreat Heights/Retreat Road.

Question 8. Cllr. A. Shaw:  
"How much money is budgeted for road salting by the Council for this winter, how does this compare with last year and in the event of a severe winter have additional funds been identified to ensure that road safety is prioritised for drivers and pedestrians?"

**Answer:** Road salting is funded from the Councils maintenance revenue budget for urban roads which is €283,750.00 in the current year. The extent of the salting operation varies from year to year depending on weather conditions and road user safety is prioritised at all times.

Question 9. Cllr. A. Shaw:  
"Please provide an update on the design phase of Garrycastle Bridge, including cost to date, expected design completion date and expected commencement date for construction works?"

**Answer:** The Garrycastle Bridge realignment project is ongoing and the detailed design will be completed in early 2010. This includes ground investigations, some archaeological investigations and liaison with

**Iarnrod Eireann and the cost in 2009 will be approximately €350,000. The total cost of the project up to the end of 2008 was €525k. The expected commencement date for construction is August 2010 but this is subject to funding.**

Question 10. Cllr. S. Buckley Byrne:

“When will the Westside regeneration - first phase - be completed?”

**Answer: It is envisaged that these works will be completed early in the New Year.**

### **J.P.C. Meeting:**

It was agreed to hold the next meeting of the Joint Policing Committee on Monday 16<sup>th</sup> November, 2009 at 5p.m.

### **Delegation to Drugs Task Force:**

The Town Clerk informed the Members that Ms. Antoinette Kinsella from the Regional Drugs Task Force would meet with the Delegation on Thursday 5<sup>th</sup> November 2009 at 9.30a.m. in the Civic Centre.

### **Letter of Thanks:**

The Members noted a letter of thanks from the Rotary International District Governor for the Civic Reception, the gifts and the monetary support given to the Club, during their recent Annual Conference in Athlone.

### **Acknowledgement:**

The Members noted a letter of acknowledgement from the Minister for Finance for their letter regarding the funding for RAPID.

### **Conferences:**

The Members noted the location and cost of the following conferences:

Limerick

LAMA

6<sup>th</sup> & 7<sup>th</sup> Nov. 09

### **Review of public amenities:**

In response to Cllr. McFadden’s motion, the Town Clerk stated that an examination of all pedestrian crossings and footways in Athlone was carried out as part of a report on access and safety issues for pedestrians with sensory and physical disabilities and this Report was updated in March 2006. The Council have been carrying out remedial works on the problems identified in this report through its annual budgets, grant funding and funding

which has been made available to it through the National Disability Authority Act 1999. All new road works and schemes provide suitable access for people with disabilities. He told Cllr. McFadden that the areas she identified at St. Mary's N.S. at the PWDI Office will be examined and prioritised.

### **John Broderick Street/Irishtown traffic lights:**

The Town Clerk informed Cllr. O'Rourke that a filtered cowl over the traffic light lens can be considered at this location, but the geometry of the junction and the required location of the traffic signals may continue to cause problems for drivers who are not familiar with the operation of the traffic lights. He added that this type of problem is often encountered at such installations in regional towns.

### **Upgrading of Relief Road:**

The Town Clerk stated in response to Cllr. O'Rourke's motion that the Relief Road is being considered by Westmeath County Council who are liaising with the National Roads Authority, for a major upgrade of the road.

Cllr. O'Rourke said that the Athlone section of the Relief Road is dreadful and dangerous, needing improved lighting, barriers, replacement of studs etc. Cllr. Shaw agreed and said litter also needed to be collected. The Director said the surface also needs replacement and it might be a waste of money to put in reflective studs etc. now. He added that they were working with the N.R.A. trying to get funding, but at the moment there is no money available. Cllr. Moran did not accept this and said lots of work could be done while waiting for funding for major works. It is the only dark and dangerous stretch of the road and needs immediate attention he added.

### **'Peoples Park' for Athlone:**

In response to Cllr. O'Rourke's motion the Town Clerk stated that the priorities for park development in Athlone are the Town Park, Wansboro Park and Ranelagh which include approx. 35 acres of land. He said a strategy for open spaces will be prepared next year as required by the Town Development Plan and proposals for the next phase of the Town Park will be prepared with a view to implementation, as will further phases at the other locations, as finances permit. Cllr. O'Rourke said that parks can help define a town and Athlone lacks a 10-12 acre park, which would be a great facility for the town. He felt such a park should be lockable to keep it free from anti-social behaviour, safe, clean and well maintained. He suggested a partnership approach to developing it and welcomed the Executives plans.

### **Replacement of life buoys:**

The Town Clerk confirmed that the life buoys within the town are replaced by the Town Council frequently and they are the subject of indiscriminate vandalism in the intervening periods. Cllr. Hogan welcomes this but asked that the two on the Strand be replaced as soon as possible as they had been set on fire.

### **Legislation on Derelict Sites:**

In response to Cllr. Hogan's motion the Town clerk stated that under the Derelict Sites Act 1990, it is a duty of owners and occupiers of land to take all reasonable steps to ensure that the lands do not or do not continue to be a derelict site. Local Authorities may serve notices on owners/occupiers, listing works required to render the site in question non-derelict. If the works are not carried out, the Council has two options i.e. carryout the works in question and recoup the costs via the courts or decide to acquire the property via C.P.O. Both actions have cost and or resource implications for the Council. He added that the Local Authority may also levy the owner/occupiers of Derelict Sties in urban areas, so they already have extensive powers in relation to derelict sites. Cllr. Hogan said we need to enforce the legislation then and recoup monies spent on these properties.

Cllr. Buckley Byrne requested that a report be compiled on all derelict sites in the town and presented to the Members at a future meeting and the Town Clerk stated that a complete report will be provided to the Members at the December Meeting.

### **Inheritance from Patient Private Property Account:**

Cllr. Hogan requested that the Council write to the Minister for Health requesting a commitment that the next of kin of patients in nursing homes or psychiatric hospitals, inherit the funds in the Patient Private Property Accounts. All the Members supported the motion and it was agreed to write to the Minister.

### **Christmas Street Entertainment:**

The Town Clerk stated in response to Cllr. Moran's motion that Christmas street entertainment is worthy of support, but it would be best organised by the Chamber of Commerce and the Street Trading Organisations. Cllr. Moran said the Civic Square would provide a good place for it and it would enhance the atmosphere of the town. Cllr. Shaw suggested that the Musical Society be requested to sing at the annual lighting of the Christmas tree.

### **Tree on T.P. O'Connor Street:**

The Town Clerk informed Cllr. Moran that this overgrown tree on the footpath will be examined by a tree surgeon and a report brought before the Council in due course. The footpath will be considered and prioritised in the context of the general conditions in the town and the available funding from the 2010 Block Grant. Cllr. Moran said it would have to be removed as there are 4 food suppliers in this area and the tree causes problems for them, in that white fluffy seeds fly everywhere and it attracts wasps in summertime. He also said that the roots are coming up through the footpath, making it dangerous. Cllrs. Buckley Byrne and Shaw agreed.

### **Gullies:**

In response to Cllr. Moran's motion, the Town Clerk stated that all the gullies in the town are continuously monitored by the Council, but Cllr. Moran said there are certain areas that get flooded when there is heavy rain and we need a tanker to be able to go to these areas in times of emergencies. The Director said that the Main Drainage Scheme will resolve the problem, but Cllr. Moran said people effected cannot wait that long.

### **Free car-parking for Christmas shopping:**

The Town Clerk informed Cllr. Shaw that free car-parking will be provided in the Council's car parks and street parking areas, on the 12<sup>th</sup> and 19<sup>th</sup> December, 2009, but the control bye-laws will continue in force. Cllr. Shaw expressed this thanks.

### **New Traffic Management Plan:**

The Town Clerk stated in response to Cllr. Shaw's motion that the Athlone Traffic Management Plan 2003 set out the proposals for the traffic management of Athlone Town and coupled with the implementation of the Railway Field Road, it is the optimum solution to the general traffic problems in Athlone at the current time. The Director added that the Council is still working towards its full implementation, and when the Railway Field Link Road is completed, the one-way system would be re-visited. He confirmed that negotiations are ongoing with C.I.E. over the railway field.

### **National Carer's Strategy:**

Cllr. Shaw requested the Council to write to the Minister for Social and Family Affairs asking her to publish the National Carers Strategy as committed to in the Social Partnership Agreement – Towards 2016 and in the Programme for Government, as a matter of principal for the benefit of thousands of Carers in Westmeath and nationally. All the Members supported the Motion and it was agreed to write.

### **John Count McCormack in Fr. Matthew Hall:**

In response to Cllr. Buckley Byrnes motion, the Town Clerk stated that all the space in the Fr. Matthew Hall as extended, has been allocated and is necessary for the Hall to operate as an Art Gallery. The regeneration programme for the Castle will provide a large space and a more effective and comprehensive interpretation of the life and memorabilia of John Count McCormack. He added that temporary exhibitions in respect of Count McCormack can be accommodated from time to time in the galleries if required.

Cllr. Buckley Byrne requested that this plan be re-visited again as she felt it was not compatible with John McCormack to be remembered in the Castle with the military past of Athlone since the 1690's. He should be remembered she said in the Fr. Matthew Hall where he began his career and it is a place that people associate with him. Cllr. McFadden supported this view. Cllr. Hogan said that the previous decision did include the erection of a plaque on the Gallery in his memory. Cllr. O'Rourke said that other groups who had

historical links with the Hall would want consideration too, if this change was made. He said the Council should proceed now while the funding is available.

The Director said that the Castle Visitor Centre commemorates a lot more than the military history of Athlone and that 30m<sup>2</sup> is going to be dedicated to John Count McCormack, where justice can be done to his memory. He said ground works are commencing on the Gallery tomorrow, the decision has been made on it and we have to move forward.

The Town Clerk said that the Council had gone through an open and democratic process, a decision had been made and it is now being implemented. It would take a  $\frac{2}{3}$  majority of the Council to change that decision. He added that physically, the space is not there for a new section/use to be included.

Cllr. Buckley Byrne then requested that maybe some space could be given to Count McCormack on a wall, possibly an entrance wall and the Town Clerk and Director confirmed that an acknowledgement of his connection to the Fr. Matthew Hall could be placed on a wall at the entrance and people informed of the exhibition in the Castle Visitor Centre.

### **Reduction of VAT:**

Cllr. Buckley Byrne requested that the Council write to the Minister for Finance asking him to bring down the VAT rate for goods in the upcoming budget, to redress the loss of revenue and the impact on businesses and jobs in Athlone as a result of people shopping in Northern Ireland and it was agreed to do so.

*This concluded the business of the meeting.*

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