DEPUTATION MEETING MINUTES

Date:	Wednesday 23 rd November 2011
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Councillors Present:	Cllr. Eamonn Walsh	
	Cllr. Maire Devine	
Deputation:	n: Brendan O'Toole	
_	Joan Murray	
	Frances Haire	
Council Officials Present:		
John McLoughlin	Roads Dept.	
Mairead Hunt	Planning Dept.	
Dee Kelly	Community Services.	

Deputation Group: The Garth, Belgard Heights Residents Association

The meeting was **chaired** by Councillor Maire Devine

Apologies: Cllr. Mick Duff & Cllr. Marie Corr

Item No. 1.	Permanent closure of Ard Mhuire School gate on The Garth, by erecting a suitable barrier (wall) on the public area in front of the school fencing. Finished with suitable render and screening with evergreen non-shredding shrubbery. (Please refer to signed petition already submitted to SDCC in August 2009).			
Item No. 2.	SDCC to assist Ard Mhuire School, as part of the overall solution to develop suitable parking/drop-off areas as proposed by residents, of The Garth.			
Item No. 3.	We call on SDCC to investigate how the properly elected representative body, SDCC, cannot exert control over entities operating within the SDCC area, i.e. Ard Mhuire School.			
Item No. 4.	We call on SDCC to initiate a review of planning laws that do not allow a wrong to be righted when that wrong has a detrimental effect on the lives/rights of citizens i.e. the installation of the school gate without proper consultation and planning permission.			
ALL THE ABOVE WERE ADDRESSED TOGETHER.				

Action To Be Taken	Responsibility
• This is a public access road and traffic cannot be prevented from using it. SDCC is to examine plebiscite requirements regarding closure of a Right of Way.	John McLoughlin
• SDCC has no legal authority to close this gate. It is up to the school to close the gate. SDCC will not build a wall to prevent access.	
• The boundary premises on school property are the responsibility of the school.	
• SDCC have no responsibility to provide drop off areas outside the school. It is a matter for the school to arrange parking in the school grounds.	
• SDCC does not have resources/land to develop a parking/drop off area.	
• SDCC will engage with the Principal of Ard Mhuire School to see what options are available to resolve resident's issues and which would be agreeable to both the residents and Ard Mhuire School.	John McLoughlin
• Complaints were first lodged with SDCC in 2004 and 2005 when this access gate was already in existence for a period of time which prevented the Council from taking enforcement action under the Planning code (7 year rule – the unauthorised development became statute barred from enforcement action 7 years after the commencement of the development), in line with national planning legislation as passed by Government (Planning & Development Act 2000).	Mairead Hunt
 SDCC will request the trees at the gate to be pruned back and maintained. 	John McLoughlin