

**Minutes of Adjourned April Council meeting held in the Mtek Building,  
Knockaconny, Monaghan on Tuesday 18<sup>th</sup> April, 2006 at 10.00 a.m.**

**Chair:** Cllr P Treanor, Mayor

**Present:** *Cllrs Bannigan, Carthy, Carville, Conlon, Coyle, Crowe, Gallagher, Humphreys, Keelan, Keenan, Kieran, Martin, Maxwell, McAnespie, McElvaney, P. McKenna, B. McKenna, McNally and O'Brien.*

*Mr D. Nelson, Co. Manager Mr. M. Fitzpatrick, P. Clifford and D. Fallon, Directors of Service and Ms C. Thornton, Meetings Administrator.*

**11. To receive minutes of the following meetings:**

- (i) Minutes of the Local Monitoring Committee meeting held on 7<sup>th</sup> February 2006

These minutes were noted by the Council.

In response to queries from the Members in relation to the recent EPA report on Water Quality, Mr. Fallon explained that the Council's phosphorous team was active in the county and has been liaising with the IFA and there have been improvements in these areas. He stated that there was a problem with pollution from diffuse sources and the county had a very low dilution factor.

The County Manager referred to the natural topography of the county and the fact that lots of rivers that flow out of the county also rise in the county. Problems arise because these rivers are small and the dilution rate is low. He paid tribute to the IFA and the farming community for the high level of co-operation in this area. However, improvement of the water quality will require major investment by the local authority and the farming community. He also referred to the other demands on the Environment Section that includes illegal dumping and clean up of sites where illegal diesel wash is being dumped.

Cllr Bannigan stated that there were more sources of pollution other than just agriculture and that no other sector is more regulated than agriculture at the moment. He requested that a summary of the report be made available to the members.

*On the proposal of Cllr McElvaney seconded by Cllr Carville it was agreed to request the Garda Siochana to monitor the areas in the county where illegal diesel wash has been dumped recently.*

*On the proposal of Cllr Carville seconded by Cllr McElvaney it was agreed that the Council write to the Minister for Justice and the Garda Commissioner requesting that more resources be deployed to these border areas.*

**12. Diospoireacht as Gaeilge - Acht Na dTeangacha Oifigiula 2003 (Irish debate - Official Languages Act 2003)**

Cuireadh An Meara cuntas faoi imeachtaí na bliana 2005/06 faoi bhraid an Chomhairle.

The Mayor gave a report to the Council on the activities for 2005/06.

Seo leanas príomh torthaí obair an Choiste le linn 2005/06

The Committee has been active in promoting Irish in the following areas:

- Seachtain na Gaeilge
- Scoilreachtai Gaeltachta / Gaeltacht Scholarships – 24 Scholarships awarded
- Acht na dTeangacha Oifigiula / Official Languages Act 2003
- Deontaisí / Grants

He paid tribute to Pol O Clerigh, Oifigeach Gaeilge for his work in this area and also the Library staff who all contributed to a very successful week. He highlighted the need for a full time Irish officer and referred to the fact that Roscommon County Council, with no established Gaeltacht, had a full time officer. The County Manager stated that he would explore the possibility of recruiting a full time officer.

**13. Business submitted by Manager:**

The County Manager referred to Circular LG 11/06 from the Department of the Environment and Local Government in relation to the Social and Community Facilities Capital Scheme 2006. He stated that the closing date for applications under the scheme was 19<sup>th</sup> May, 2006 and he requested the Members to put forward projects that they were aware of in their local communities that might meet the criteria set down for the scheme. The Council will have to select and prioritise three projects for submission to the Department.

**14. Matters arising**

Issues raised by the Members were responded to by the various Directors of Service.

**18. Notices of Motion:**

**(a) Cllr Matt Carthy proposed, Cllr Noel Keelan seconded**

*“That this Council declares the area under its responsibility to be a GM free zone and that this be reflected in the new County Development plan. That in line with this Monaghan County Council opposes the growing of all Genetically Modified crops as they will inevitably contaminate conventional and organic species”*

Following a debate on this motion Cllr Bannigan proposed the following amendment –

*That the words “and that this be reflected in the new County Development Plan” be deleted, as the draft plan is already on public display.*

Cllr Carthy accepted the amendment

The Mayor put the amended motion to the meeting and it was agreed unanimously.

**(b) Cllr Matt Carthy proposed, Cllr McNally seconded**

*“That Monaghan County Council, in conjunction with the National Roads Authority, will do all possible to reclassify the Carrickmacross – Drumcondrath road to Regional status. That we seek the support of Meath County Council in this regard.”*

In support of this motion Cllrs Carthy, McNally referred to the huge amount of traffic on this road, both industrial and commuter, and stressed the need to have it re-classified – the road is a regional road in everything but name and condition. They referred to the dangerous junction with the Ardee road and requested that plans be put in place to make it safer for users.

The Mayor put the motion to the meeting and it was agreed unanimously.

**(c) Cllr Coyle proposed Cllr Crowe seconded:**

*“That this Council requests the Department of Education and Science to review post primary school transport, boundaries, and catchment areas in view of changing demographic courses at post primary schools and that all boundaries be defined by road”*

In proposing the motion Cllr Coyle stated that there were 13 students in the Latton area that were being denied transport from Latton Village to Ballybay. The children were being forced to walk along the road which is very dangerous. The problem relates to the fact that when the Comprehensive School opened in Cootehill it was given a large catchment area – this takes in the village of Latton. This boundary has been in place for long number of years and its time it was reviewed.

The Mayor put the motion to the meeting and it was agreed unanimously.

**(d) Cllr Martin proposed, Cllr Carthy seconded**

*“That the Standing Orders of Monaghan County Council and in particular Article 10.4.5 of the said Standing Order be amended to allow sound (radio) broadcasting of portions of the proceedings of Council meeting to the general public save in circumstances where the Council expressly prohibits same.*

*In proposing this motion Cllr Martin requested that it be amended to include the words “and internet” after the word (radio).*

Mr. M. Fitzpatrick stated that it was necessary to have a composite wording prepared to amend the existing Standing Order 10.4.5.

*Following a debate on the motion, Cllr B. McKenna proposed, Cllr McNally seconded that the matter be referred to the Standing Orders & Procedures Committee and that they bring a recommendation to the full Council. This was agreed.*

**(e) Cllr Martin proposed**

“That an all party sub-committee be established by Monaghan County Council to put in place a more equitable planning consultative process with the Executive of the Council than the one in current operation at the monthly meetings of the Council so that all applicants for planning permission are not just treated equally but seen to be treated equally.”

There was no seconder for this motion. The Mayor declared that the motion had failed.

**(f) Cllr McNally proposed, Cllr Coyle seconded**

*“That this Council calls on the Minister of the Environment Mr Dick Roche to introduce a reconstruction grant for old dwellings as to allow people refurbish houses that are lying derelict for many years. Such a scheme would be partly self-financing due to VAT on materials and taxation from those carrying out the work.”*

In proposing the motion Cllr McNally said that the time was particularly apt to introduce such a scheme. It was becoming increasingly difficult for young people to get on the property ladder and a scheme such as this might provide the opportunity for them to do so. A number of Members spoke in favour of the motion.

The Mayor put the motion to the meeting and it was agreed unanimously.

**Votes of Sympathy:**

It was agreed to extend a vote of sympathy to Mr. Kevin Lennon, Clerk of Works on the death of his mother.

### **Urgent Business:**

The Mayor indicated that he had received two notices to deal with urgent business:

**Notice 1** – in the names of Cllrs Bannigan, McElvaney, Humphreys, Keenan, Carville, Maxwell and P. McKenna.

*“ That the Council calls on the Minister for Agriculture & Food, Ms. Mary Coughlan, T.D., to withdraw her proposal to remove ring fencing from the Milk Quota System as announced without consultation with the farming bodies ”*

**Notice 2** – in the names of Cllrs Bannigan, McElvaney, Humphreys, Keenan, Carville and P. McKenna.

*“ That the Council discuss serious issues that are arising on the Castleblayney by pass and especially the manner in which the Contractor is treating the land and CPO holders ”*

In accordance with Standing Order 14.2 the Members unanimously agreed to deal with both motions.

### **Motion 1 – Milk Quota**

In proposing the motion Cllr Bannigan referred to the decision by the Minister for Agriculture to remove ring fencing from the milk quota system without consulting with the farming bodies. He felt that Minister was attempting to deflect attention from the poor handling of the Nitrates Directive. He referred to the fact that in an open market system smaller farmers will not be fit to afford prices as high as €4 a gallon for milk quota and are at a severe disadvantage against larger farmers from the south of the country that dominate the system. An open market system also militates against young farmers trying to set up in dairying. He called on the Minister to withdraw the proposal to remove ring fencing in order to protect the livelihood of farmers in this county.

In seconding the motion, Cllr Coyle supported the sentiments expressed by Cllr Bannigan. He had grave concerns for the impact of an open market system on farmers from this county and surrounding counties. He also referred to the announcement by Lakeland Dairies to cut milk prices by 6c per gallon.

Cllrs Carville, Nally and B. McKenna also entered the debate and referred to the number of farmers leaving the sector. The return is too low for the labour input required. Cllr McNally stated that he had spoken to the Minister on this matter and he had no doubt that ring fencing will be put in place.

## **Motion 2 – Castleblayney bypass**

In moving the motion Cllr Bannigan said it was unfortunate that this issue had to be raised again at a Council meeting but a number of issues had arisen which had not come to notice previously. He outlined the following issues and was calling on the Contractor to abide by the terms of the contract and also that the Council address these issues.

- Temporary fencing has been erected which is outside the CPO line and the fencing that is being erected is not stock-proof
- No access being provided to stakeholdings
- No water being provided to lands
- Hedges are being removed which are outside the CPO line
- Hazardous material is not being dealt with in a safe and environmentally friendly manner, despite undertaking of contractor
- An elderly farmer has had power removed from his residence
- Liaison has broken down completely

Cllr Carville seconded the motion and endorsed the sentiments expressed by Cllr Bannigan. A number of members spoke on the matter and called on the County Manager to address the issues raised as a matter of urgency.

*On the proposal of Cllr Coyle, seconded by Cllr O'Brien it was agreed that the County Manager and Mr. Fallon, Director of Services would meet the Contractor on site, as soon as possible, to deal with the issues raised.*

In response to the debate, Mr. D. Fallon replied as follows:

- Specific procedures are laid down in the contract documents and the contractor has not followed these.
- The Council have a full time liaison officer on site as do GAMA and they have been requested to address the issues raised
- The scale of traffic on the haul roads currently being used is significant – contractor should be moving to another source shortly. A traffic plan is required to be put in place and the Council will look at alternative routes.
- The NRA will provide funding to carry out repairs to haul roads as part of the scheme. If vehicles are under the legal load limits they are quite entitled to travel these routes.
- There were two instances of hazardous materials being dealt with – the Contractor has been asked to address one instance and the Consultant is preparing a plan of action for the other.
- In relation to the mapping there were slight discrepancies in the maps used and the Consultant is making the necessary adjustments to the CPO line. Affected landowners have been advised of the adjustments.
- Permanent fence line will be erected and sheep wire will be included.
- The Council are not re-opening negotiations – a timeframe has been set.

