

**Minutes of meeting of Monaghan County Council held in the Mtek Building, Armagh Road, Monaghan on Tuesday 2<sup>nd</sup> April, 2013 at 10.00 a.m.**

**Chair:** Cllr H. McElvaney, Mayor.

**Present:** Cllrs Bannigan, Bennett, Carthy, Carville, Connolly, Crowe, Gallagher, Keelan, Maxwell, McKenna, McNally, McPhillips, Murray, O'Brien, O'Hanlon, P. Treanor and S. Treanor.

Mr. D. Fallon, County Manager, Mr. P. Clifford and Mr. D. Treanor, Mr. A. King, Directors of Service, Mr. J. Murray, Head of Finance, Mr. A. Hughes, Senior Planner, Mr. T. Gourley, Senior Executive Planner, Mr. N. O'Connor, Environmental Education Officer and Ms. C. Thornton, Meetings Administrator.

**Apologies:** Cllrs Conlon and Coyle.

The Mayor advised the members that he had received a notice to suspend standing orders and two notices of urgent business.

**Suspension of Standing Orders:**

Notice in the names of Cllrs Bennett, Carthy, Crowe, Keelan, B. McKenna and P. Treanor

“ That this Council suspend Standing Orders to -

1. *Receive a report from the Manager on correspondence between Monaghan Local Authorities and the office of the Ombudsman relating to the Differential Rents Scheme operated by Monaghan Local Authorities specifically Article 14 of the scheme.*
2. *Discuss and vote on the following motion – That Monaghan County Council revisits the previous decision of meeting held on 8<sup>th</sup> May, 2012 and adopts the proposal emanating from the Housing SPC meeting held on 24<sup>th</sup> April 2012 which called for the removal of Article 14 of the Differential Rents Scheme on the basis that it is discriminatory against households where joint tenants derive their incomes from Social Welfare payments.*

The members unanimously agreed to suspend Standing Order to discuss this matter.

The Acting County Manager stated that the Council would take on board the decision of the Ombudsman as was their obligation under law, but that it would await decision. The issue currently relates to Carrickmacross Town Council - if the decision affected more people across the county the Council would deal with that.

In proposing the motion, Cllr Carthy said that he had asked the Ombudsman to examine Article 14 of the Differential Rents Scheme on the basis that it is discriminatory against households where joint tenants derive their incomes from Social Welfare payments. He outlined an individual case where the circumstances had not changed but their rent was being increased. He asked the members to remove Article 14 from the Differential Rents Scheme

on the basis that it is discriminatory. Cllr B. McKenna seconded the motion and said that he expected that further correspondence from the Ombudsman would deal with Article 14 and would be in line with the motion before the meeting.

Mr A. King, Director of Housing said that in the specific case referred to, which was a Carrickmacross Town Council tenancy, the Ombudsman didn't consider that article 14 of the Council's Differential Rent Scheme applied. The Ombudsman had stated that in circumstances where each person in a house was entitled to a social welfare payment in their own right it would be unreasonable to put the two incomes together as a single income – this would mean that they would be paying a higher rent in the circumstances. Mr King pointed out that the interpretation given by the Ombudsman was in fact the way Monaghan County Council had and was continuing to operate the scheme. The Ombudsman had not yet issued a finding in relation to Article 14.

Mr. P. Clifford Director of Services stated that the issue initially arose in Carrickmacross Town Council. There was a certain level of ambiguity in the response from the Ombudsman and clarification had been sought from that office. He suggested that the members defer consideration of the motion before the meeting until such time as clarification is received.

Cllr Carthy requested that the members make the decision to remove Article 14 regardless of the finding of the Ombudsman.

The Mayor then put Cllr Carthy's motion to the meeting. A recorded vote was taken which resulted as follows:

**For:** Cllrs Bennett, Carthy, Crowe, Keelan, McKenna, McNally, O'Hanlon, P. Treanor and S. Treanor. **Total 9**

**Against:** Cllrs Bannigan, Carville, Connolly, Gallagher, Maxwell, McElvaney, McPhillips, Murray and O'Brien. **Total 9**

The Mayor then gave his casting vote against the motion. The motion was declared defeated.

The Mayor advised that he would deal with the notices of Urgent Business at 2.00pm

## **1. Confirmation of Minutes:**

*On the proposal of Cllr McKenna, seconded by Cllr. Gallagher it was agreed that the minutes of Council Meeting held on 4<sup>th</sup> March 2013, be confirmed.*

## **2. Correspondence**

The following correspondence was circulated with the agenda:

- Letter from the Minister for Health declining a meeting with the Council in relation to the issue of labelling and quality of imported beef, chicken and pork products.

- Letter from the Minister for Health in relation to the provision of funding for the development of services at Monaghan General Hospital.
- Letter from the Minister for Agriculture, Food and the Marine outlining the number of inspections for both imported and Irish poultry in 2010, 2011 and 2012.
- Letter from the Minister for the Environment Community and Local Government confirming that he would accept the Council's invitation to open the Civic Centre in Carrickmacross.
- Letter from the Department of Finance regarding Public Interest Directors and their roles.
- Letter from the Minister for Justice and Equality in relation to assaults on frontline emergency workers.
- Email from Deputy Heather Humphreys enclosing letter from the Minister for Education in relation to the inclusion of assets to determine eligibility for student grants.
- Letter from the Chief Executive of EirGrid acknowledging the Council's requests for information in relation to the North South Interconnector.
- Letter from the National Roads Authority declining the Council's request for a meeting in relation to the speed limit on the N54 Monaghan/Clones Road at Tullygrimes.
- Resolution from South Tipperary County Council calling on the Government to take action to tackle criminal gangs involved in the laundering of fuel and the smuggling of cigarettes and other counterfeit goods.
- Email from the Irish Heart Foundation calling on the Minister for Health to intervene to avoid the destruction of Newborn Screening Card 'heel prick' blood samples.
- Letter from Comhairle na Óg requesting an opportunity to make a presentation to the Council at the September meeting.
- Letter from the Monaghan Association Beds and Herts. Inviting the Council to be represented at the 21<sup>st</sup> Annual Dinner Dance to be held on 4<sup>th</sup> May, 2013.
- Letter from the Minister for Justice, Equality and Defence in relation to the allocation of resources to tackle the illegal drug trade in this country.
- Letter from the Minister for the Environment, Community and Local Government in relation to savings that are to be achieved under the Putting People First Action Programme for Effective Local Government.
- Email from RGDATA acknowledging the Council's support for Irish owned businesses.
- Resolution from Waterford City Council calling on the Minister for Education to recognise the role of Waterford College of Further Education in delivering and facilitating access to third level education.
- Resolution from Leitrim County Council calling on the Minister for Finance to allow an exemption of VAT on disabled friendly works undertake by community groups.
- Resolution from Ballybay Town Council calling for a reduction on commercial rates in Ballybay Town.

**Proposals arising out of correspondence:**

*On the proposal of Cllr O'Hanlon, seconded by Cllr Connolly it was agreed that the Council write to the Minister for Agriculture, Food and the Marine, Mr. Simon Coveney, TD, requesting him to provide Monaghan County Council with the total number of inspections in the past three years covering imported chicken, beef and pork into this country.*

*On the proposal of Cllr O'Hanlon, seconded by Cllr McNally it was agreed that the Council write again to the Minister for Health asking him to reconsider his position in relation to meeting a deputation from Monaghan County Council in relation to the issue of labelling and quality of beef, chicken and pork products being imported into Ireland.*

*On the proposal of Cllr O'Hanlon, seconded by Cllr Connolly it was agreed that the Council support the motion from Leitrim County Council calling for a review of the policy whereby a community organisation that is carrying out works to make a facility disabled friendly would be able to avail of a VAT exemption in respect of those works.*

*On the proposal of Cllr Connolly, seconded by Cllr S. Treanor it was agreed that the Council write to the Minister for Health asking what provisions are being made in relation to cross border hospital services under new hospital group proposals.*

*On the proposal of Cllr Connolly, seconded by Cllr S. Treanor it was agreed that the Council write to the Irish Heart Foundation stating that Monaghan County Council has supported a motion calling for the retention of Guthrie Cards.*

*On the proposal of Cllr Gallagher, seconded by Cllr McNally it was agreed that this Council calls on the Minister for Health James Reilly, TD to meet with the members of Monaghan County Council as previously requested and to remind him of the commitments he made to the people of Monaghan in relation to Monaghan General Hospital prior to the General Election in 2010.*

*On the proposal of Cllr Carthy, seconded by Cllr Carville it was agreed that the Council receive a presentation from Comhairle na nOg at the September meeting.*

*Cllr Crowe proposed, Cllr O'Hanlon seconded that the Council support the resolution from Ballybay Town Council calling for a reduction on commercial rates in Ballybay town.*

Mr. D. Fallon, A/County Manager stated that whilst there may be an alternative source of funding, additional funding is not guaranteed.

It was agreed that this matter would be examined when considering the budget for 2014.

*On the proposal of Cllr McKenna, seconded by Cllr McNally it was agreed that the Council write again to the Minister for Health seeking a meeting in relation to the provision of services at Monaghan General Hospital.*

*On the proposal of Cllr McKenna, seconded by Cllr Bennett it was agreed that this Council calls on the Minister for Finance to ensure that the public interest directors, under Section 48 of the Credit Institutions (Stabilisation) Act 2010 are requested to report back to the Minister on a regular basis as to how those institutions, namely the banks who received bailouts, are conducting their business, particularly in the area of remuneration of senior bank officials.*

*On the proposal of Cllr McKenna, seconded by Cllr Carville it was agreed that the Council accept the invitation from the Monaghan Association Beds. and Herts. to attend the annual dinner dance on 4<sup>th</sup> May 2013 and that the Council be represented by the Mayor and one other member (to be decided by lot if more than one member expresses interest).*

*On the proposal of Cllr Maxwell, seconded by Cllr McElvaney it was agreed that the Council write again to the National Roads Authority asking it to reconsider the Council's request for a meeting in relation to speed limit on the N54 Monaghan-Clones road at Tullygrimes.*

*On the proposal of Cllr Bannigan, seconded by Cllr O'Brien it was agreed that the Council write again to ABP Food Group in relation to the Council's earlier request for a meeting to discuss situation regarding employment at the Silvercrest Company in Ballybay.*

*On the proposal of Cllr McElvaney, seconded by Cllr O'Hanlon it was agreed that the Council accept the offer of a meeting with the CEO of An Bord Bia on Thursday 15<sup>th</sup> April at 2.00 pm, to discuss the cost to a company of acquiring Bord Bia approval.*

### **3. To agree to the publication of the draft Development Contribution Scheme 2013-2019.**

Cllr Bannigan as Chairman of the Planning SPC introduced the Draft Development Contribution Scheme to the members. He stated that the Scheme had been prepared with the aim of facilitating economic development in the County, by proposing significant reductions in the level of contributions due.

He stated that the consultation process with the SPC and the Parties had proven effective, and provided an opportunity for the Members to have an input into the content of the scheme. He thanked the Planning Section for their help in this process and recommended that the scheme be allowed to go to public consultation.

Mr. Adrian Hughes, Senior Planner, confirmed that the genesis of the Draft Scheme was fixed in the need to facilitate economic development. He thanked the Members for their input into its preparation and asked that it now be allowed to go to public consultation. He advised that the consultation process would commence on 18 April 2013, with the intention of bringing the scheme back before the Council in June for adoption.

*On the proposal of Cllr Bannigan, seconded by Cllr Murray it was agreed that the Draft Development Contribution Scheme be progressed to public consultation.*

**4. To consider Taking in Charge request for development known as ‘The Meadows’, Smithborough, Co Monaghan**

*On the proposal of Cllr McPhillips, Cllr P. Treanor seconded it was agreed that the Council take in charge the housing development known as The Meadows, Smithboro, in accordance with Section 180 of the Planning and Development Acts 2000-2010 and Section 11 of the Roads Act, 1993.*

**5. To consider recommendations from Corporate Policy Group meeting held on 19<sup>th</sup> March, 2013.**

**(i) Awards Scheme 2012 – to approve nominations and fix date/venue for Awards Ceremony**

*On the proposal of Cllr P. Treanor, seconded by Cllr Carville, it was agreed that the Council approve the nominations under the Annual Awards Scheme 2012.*

It was agreed that the Awards Ceremony would be held on Tuesday 4<sup>th</sup> June, 2013.

**(ii) To consider sponsorship for Golf Tournament by Concra Wood Golf Club – a decision on this item was deferred pending receipt of information requested from the Golf Club.**

**(iii) To consider support for Development Worker for CEESPP**

*On the proposal of Cllr McElvaney, seconded by Cllr P. Treanor it was agreed that the Council provide funding of €12,013 for the continuation of the Development Workers for the Clones Erne East Sports Partnership Project until Peace III Grant funding is available later in the year.*

**(iv) To approve changes to the guidelines for the Community Development Fund Grants Scheme 2013**

*On the proposal of Cllr O’Brien, seconded by Cllr Bannigan it was agreed that the Council approve the changes to the guidelines for the Community Development Fund Grants Scheme 2013, as circulated.*

**(v) To consider request for funding from Ballybay Wetlands Centre.**

*On the proposal of Cllr O’Brien, seconded by Cllr Bannigan it was agreed that the Council approve the granting of a loan of €10,000 to the Ballybay Wetlands Centre for a period of one year.*

- (vi) **To approve request from Monaghan Integrated Development to make presentation at the May Council meeting.**

*It was agreed that the Council would receive a presentation from the Chief Executive of Monaghan Integrated Development Ltd., at the May Council meeting.*

- (vii) **To approve minutes of CPG meeting held on 19<sup>th</sup> March.**

*On the proposal of Cllr O'Brien, seconded by Cllr Bannigan it was agreed that the minutes of the CPG meeting held on 19<sup>th</sup> March, 2013, be approved.*

**6. To receive report on the activities of the Audit Committee for year 2012**

The Council noted the report on the activities of the Audit Committee for the year 2012.

**7. To adopt Draft Annual Report for Monaghan County Council 2012**

*On the proposal of Cllr Carville, seconded by Cllr Gallagher it was agreed that the draft Annual Report for Monaghan County Council for the year 2012 be adopted.*

**8. To receive Progress Report on Litter Management Plan for 2012:**

Mr. Nial O'Connor, Environmental Education Officer confirmed that the Monaghan Local Authorities continued to work towards achieving a litter free environment. He stated that just under €730,000 had been spent on litter related activities in 2012. He then detailed the various activities, initiatives and campaigns undertaken during the year. Following his report, Mr. O'Connor responded to queries from the members.

It was agreed that the Environment SPC would be requested to consider the following matters –

- The provision of additional mobile cameras to assist in the detection of litter offences
- The provision of assistance towards insurance costs for community groups involved in litter picking

The Members complimented Mr. O'Connor for a very comprehensive report.

**9. To consider recommendation from the Environment/Infrastructure SPC to postpone the adoption of a new Litter Management Plan until the outcome of the Local Elections in 2014.**

The Members noted the recommendation from the Environment/Infrastructure SPC to postpone the adoption of a new Litter Management Plan until the outcome of the local elections in 2014.

Following a short debate it was agreed on the proposal of Cllr B. McKenna, seconded by Cllr Keelan that the Council proceed to review the existing Litter Management Plan and adopt a new Plan.

**10. To fix date for meeting of Standing Orders and Procedures Committee.**

It was agreed that a meeting of the Standing Orders and Procedures committee would be held on 18<sup>th</sup> April, 2013 at 10.00 a.m. in the Conference Room, Council H.Q.

**11. To receive reports from Members attending Conferences**

The Members noted the reports from Cllrs Bannigan, Bennett, Carville, Conlon, Coyle, Crowe, Gallagher, McElvaney, McKenna, O'Brien, O'Hanlon and Murray, in relation to their attendance at the following conferences –

- Disputes between Neighbours and Law: Training Seminar for Councillors, Limerick
- Domestic Water Meters for Ireland, Bunratty, Co. Clare
- Economic Recovery, Horse and Jockey, Tipperary.
- Tolerance and Diversity in Ireland, University College Dublin.
- Colmcille Winter School, Gartan, Co. Donegal.
- ICLRD Conference, Newry, Co. Down.
- AMAI Spring Seminar, New Ross, Co. Wexford
- Time and Priority Management for Councillors, Bunratty, Co. Clare.
- The Power of Local Community in reducing Harmful Drinking, NCC Dublin.
- Local Government and Job Creation, Bunclody, Co. Wexford.

**12. Proposed Eirgrid 440kv Interconnector**

There was no discussion under this item.

**13. Business submitted by County Manager:**

**Quarterly reports:**

Mr. D. Fallon A/County Manager advised that Management would bring Directorate reports on a quarterly basis to the Council, commencing with Housing at the next meeting.

**Ulster Canal –**

Mr. Fallon advised that Clones Town Council issued its decision to grant planning permission on the 2/4/13, if no appeal is lodged.. The final grant of permission will issue on the 7/5/13. The County Council decision to grant planning permission will issue on 8/4/13 and the final grant of permission will issue on the 10/5/13 if no appeal is lodged.

**Lough Muckno:**

Mr. Fallon advised the members that the local groups (Castleblayney Golf Club, Castleblayney Faughs, VEC) are discussing their requirements and will revert to the Council in due course.

**House at Carrickmacross:**

*On the proposal of Cllr McNally, seconded by Cllr McElvaney it was agreed that the Council would discuss issues relating to a house at Carrickmacross 'In Committee'*

Following the discussion on this matter, the A/County Manager agreed to circulate a report to the Members. The meeting then went back into public session.

**Erection of Stop Sign at Dangerous Junction (Carrickmacross Area):**

It was agreed that the Director of Services, Roads would prepare a report on this matter for the next meeting.

**14. Matters arising out of minutes of Council meeting held on 4<sup>th</sup> March, 2013:**

Matters arising out of the minutes of the Council meeting held on 4<sup>th</sup> March were responded to by the relevant officials.

It was agreed that a quarterly report, in arrears, on "The Gathering" would be issued to the Members.

It was agreed that the matter of Donaghmoyne Playground would be an item on the agenda for the next CPG meeting.

Regarding the problems of dampness in houses at Tailte an Clochair, Convent Lands, Carrickmacross, Mr. A. King Director responded to queries from Cllrs Carthy, Keelan and O'Hanlon. Mr. King agreed to obtain a report from Respond in the matter and to undertake inspections in a random number of houses.

**15. Presentation by Border Counties Childhood Network:**

The Mayor welcomed Ms. Denise McCormilla, CEO, Border Counties Childhood Network and invited her to address the meeting. Ms. McCormilla thanked the Council for the opportunity to address it and then outlined the background to the INTERREG IVA Obesity Project. The project was managed by CAWT and delivered by BCCN, the Border Counties Childhood Network in collaboration with the HSEDNE and other stakeholders involved in the *Up4It! Cavan /Monaghan Families Getting Healthy Together Project*. The project is a family-focused, multi-faceted approach to preventing and tackling obesity in children within a family setting. It has been delivered within community settings by a multi-stakeholder delivery partnership and through initial assessment and professional input, which provides healthy life skills and supports to

assist families in achieving a healthy family lifestyle now and for the future. She stated that the preliminary results from the project are very positive – children who participated lost weight. As the project was ‘whole family’ focused – the health of the parents and other siblings were also focused on. A formal report will be published in May 2013. She also referred to the Action Kids Dance programme which was undertaken in pre-schools in Cavan and Monaghan.

Following her presentation, Ms. McCormilla responded to queries from a number of Councillors.

The Mayor thanked Ms. McCormilla for her presentation.

## 16. Questions:

### Cllr R. Gallagher asked:

1. With regard to the National Spring Clean, can the Council say how many groups have registered in the county for Spring Clean 2013?

**Reply:** *As of lunchtime on the 25<sup>th</sup> March there were 13 phone and post and 32 online registrations from Co. Monaghan with An Taisce, organisers of National Spring Clean. Monaghan County Council have written to 53 groups that participated in 2012 as well as all 52 Green Schools in the County offering them assistance in organising their spring clean.*

2. In relation to illegal dumping, can the Council state how many prosecutions there have been in the past year and how much the Council has spent on clean ups?

**Reply:** *Regarding the large scale illegal dumping of municipal waste evidence would suggest that this is no longer prevalent, a view also taken by the EPA. The most recent large scale dumps discovered by Monaghan were in Binmore in the Castleblayney area and at Rebane in the Carrickmacross area in 2009 and 2010 respectively. In January a local landowner was fined €10,000 plus costs in relation to the Binmore site whilst a DPP case is pending in relation to the Rebane site. By far the biggest illegal dumping problem in Monaghan though remains the continuous illegal dumping of diesel laundering waste. Following on from 97 incidents last year, already in 2013 there have been over 30 incidents with approx 126,000 kgs of waste removed offsite by Monaghan CC which would suggest that the total for 2013 could exceed last year's figures. Due to the nature of this type of illegal dumping it is very difficult to identify those responsible. However, a number of DPP cases are pending following raids on fuel laundries in recent times.*

3. In relation to the property tax, can the Council clarify who is responsible for payment with regard to local authority housing?

**Reply:** *From the guidance that we have received from the Local Government Management Agency, local authority housing and social housing will not be exempt from the local property tax unless the housing is being provided to people*

*with special housing needs such as the elderly or people with disabilities. Liability for payment will rest with the local authority or social housing organisation as owner.*

*Whilst the full financial implications of this matter in relation to local authority are not fully developed, tenants in social housing would not appear to have a direct liability for payment of the tax.*

*The anticipated reforms of the differential rents system are expected in 2013 and are likely to address the issue in more detail.*

**Cllr R. Gallagher asked:**

4. Can the Council clarify the current situation with regard to the Housing Adaptation Grant and the Mobility Aids Scheme with regard to what funding remains available for the remainder of the year, how many people have availed of these schemes and the qualifications for same?

*Reply: The Department has made €669,768 available for Private House Grants in 2013. The €669,768 from the Department combined with 20% matching funding of €167,442 from Monaghan County Council's budget amounts to an allocation of €837,210 for Private House Grants in 2013, which is 45% less than the 2012 allocation of €1,516,817.*

*Monaghan County Council has budgeted for €300,000 to be made available from the Council's own revenue for Private House Grants in 2013. It is intended that the full amount approved by the Councillors will be spent on grants to assist individuals with disabilities to continue to live independently in their own homes. The Council has written to the Department explaining the situation and requesting that consideration be given to "increasing Monaghan County Council's allocation" please see extract below from the letter sent to the Department:*

*"Monaghan County Council has made €300,000 available for private housing grants from its own budget in 2013 and requests that if additional funding becomes available, consideration should be given to increasing Monaghan County Council's allocation to match our budget allowance. We would appreciate early notification regarding additional funding which will help to minimise the end of year peak in recoupable claims.*

*The existing allocation of €837,210.57 allows for expenditure of €167,442.11 from within our budget. However, it is the Council's intention to issue grants in the additional amount of €132,558 which is the balance available, unless a more urgent requirement arises."*

*In addition to the €300,000 budgeted a further €118,029 is available from grants approved where the work did not proceed in 2010 and 2011. It is intended that the €669,768 from the Department will be added to the €300,000 available from the Council's own budget plus €118,029 from grants where work did not proceed to give an amount of €1,087,797 to be made available for Private House Grants in 2013.*

*For Housing Adaptation and Mobility Aid Grants priority is given to applicants with a significant medically supported need for modifications to their home to allow them to continue to live independently.*

*The table below “Private Grants Scheme Allocation 2012 and 2013” shows the 2012 allocation compared to the funding that is potentially available in 2013.*

*Housing Aid for Older People Grants amounting to €121,728 have been approved so far in 2013 and any further applications will be considered in cases where the work is essential to allow the applicant to continue to live in their home.*

*Housing Adaptation Grants amounting to €28,530 have been approved so far in 2013 leaving a potential balance of €669,056 for the remainder of 2013.*

*Mobility Aids Grants amounting to €30,275 have been approved so far in 2013 leaving a potential balance of €238,207 for the remainder of 2013.*

***Private Grants Scheme Allocation  
2012 and 2013***

	<i>2012</i>	<i>2013 to date</i>	<i>2013 based on allocation plus €118,028 plus €132,558</i>	<i>Balance</i>
<i>Housing Aid for Older People</i>	<i>456,572</i>	<i>121,728</i>	<i>121,728</i>	<i>-</i>
<i>Housing Adaptation Grants</i>	<i>765,000</i>	<i>28,530</i>	<i>697,586</i>	<i>669,056</i>
<i>Mobility Aids Grants</i>	<i>294,428</i>	<i>30,275</i>	<i>268,482</i>	<i>238,207</i>
<i>Total per year</i>	<i>1,516,000</i>	<i>180,533</i>	<i>1,087,796</i>	<i>907,263</i>

*Monaghan County Council has received 123 applications for housing grants funding in 2013 – 22 HGD, 40 MAG and 61 HOP. There is a commitment of €180,533.88 approved.*

*To qualify for these schemes, applicants must have a recognised disability which warrants adaptation works to their homes and this must be confirmed and recommended by an Occupational Therapist or Consultant. The OT or Consultant must categorise each applicant according to their medical priority/need –*

*P1 - High Priority (Serious Illness/Disability fully or mainly dependent - requiring urgent attention)*

*P2 - Moderate Priority (Independent in most daily activities but requires some assistance to maintain full independence)*

*P3 – Low Priority (Independent but requires special facilities)*

*In line with Department guidelines, MCC ensures that all P1 applications are assessed as quickly as possible and funding is targeted towards these priority*

*applicants. All other applications will be considered with due regard to the availability of funding.*

**Cllr R. Gallagher asked:**

5. Can the Council clarify the relevant dates and obligations on landowners with regard to the cutting of roadside and other hedgerows?

**Reply:** *Under the provisions of Section 40 of the Wild Life Act it is an offence to cut burn or destroy vegetation growing in a hedge or ditch in the period beginning on the 1st March and ending on the 31st August in each year . The act provides for limited derogations, where prohibited works can be carried out in this period in the interest of public health or safety. It is recommended that where the derogations are to be availed of, that the National Parks and Wildlife section of the Department of Environment are consulted before any works are carried out so as to avoid the risk of prosecution*

**Cllr PJ O'Hanlon asked:**

6. In relation to the new playground in Donaghmoynne which cost in excess of €200,000 (over 50% of this was raised by the local community), at what stage are we in having the playground insured? It is vitally important that this facility is available to the public without delay.

**Reply:** *MCC has been working with the local community group and IPBMI in an effort to provide the necessary insurance which will allow the facility to open. In addition to opening/ closing and general maintenance of the facility which could be provided via the local FAS/ CE scheme, IPBMI require a weekly inspection by a suitably qualified Council staff member and yearly inspection by an outside appropriately qualified company. In the context of staff embargos and the considerably reduced level of outdoor staff, taking on any additional work is obviously a challenge.*

7. The slip road between the N2 and L4700 to Killanny has been causing serious problems when there has been heavy frost due to the road having two different surfaces on it. A number of accidents have taken place on this slip road and An Garda Siochana are very concerned about safety on the road when there is a heavy frost. When does the Council expect works to start on this slip road in relation to sorting out this problem?

**Reply:** *It is proposed to carry out works at this location as part of the 2013 roads programme.*

**Cllr P. Connolly asked:**

8. To ask Monaghan County Council for an update in relation to road safety at Toneyssillogagh, Tydavnet and whether works are proposed under the Low Cost Safety Works Scheme?

**Reply: Monaghan County Council received an allocation of €20,000 from the Department of Transport Tourism and Sport for a Low Cost Safety scheme at this location. It is proposed to erect a safety barrier at this location.**

**Cllr P. Connolly asked:**

9. What plans are there to improve road safety at Drumdesco crossroads Scotstown?

**Reply: Monaghan County Council received an allocation of €15,000 from the Department of Transport Tourism and Sport for a Low Cost Safety scheme at this location. It is proposed to improve road signage and road markings at this location.**

10. (a) In relation to unfinished housing developments how many bonds, and by whom, are held in favour of Monaghan County Council?  
(b) What type of bonds are held i.e. cash deposit with bank or insurance bonds and the number of each?

**Reply: Monaghan Local Authorities currently hold security in respect of 24 unfinished housing developments. Of these, 18 are in the form of bonds, with the remainder held in cash. To date payment in respect of three claimed bonds has been received by the Council.**

11. Which unfinished housing developments have bonds, a cash deposit or insurance, remaining in place?

**Reply: Bonds or cash deposits are retained by the Council in respect of the following housing developments:**

<i>Church Heath, Castleblayney</i>	<i>Corr na Ghlass, Ballybay</i>
<i>Knockroe, Monaghan</i>	<i>The Conns, Clones</i>
<i>Tyleadon Heights, Monaghan</i>	<i>The Alders, Ballybay</i>
<i>Ascail Rois, Carrickmacross</i>	<i>Ros Cluain, Carrickmacross</i>
<i>Lough na Glack, Carrickmacross</i>	<i>Coill Darach, Clones</i>
<i>Eanaigh, Clones</i>	<i>Lois a Ghortin, Clones</i>
<i>Mullach Glas, Monaghan</i>	<i>Latlorcan, Monaghan</i>
<i>Rock River View, Rockcorry</i>	<i>Oakland Grove, Scotshouse</i>
<i>Carrabarra Island, Smithborough</i>	<i>Knockcarrick, Annyalla</i>
<i>Mullan Village, Emyvale</i>	<i>Sruth An Iur, Oram</i>
<i>Cnoc na Greine, Tydavnet</i>	<i>Ardeagh, Ballybay</i>
<i>Alderwood, Carrickmacross</i>	<i>Drumbear Wood, Monaghan</i>

12. (a) Has Monaghan County Council called in any bonds in relation to unfinished housing developments?

(b) Have Monaghan County Council any plans to call in any bonds in relation to unfinished housing developments?

**Reply: Monaghan County Council has received payment in respect of three bond/cash deposit claims - at Chapel Court, Carrickroe, Tower Court, Clones and The Ferns, Scotstown. Discussions in respect of claims are ongoing with the relevant underwriters in respect of a number of unfinished developments.**

**Cllr A. Murray asked:**

13. (a) How many applications did Monaghan County Council receive in 2012 under the Housing Aid Grant scheme?

**Reply: Monaghan County Council received 275 applications for funding in 2012. 75 – HGD, 82 MAG and 118 HOP.**

- (b) Of those who were approved in 2012 how many did not proceed with works and is the balance of funds carried forward?

**Reply: 229 Applications were approved funding in 2012 – 54 HGD, 70 MAG and 105 HOP. All 229 approved works have been undertaken – totalling €1,516,817.**

*Funding is made available on an annual allocation basis. If the allocation is not fully used in that year, it cannot normally be carried forward to the next. In 2010/2011 an exception was made with the approval of the Department to carry forward an amount of €118,029. MCC closely monitor all approvals to make sure works are carried out as soon as possible after approval and in cases where works do not go ahead; the funding is re-directed to another applicant. In 2012 the original allocation was €1,152,172 and MCC were successful in obtaining additional funding of €364,645 to meet the demands of the schemes.*

- (c) What is the grant allocation for 2013?

**Reply: The 2013 allocation from the Department is €669,768 with a further €167,442 to be used from our own internal resources. (Total €837,210.) - this is a 45% decrease on last year's amount.**

**Cllr S. Coyle asked:**

14. What actions/prevention measures and clean up proposals does Monaghan County Council have to deal with the very serious litter/dumping problem in the Connons / Drumully area of Clones, Co. Monaghan? The dumping of household waste is causing great annoyance and is a source of concern for local residents. It must be stopped immediately and all the rubbish which has accumulated must be cleaned up promptly.

**Reply: The plan of action is to monitor the area closely and examine any new waste dumped in an attempt to find personal evidence. The Litter Warden has given his contact details to neighbours in the area and he will liaise with them if they see anybody flytipping. The area will also be added to the list of blackspots for CCTV surveillance. The Litter Warden will also liaise with the area engineer in order to attempt to eliminate this litter blackspot.**

**Cllr S. Coyle asked:**

15. When does Monaghan County Council propose to erect & extend the public lighting on the Monaghan Road, Rockcorry, to St. Mary's Church, Corravacan, Rockcorry and Holy Trinity Church, Rockcorry? These particular areas are currently very dangerous for those attending evening ceremonies during the dark winter months.

**Reply:** *Monaghan County Council have no plans at present to extend the public lighting from Rockcorry Village to St. Mary's Church. The cost of such a scheme would be in the region of €90,000 due to the distance from St. Mary's Church to the village, approximately 1km. In addition, there are currently 17 other public lighting schemes in the Clones Area awaiting funding at a total cost of €230,000 excluding the requested extension to St. Mary's Church.*

**Cllr N. Keelan asked:**

16. In relation to the poor condition of many of Co. Monaghan's county and regional roadways, and given how vital these roadways are for the social and economic development of our county, will the Manager make a statement on this issue and also will the Manager outline the impact that the huge reduction in our road allocation funding is having in terms of our engineering and outdoor staff ability to keep our roadways maintained to a standard that the people of Co. Monaghan deserve?

**Reply:** *Monaghan County Council will continue to maintain and improve the regional road network to the extent of the allocations provided by the Department of Transport Tourism and Sport and the Council's own allocated funding provided within the annual budget as approved by the members of Monaghan County Council. However, the harsh winter weather over the past three years, which required significant investment in winter maintenance, combined with reduced grant allocations has resulted in a deterioration in the county's road infrastructure.*

17. As part of the Carrickmacross Water Supply Augmentation Scheme, it is proposed to take a large water pipe from Spring Lake up through the centre of Lisanisk private roadway; will the council give an assurance that this roadway will be completely resurfaced following this necessary work?

**Reply:** *The Carrickmacross Water Supply Augmentation Scheme Design Build Operate Contract provides for the permanent reinstatement of all trenches, on the completion of pipe-laying works. Reinstatement of excavations in public and private roads (including Lisanisk Lane) will be completed in strict accordance with the contract specifications.*

18. As agreed at the Carrickmacross Road Area meeting in February, when is it hoped to commence work to install the additional public lighting from Mucker out to Inniskeen Grattans GAA club in the interest of public safety?

**Reply:** *It was agreed to include these works in the 2013 public lighting programme.*

**Cllr N. Keelan asked:**

19. How many housing developments in County Monaghan are now exempt from the Property Tax; where are they located; how does this number of estates compare with the number that were exempt from the Household Charge; what has changed in these estates recently that they are now liable for the Property Tax?

**Reply:** *Four of Monaghan's Unfinished Housing Developments meet the DoECLG criteria for a Local Property Tax (LPT) Waiver. These are:*

- *Corr na Ghlass, Ballybay;*
- *Killycard Manor, Castleblayney;*
- *Candlefort, Inniskeen; and*
- *Rock River View, Rockcorry.*

*This compares to 33 unfinished developments which met the DoECLG criteria for a Household Charge Waiver.*

*The reductions in the number of properties eligible for a LPT waiver as compared to the Household Charge waiver, is due to a number of factors. A number of properties remain at construction stage and unoccupied. A number of developments have been completed. A significant number of developments are completed to a sufficient standard to meet the qualifying criteria determined by the DoECLG, under section 10 of the Finance (Local Property Tax) Act 2012.*

20. In relation to the request by Lisanisk Residents Association in Carrickmacross to have an additional public light put in place, what was agreed at our recent Road Area Meeting; when is it hoped to have this work carried out?

**Reply:** *It was agreed to include these works in the 2013 public lighting programme.*

**18. Votes of Sympathy/Congratulations:**

It was agreed that the sympathy of the Council be extended to the following:

- The Fitzpatrick family, Kilnaharvey, Rockcorry on the tragic death of David, RIP.
- The family of the late John Sherry, Glaslough Street, Monaghan RIP a former employee of the Council.
- Louise Colton, Council staff on the death of her father-in-law, Pat Colton, Ardnasallem, Emyvale RIP
- Patsy Treanor, former member of Monaghan County Council on the death of his brother Michael RIP
- Drew Hurley, Council staff on the death of his father Michael, RIP
- The O'Donoghue family, Monaghan on the death of their mother, Sheila RIP.
- Matt Caulfield former member of Monaghan County Council on the death of his brother Francis RIP.

- The family of the late Francis McCarron, Old Cross Square, Monaghan RIP a former member of Monaghan Town Council.

It was agreed that a vote of congratulations be extended to Carrickmacross Vintage Club on a very successful fundraising Vintage Run in aid of Steadfast House, Carrickmacross and St. Mary's Hospital, Castleblayney.

## 19. Conferences:

*On the proposal of Cllr Carville, seconded by Cllr Connolly it was agreed that the Council be represented at the following conferences by the members listed.*

Promoting Authority	Subject/Theme	Venue	Dates	Members Selected
<b>Knights &amp; Rebels Team</b>	<b>A Decade of Commemorations</b>	Presentation Centre, Enniscorthy, Co Wexford.	13 <sup>th</sup> April 2013	Cllr D. Maxwell
<b>The Westport Conference</b>	<b>Social &amp; Traditional Media &amp; the Councillor</b>	Westport Country Lodge Hotel, Westport, Co. Mayo.	19 <sup>th</sup> – 21 <sup>st</sup> April 2013	Cllr H. McElvaney Cllr O. Bannigan Cllr J. O'Brien Cllr P. McNally Cllr R. Gallagher
<b>11<sup>th</sup> National Tourism Conference</b>	<b>The Gathering</b>	The Lord Bagenal Hotel, Leighlinbridge, Co Clare.	18 <sup>th</sup> –20 <sup>th</sup> April 2013	Cllr A. Murray Cllr J. Crowe Cllr P. Connolly.
<b>Training Seminar for Councillors</b>	<b>Local Government &amp; Consumer</b>	Great Northern Hotel, Bundoran, Co Donegal.	19 <sup>th</sup> -20 <sup>th</sup> April 2013	Cllr P.J. O'Hanlon
<b>Dundalk Chamber</b>	<b>Tourism Conference</b>	Ballymascanlon House, Dundalk.	24 <sup>th</sup> April 2013	Cllr G. Carville Cllr C. Bennett
<b>I.C.L.R.D.</b>	<b>Planning Reform on the Island of Ireland</b>	Canal Court Hotel, Newry	2 <sup>nd</sup> May	Cllr P. Treanor Cllr B. McKenna

The time being 3pm, it was agreed to extend to 3.30 to deal with Urgent Business.

### Urgent Business:

No. 1 - Notice in the names of Cllrs Gallagher, O'Brien, McNally and O'Hanlon:

*That this Council calls on the Government to introduce emergency measures to help alleviate the fodder crisis facing many farmers throughout the country.*

It was unanimously agreed to discuss this item of urgent business.

In moving the motion, Cllr Gallagher referred to the serious fodder situation many farmers find themselves in. 2012 had been the worst year in memory for many farmers and now due to the severe cold weather of recent weeks, there is no early grass and fodder stocks are depleted leaving many animals in poor condition. Cllr McNally seconded the motion and concurred with the comments of Cllr Gallagher and called for a national scheme of assistance to be put in place as a short term measure. A number of members joined in the discussion and called on the Minister to put emergency plans in place to address the situation. Members also called on the co-ops and financial institutions to show solidarity with the farming community in the current difficult situation.

Cllr Gallagher thanked the members for their support.

The motion was put to the meeting and agreed unanimously.

## **No. 2 - Notice in the names of Cllrs Gallagher, O'Brien, McNally and O'Hanlon:**

It was unanimously agreed to discuss this item of urgent business.

*That this Council views with concern the breakdown of communications between the Minister for Justice, Alan Shatter TD and An Garda Siochana which is leading to a very serious stand-off and adding to the very low morale in the force.*

In proposing the motion, Cllr McNally referred to the current state of the relationship between the Minister for Justice and the Garda Siochana. He stated that he did not condone the action of the four Garda sergeants who walked out of the recent conference whilst the Minister was speaking. Currently no new recruits are being trained which will have serious implications for Garda numbers in the future. The general public need to feel safe in their homes and businesses and they should have confidence in the relationship between the Minister and the Garda force. Cllr Gallagher seconded the motion and called for An Taoiseach to become involved as it was in no-one's interest for the current situation to be allowed to continue. Cllrs Carthy and Connolly also spoke to the motion.

Cllr McNally thanked the members for their support.

The motion was put to the meeting and agreed unanimously.

The meeting then concluded.