

**Minutes of Meeting of Monaghan County Council held in the Mtek Building, Knockaconny, Monaghan on Monday 6<sup>th</sup> April, 2009 at 10.00 a.m.**

**Chair:** Cllr M. Carthy, Mayor

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

Mr. D. Nelson, Co. Manager, Mr. P Clifford, Mr. M. Fitzpatrick, Mr. D. Fallon and Mr. A. King, Directors of Service, Mr J. Murray, Head of Finance, Ms. C. Thornton, Meetings Administrator, Mr. A. Hughes, Senior Planner, Mr. T. Gourley, S.E. Planner, Ms. B O'Flaherty, Executive Chemist and Ms. L Brannigan, A/Staff Officer.

**Apologies:** Cllr B. McKenna.

At the outset the Mayor proposed a vote of congratulations to Cllr John O'Brien and his wife Olive on the birth of a baby daughter. All members joined in the vote of congratulations.

**1. Minutes:**

*On the proposal of Cllr McElvaney, seconded by Cllr Treanor it was agreed that the minutes of the Special meeting held on 18<sup>th</sup> February, 2009 be confirmed.*

*On the proposal of Cllr Keenan, seconded by Cllr Carville, it was agreed that the minutes of the Council meeting held on 2<sup>nd</sup> March, 2009 be confirmed.*

**2. Correspondence:**

**The following correspondence was circulated to the Members:**

- Letter from the Minister for Housing, Urban Renewal and Developing Ideas in relation to the Social Housing Investment Programme
- Letter from the Minister for Transport in relation to the roads in Castleblayney Area
- Letter from the Minister for Agriculture, Fisheries & Food in relation to the phased payments of grants under the Farm Waste Management Scheme
- Letter from the Minister for Agriculture, Fisheries & Food in relation to the FWMS
- Letter from Marian Harkin, MEP, in relation to the FWMS together with copy of correspondence from Minister Brendan Smyth to Marian Harkin
- Letter from the Minister for Foreign Affairs in relation to the undocumented Irish in America
- Letter from the Department of Community, Rural & Gaeltacht Affairs in relation to Clár LIS funding for 2009
- Letter from the Department of Community, Rural & Gaeltacht Affairs in relation to a request for a meeting with Minister Ó Cuív

- Letter from the Department of Communications, Energy & Natural Resources in relation to a request for a meeting with Minister Ryan
- Letter from the Department of Communications, Energy & Natural Resources in relation to Broadband
- Letter from the Office of the Minister for Education & Science in relation to a request for a meeting with Minister Batt O'Keefe
- Letter from the Department of Transport in relation to the Regional & Local Roads Investment Programme
- Circular from the Department of Environment, Heritage & Local Government in relation to Travelling Expenses & Subsistence Allowances
- Letter from the Department of Environment, Heritage & Local Government in relation to Pension Related Deduction for Public Servants
- Letter from Margaret Conlon, T.D., in relation to the resolution passed on February 18<sup>th</sup> concerning hospitals around the country
- Letter from Dr. Rory O'Hanlon, T.D., in relation to the resolution passed on February 18<sup>th</sup> concerning hospitals around the country together with a copy of the motion debated in Private Members time on 10<sup>th</sup> & 11<sup>th</sup> February
- Regional Health Forum Annual Report 2008 – Dublin North East
- Notice of Motion from Killarney Town Council in relation to the Irish Bookmakers Associations' Gaming Machines proposal
- Notice of Motion from Monaghan Town Council in relation to Seachtain Na Gaeilge, the Irish language and related issues
- Resolution from Longford Town Council in relation to the Rural Development Programme 2009-2013
- Letter from Seymour Crawford, T.D., in relation to Monaghan General Hospital
- Letter from IDA Ireland in relation to IDA investment in County Monaghan
- Letter from Jim Higgins, M.E.P., in relation to Carrickmacross Waste Water Treatment Plant together with Press statement in relation to structural and cohesion funds (BMW region)
- Letter from Eirgrid in relation to resolution passed at the Monaghan County Council meeting on March 2<sup>nd</sup>.
- Letter from Fáilte Ireland in relation to a recent resolution of Monaghan County Council regarding the Infrastructure Fund operated by Fáilte Ireland under the NDP 2007-2013
- Letter from the Department of Communication, Rural & Gaeltacht Affairs in relation to Local Improvement Schemes

The following proposals arose out of correspondence:

**Castleblayney bypass:**

*On the proposal of Cllr Bannigan, seconded by Cllr Carville it was agreed that the Council re-issue the request to Minister Dempsey that he meet a deputation from this Council to discuss the situation in relation to funding for the repair of roads damaged as a result of the construction of the Castleblayney bypass.*

*On the proposal of Cllr Crowe, seconded by Cllr O'Brien it was agreed that the Council write to Minister Dempsey requesting that he honour the pledge made in relation to the allocation of €282,000 for repairs to roads damaged by work on the Castleblayney bypass and that this allocation be paid immediately and in full.*

### **Monaghan Hospital:**

*Cllr Bannigan proposed, Cllr Carville seconded that the Council write to Dr. O'Hanlon, T.D., referring to his letter of 26<sup>th</sup> February 2009 pointing out that Monaghan Hospital is not part of the Mid West region.*

A vote by show of hands resulted in 13 for – the Mayor declared the motion carried.

*On the proposal of Cllr McAnespie, seconded by Cllr McElvaney it was agreed that this Council write to Deputy Margaret Conlon pointing out that if she wants the best health care services for the people of Monaghan she should be pursuing the retention of existing services at Monaghan Hospital thereby reducing the need for patients to be transferred to Drogheda for minor ailments/injuries.*

*On the proposal of Cllr Gallagher, seconded by Cllr Treanor it was agreed that this Council writes to the Oireachtas members requesting them to do all in their power to ensure that the existing services located at Monaghan General Hospital are retained at that hospital.*

### **Local Improvements Scheme:**

*On the proposal of Cllr Humphreys, seconded by Cllr Keelan it was agreed that this Council write to the Minister for Community, Rural & Gaeltacht Affairs expressing its disappointment at the way he and his department have treated the Council in relation to the Clar Local Improvements Scheme allocation.*

### **Roads Programme 2009**

*On the proposal of Cllr Bannigan, seconded by Cllr Humphreys, it was agreed that this Council calls on the Government not to cut the non national roads allocation in the budget. The reported 25% cut in road funding would actually mean up to a 50% cut in work on the ground given that wages have to come from the allocation”*

It was agreed that this resolution would be forwarded to the Departments of Finance, Environment and Transport.

*“ On the proposal of Cllr Gallagher, seconded by Cllr McElvaney it was agreed that this Council calls on the Industrial Development Authority to explore the purchase of lands in and around the main towns in County Monaghan with a view to future industrial development ”*

### **Outdoor education centre at Tanagh:**

In response to a query from Cllr McElvaney, the County Manager stated that he had received confirmation from Failte Ireland that the application from County Monaghan V.E.C. for grant aid for the Tanagh Outdoor Education Centre was not dependent on the VEC owning the land. The Manager of North West Tourism, Martina Bromley, had confirmed that the proposal from Monaghan County Council to acquire the land in the event of the VEC's application being approved was adequate.

### **Resolutions from other local authorities:**

*“ On the proposal of Cllr McAnespie, seconded by Cllr Treanor it was agreed that this Council adopt the resolution from Monaghan Town Council, as follows:*

*“ That this Council recognise Seachtain na Gaeilge's significance of celebrating and promoting the Irish language, condemns the Government for it's recent attacks on the Irish language, namely the proposal to abolish early Immersion (Tumoideachas) Education and cuts to support for summer courses in Irish colleges in the Gaeltacht. This Council appals these cuts and calls for their immediate reversal ”*

*“ On the proposal of Cllr Carville, seconded by Cllr Maxwell it was agreed that this Council adopt the resolution from Longford Town Council, as follows:*

*That the Rural Development Programme 2009-2013 administering the Leader and Social Inclusion Programmes through the joint Leader Partnership Development Companies be amended to allow funding from local authorities be considered as matching funding for all projects under the programme ”*

### **Urgent Business:**

The Mayor advised the Members that he had received four notices of urgent business.

### **Urgent Business Motion 1 – Notice in the names of the Sinn Fein Members:**

*“ That Monaghan County Council slams the ongoing attempts by government parties to subvert the decision of this local authority which seeks meetings with Ministers during their visits to our county to discuss the crisis at Monaghan General Hospital. That we write to each government Minister informing them of Council policy in this regard and we hereby call on all members of this Council to ensure that when they become aware of an impending visit to County Monaghan of a Minister that they immediately inform the Meetings Administrator*

It was agreed to take this notice of urgent business – 14 members voting in favour of the proposal.

The motion was formally proposed by Cllr Conlon and seconded by Cllr McAnespie. A recorded vote resulted as follows:

**For:** Cllrs Bannigan, Carthy, Carville, Conlon, Crowe, Humphreys, Keelan, Keenan, Maxwell, McAnespie, McElvaney, P. McKenna and Treanor. **Total 13**

**Against:** Cllrs Coyle, Gallagher, Kieran, McNally and O'Brien. **Total 5**

**Abstentions:** Cllr Martin **Total 1**

The Mayor declared the motion carried.

### **Urgent Business Motion 2 – Notice in the names of the Sinn Fein Members**

*“That this Council engages with the Department of Transport and seeks a meeting with Minister Noel Dempsey in an effort to seek a reversal of plans recently announced to suspend the planned N2 re-alignment from Clontibret to the border including the bypass of Emyvale ”*

It was agreed to take this notice of urgent business – 13 members voting in favour of the proposal.

The motion was formally proposed by Cllr Conlon and seconded by Cllr Maxwell.

Mr. M. Fitzpatrick, Director of Roads advised the meeting that the Council has received no notification from the Department of Transport/National Roads Authority that this project has been deferred.

*On the proposal of Cllr Maxwell, seconded by Cllr Conlon it was agreed that the Council seek a meeting with the Minister for Transport, Mr. Noel Dempsey, T.D. to discuss this matter.*

### **Urgent Business Motion 3 – Notice in the names of Cllrs Carville and Bannigan**

*“ That the members of this Council call on the County Manager and the officials of this Council to investigate and immediately act upon the damage to the livelihoods of farmers in the Cremartin-Doohamlet areas as a result of the raising of water levels in Grigg, Lislanley, Brackagh, Corrakeen, Killycrum, Tonnyglasson, Devlin and surrounding townlands caused by the failure of GAMA Tubin Company, contractors on behalf of the Council, to provide for the adequate and safe flow of water resultant from the construction of the Castleblayney-Clontibret bypass and furthermore, calls on the officials of this Council to ensure that the matters referred to are rectified forthwith ”*

It was agreed to take this notice of urgent business.

In proposing the motion Cllr Carville referred to the serious flooding problems which he stated were caused by design and construction deficiencies in the Castleblayney bypass.

He had recently met with a delegation of farmers who were seriously concerned about the flooding on their lands. Cllr Bannigan seconded the motion and called for the problem to be rectified before the scheme is formally handed over to the Council. Cllrs Coyle, O'Brien and Crowe concurred with the comments of Cllrs Carville and Bannigan and also referred to problems caused by the road sinking in a number of places.

Mr. M. Fitzpatrick, Director of Roads stated the Council held regular meetings with the steering group and that these issues should be raised at that forum. He confirmed that revert back to the members with a report on the matter.

**Urgent Business Motion 4 – Notice in the names of Cllrs Bannigan and Cllr McElvaney**

*“ That this Council request a statement from the County Manager regarding the recent correspondence from Minister Gormley re Nitrates Inspections ”*

In proposing the motion Cllr Bannigan referred to the Directive issued to local authorities by Minister John Gormley to carry out on farm inspections to ensure compliance with the Nitrates Directive. These inspections are already being carried out by the Department of Agriculture and this will result in a duplication of services. He enquired if additional funding has been provided to the Council for these inspections. Cllr McElvaney seconded the motion.

In reply Mr. M. Fitzpatrick, Director of Environmental Services stated that the new regulations were introduced with effect from 31<sup>st</sup> March. The Council has no discretion in the matter.

Ms. B. O'Flaherty, Executive Chemist advised the Members that the Regulations on Good Agricultural Practices have been introduced in order to comply with a European Court of Justice ruling in relation to Dangerous Substances Directive and to provide a legal basis for the operation of a derogation under the Nitrates Directive granted to Ireland by the EU. Prior to 2006 a *Voluntary Code of Good Agricultural Practice* applied, however the situation has now changed in that good agricultural practices to protect water are now regulated.

Local Authorities already have a significant role in the protection of waters under the Water Pollution Acts, Phosphorus Regulations and the Water Policy Regulations. These new regulations strengthen existing enforcement powers. The EPA has a supervisory and monitoring role and must report to the Minister by December 2009. The EPA is due to issue a formal Direction to each local authority – when this is received the Council will have a better understanding of changes required, if any, to our current practices. These regulations place an onus on the local authority to coordinate activities with other public authorities to avoid duplication.

The Regulations will have some resource implications for local authorities and staff training may be required. Our current farm survey system is working well with over 2000

farms surveyed to date and we are working with the farming community to address agricultural source pollution. Our current survey work focuses on catchments with Drinking Water Supply Sources and the full co-operation of the public is essential if we are to adequately protect waters of good status and to improve waters currently below good status.

It was agreed that a copy of the EPA Direction would be circulated to the Members when it is received by the Council.

**3. To approve Overdraft Accommodation in the sum of €10m for period from 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009.**

*On the proposal of Cllr Carville, seconded by Cllr Maxwell, it was agreed to approve overdraft accommodation in the sum of €10m for the period from 1<sup>st</sup> July 2009 to 31<sup>st</sup> December, 2009.*

**4. To receive presentation on the Review of the Regional Planning Guidelines:**

The Mayor welcomed Mr. Pdraig Maguire from the Border Regional Authority and invited him to address the Council in relation to the review of the Regional Planning Guidelines (RPG).

In his presentation to the Council Mr. Maguire outlined the following:

- The Planning Hierarchy in Ireland
- Links with Regional Development Strategy and National Spatial Strategy
- Other Spatial Planning and related Strategies in Border Region
- RPG Implementation post 2004
- Changes in Strategic Planning post 2004
- New RPG approach and content of new RPG Document
- RPG review timetable
- Outline of Issues Paper and its Content

In conclusion, Mr. Maguire encouraged Council members to make submissions before the closing date of April 15, 2009.

The following issues were put suggested by the Members as areas for consideration in the context of the review of the Regional Planning Guidelines.

- Consultation around regional development should be more accessible to community development groups who should have an input into all forward planning exercises.
- the re-opening of the Ulster Canal.
- the development of the East West link along the route designated by Monaghan County Council
- the delivery of broadband to rural areas

- the development of the Dromore waterway which has the potential to bring huge tourism benefits to the area and could tie in with plans for the new Tanagh Outdoor Education Centre.
- the importance of prioritising job creation
- clarity on the policy of the Border Regional Authority in relation to the proposed north-south interconnector.
- An approach to tackling climate change.
- The realignment of Ballinagarry bridge on the N53 Castleblayney/Dundalk road.
- The development of Lough Muckno and the Concra Wood Golf Club

Mr. Maguire responded to the issues raised by the Members and confirmed that the adoption of the regional planning guidelines was a reserved function of the Border Regional Authority board.

The Mayor thanked Mr. Maguire for a very informative presentation.

**5. (i) To consider the recommendations of the Planning and Water Services SPC in respect of revision of wording of policy RD11 of County Development Plan (mixed finishes).**

Cllr Maxwell, Chair of the Planning & Water Services SPC stated that the Committee had been requested to consider a variation to the Monaghan County Development Plan 2007-2013 in relation to the current Policy RD11 which states that *“materials used should relate to those of adjoining development and other buildings visually linked to the development. The use of combinations of materials, excessive ornamentation, or non traditional materials should be avoided.”*

Following consideration by the SPC the Committee recommends that the Monaghan County Development Plan 2007-2013 be varied to include the following wording -

**RD11** – Materials used should relate to those of adjoining development and other buildings visually linked to the development. The use of combinations of materials, excessive ornamentation, or non traditional materials should be avoided. Where mixed finishes are proposed, a maximum of two different finishes will be only acceptable.

This recommendation has been endorsed by the Corporate Policy Group.

*On the proposal of Cllr McNally, seconded by Cllr Maxwell it was agreed to adopt the recommendation from the Planning SPC in relation to a revised wording of policy RD11 of the Monaghan County Development Plan 2007-2013, as follows:*

**RD11** – *Materials used should relate to those of adjoining development and other buildings visually linked to the development. The use of combinations of materials, excessive ornamentation, or non traditional materials should be avoided. Where mixed finishes are proposed, a maximum of two different finishes will be acceptable.*



5. (ii) **To consider the recommendations of the Planning and Water Services SPC in respect of designation of Killanny as a tier 5 village within County Development Plan.**

Cllr Maxwell, Chair of the Planning & Water Services SPC stated that the Committee had been requested to consider a variation to the Monaghan County Development Plan 2007-2013 in relation to the designation of Killanny as a village/settlement. Cllr Maxwell stated that 80% of the settlement known as Killanny is located within County Louth – only six houses are within Co. Monaghan. He stated that at this point it is not feasible to proceed with such a designation but the SPC were recommending that the officials from this Council would make contact with Louth County Council to discuss the matter with a view to achieving a solution. This recommendation has been endorsed by the Corporate Policy Group.

*On the proposal of Cllr McNally, seconded by Cllr Keelan it was agreed to adopt the recommendation from the Planning SPC that officials from the Council would make contact with Louth County Council to discuss this matter.*

6. **To consider recommendations from Corporate Policy Group meeting held on 16<sup>th</sup> March, 2009**

It was agreed that the recommendations from the Corporate Policy Group meeting held on 16<sup>th</sup> March, 2009 be adopted.

*On the proposal of Cllr Carthy, seconded by Cllr Keenan it was agreed that the Council write again to the Minister for the Environment, Heritage and Local Government seeking a meeting in relation to the Carrickmacross Waste Water Treatment Plant.*

7. **To consider Draft Annual Report for 2008:**

The Members were circulated with the draft Annual Report for 2008.

*On the proposal of Cllr Maxwell, seconded by Cllr Keenan it was agreed to adopt the draft Annual Report for the year 2008 in accordance with section 221 of the Local Government Act, 2001.*

8. **To consider entering into Agreement with East Border Region Partnership:**

The Members were circulated with correspondence from the East Border Region Committee in relation to a proposal that allows EBR Ltd to award monies from the Interreg IV Multi Annual Plan to project partners. This is subject to the condition that project partners sign a Partnership agreement. All ten Councils in the East Border Region

must sign an agreement which allows EBR Ltd to award tourism and environmental monies to the Councils.

*On the proposal of Cllr Crowe, seconded by Cllr Carville it was agreed that the Council enter into an agreement with EBR Ltd., as detailed above.*

**9. Approval of Draft Submission to Border Regional Authority outlining the Preferred Route of Monaghan County Council in relation to the East-West Link**

The Members considered the draft submission to the Border Regional Authority outlining the preferred route of Monaghan County Council in relation to the East-West Link.

*Cllr Treanor proposed, Cllr O'Brien seconded that the draft submission outlining the preferred route of Monaghan County Council, in relation to the East-West Link, as circulated with the agenda, be forwarded to the Border Regional Authority for consideration.*

A vote by show of hands on Cllr Treanor's motion resulted in 15 for 2 against. The Mayor declared the motion carried.

**10. Adoption of Road Traffic (Special Speed Limit DRAFT Bye Laws)(No 1 of 2009) (County Monaghan)**

This item was deferred pending completion of the public consultation process.

In response to queries from the members in relation to temporary speed limits at Inniskeen Mr. J. McGrath advised that these are subject to the public consultation process and will be brought before the Council at a later meeting.

*“ On the proposal of Cllr McElvaney, seconded by Cllr Humphreys it was agreed that the Council make representations to the appropriate body calling for a revision of speed limits on county roads as the current speed limit – 80 kph – is excessive ”*

**11. To consider resolutions from Clones Road Area Meeting**

- (i) *“ On the proposal of Cllr McElvaney, seconded by Cllr Humphreys it was agreed that Monaghan County Council make a formal request to the Department of Community, Rural and Gaeltacht Affairs – Clar Programme for funding for the Local Improvement Scheme ”*
- (ii) *“On the proposal of Cllr McElvaney, seconded by Cllr Humphreys it was agreed that Monaghan County Council look for specific funding, for the N54 National Secondary road, from the Department of Transport”*

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

The minutes of the following meetings, which had been circulated with the agenda were noted and agreed.

- (i) An Coiste Logainmneacha held on 27<sup>th</sup> February 2009
- (ii) An Coiste Gaeilge held on 13<sup>th</sup> February 2009
- (iii) Local Monitoring Committee held on 5<sup>th</sup> November 2008

**13. Proposed 440kv Eirgrid Interconnector**

**Eirgrid Judicial Review:**

The County Manager referred to the outcome of the Judicial Review proceedings (sought by Eirgrid) which had been heard in the Commercial Court, Dublin on Friday 3<sup>rd</sup> April, 2009. Judge Peter Kelly deemed an amendment of the Monaghan County Development Plan in relation to high density overhead powerlines to be unlawful. The Manager stated that he had sent the resolution passed by the Council at the special meeting on 31<sup>st</sup> March to Counsel who have given the legal opinion that the passing of the resolution was an unlawful decision and it should not be implemented by him as County Manager. Judge Kelly had stated emphatically that the Council must act in accordance with Government policy and that he was glad on behalf of the ratepayers and citizens of the county that neither EirGrid nor the ESB had sought their costs.

Cllr Bannigan expressed his disappointment that the Manager did not take on board the democratic wishes of the Council to defend the case. He believed there was a difference between 'having regard for' and 'being bound by'. He was not aware of any government policy stating that a power line had to be placed over-ground. Cllr Crowe concurred with the sentiments expressed by Cllr Bannigan.

The Manager stated that had he defended the case the Council may have incurred costs in the order of €200,000 to €300,000. He undertook to circulate a copy of the full judgment in the case to the Members in due course.

**14. To receive reports from Members attending Conferences (*attached*)**

The Members noted the reports from Cllrs Conlon, Coyle, Kieran, Martin, McElvaney, P. McKenna, McNally, O'Brien and Treanor in respect of their attendance at the following conferences:

- 20<sup>th</sup> Colmcille Winter School, Church Hill, Co. Donegal
- Elections 2009 – Maximising your vote, Red Cow Moran Hotel, Dublin
- 19<sup>th</sup> Annual Kerry Environmental Conference, Ballybunnion, Co. Kerry
- Irelands Water – what is the real cost? Adare, Co. Limerick

- Clonakilty Tourism Conference, Rosscarberry, West Cork
- AMAI Spring Seminar – Clanree Hotel, Letterkenny
- Economic & Social Benefits of Preserving our Cultural Heritage, Listowel, Co. Kerry.

## 15. Business submitted by County Manager

### **Establishment of Audit Committee:**

The County Manager advised the Members that the Local Government Auditor had requested a formal resolution of the Council approving the establishment of the Audit Committee.

*On the proposal of Cllr Carville, seconded by Cllr Crowe it was agreed that the Council approve the establishment of an Audit Committee in accordance with Section 122 of the Local Government Act 2001 as amended by Section 5 of the Local Government (Business Improvement Districts) Act 2006 and that Cllr Matt Carthy, Cllr Heather Humphreys, Mr. Eamon Callaghan, Mr. Gerry Magee and Mr. Desmond Sheridan be confirmed as members of the Committee.*

### **Clones Sports Partnership project:**

The County Manager advised that the Council had received a draft “letter of offer” from the SEUPB in relation to the Clones Sports Partnership project which required that the Council would underwrite any operational losses on the project for 10 years. Following discussions with the SEUPB they had agreed to the Council underwriting operational losses up to €50,000 for the first three years of the project. This is subject to the approval of the Council.

*On the proposal of Cllr Treanor, seconded by Cllr Coyle it was agreed that Monaghan County Council guarantee operational losses of the Clones Sports Partnership project up to a maximum of €50,000, for the first three years of the project.*

## 17. Questions:

### **Cllr P. McNally asked:**

1. In light of the very poor water pressure in the Lurgans area of Carrickmacross, will this Council endeavor to have a booster pump installed to help the situation?

**Reply:** *Because of the elevation of the Lurgans area in relation to the reservoir at Nafferty there were approximately 11 customers who intermittently experienced poor water pressure. In conjunction with trenchworks by P & S Civils (on the Carrickmacross Pipelines Scheme) Corduff GWS extended their network and 3 of these customers connected to Corduff.*

*Because of the difficulty in locating a suitable site and the cost of getting a power supply it would not be economically viable to install a booster on the existing supply line to boost supply to the remaining customers.*

*However the nearby Ross Cluain housing estate is served via a booster station on the Shercock Road. If/when this housing estate (and booster station) is taken in charge by Monaghan County Council the Ross Cluain network could be extended to link with the current supply to the affected customers.*

**Cllr P. McNally asked:**

2. Has this Council made any progress with the owners of industrial zoned lands in Carrickmacross with a view to having industrial sites made available to small and medium sized industries?

**Reply:** *Monaghan County Council has complied with the provisions of Section 10 of the Planning and Development Act 2000 and has zoned approximately 53 hectares (130 acres) of lands for industrial and employment uses in Carrickmacross. It is anticipated that this provision is sufficient to accommodate the requirements of Carrickmacross during the life of the Monaghan County Development Plan 2007 – 2013.*

*The responsibility for the provision of industrial land and property lies with the Industrial Development Agency (IDA) Ireland.*

3. Has this Council completed the purchase of land in Carrickmacross for the purpose of developing a housing scheme to reduce the numbers on our waiting list in this area?

**Reply:** *Negotiations with various landowners are continuing.*

4. Has this Council made any progress regarding the final stage of the industrial link road in Carrickmacross, linking Shercock Road with the Ballybay Road via the industrial estate?

**Reply:** *The Council plans to proceed to Part VIII planning permission this year and then, subject to necessary funding becoming available, the Council will proceed to acquire the land.*

**Cllr O. Bannigan asked:**

5. When will the much awaited traffic management scheme be operational in Ballybay?

**Reply:** *The plans have been prepared, signage is under order and the lining contractor is programmed to be on site in April.*

6. When will the very necessary works, from a safety point of view, be carried out at the Clones Road junction in Ballybay town?

**Reply:** *A design is currently being prepared for the junction and is subject to a part VIII planning application. A method statement for the demolition will also be required. It is envisaged that the planning process will be completed by June or July. However, any works are subject to necessary funding becoming available.*

**Cllr O. Bannigan asked:**

7. When will the lights be erected at the pedestrian crossings and roundabout in Ballybay town and what is the reason for the delay?

**Reply:** *The Council was informed that the ESB would commence work in February and continue until all works were completed. Some works on the Castleblayney road were completed, the rest remains outstanding.*

8. Will Monaghan County Council put in place very necessary safety measures at the new roundabout at the Riverdale junction in Ballybay as the present situation is extremely dangerous?

**Reply:** *The current signage at the roundabout is as per required standards. This matter was discussed at the road area meeting and was agreed to put additional signage and road markings on each approach. The road markings will be put in place in April and the signage has been reviewed and ordered.*

9. What is the proposed timescale for the completion of the Historic Landscape Characterisation of Ballybay?

**Reply:** *The Historic Landscape Characterisation of Ballybay will be completed by December 2009.*

**Cllr B. Kieran asked:**

10. Given the current economic difficulties would Monaghan County Council negotiate all rental and leasing arrangements of (a) office space, (b) storage facilities, both indoor and outdoor, (c) portacabins, in an attempt to achieve savings?

**Reply:** *All contractual arrangements are currently being reviewed with a view towards achieving savings.*

**Cllr H. Humphreys asked:**

11. What plans have Monaghan County Council to provide car parking facilities in Scotshouse village?

**Reply:** *The County Council have no plans at present to provide additional car parking facilities in Scotshouse Village. The Council will review the overall parking requirements within the village as part of any future village renewal scheme.*

12. When does Monaghan County Council expect to be in a position to erect public lighting on the Ballybay Road, Rockcorry and additional lighting in Boyer?

**Reply:** *The County Council are due to commence additional civil works in May to allow for an extension of the lights on the Ballybay Road and at Boyer Rockcorry. It is hoped that the new lights will be installed by the ESB in June.*

**Cllr R. Gallagher asked:**

13. Would the Council consider investigating the possibilities of installing a footpath from the Ard na Gaoithe housing estate directly to the church at Knockatallon and the Sliabh Beagh Hotel as, at present, pedestrians have to enter and exit the Corlat Estate to use its footpath or walk on the road. As pedestrians are tending to walk on the road rather than enter the housing estate this has become a safety issue for road users in the area as well as being a privacy issue with the Corlat residents.

**Reply:** *When Monaghan County Council constructed the Social and affordable housing in Knockatallon a new footpath was constructed to link the new estate with the existing footpath on the neighbouring Corlat Estate, which carries on into Knockatallon village. There are currently no plans to construct additional footpaths in this area.*

14. As a result of the process underway for some months in relation to a combined sign for the towns three hotels from the Monaghan bypass has the Council found a site for the erection of the sign and when is it likely to be erected?

**Reply:** *Monaghan County Council has identified sites suitable for the erection of hotel signage approaching Monaghan town. The National Roads Authority has failed to reach agreement with Failte Ireland regarding the provision of signage for hotels along national roads.*

15. Would the Council consider the possibilities of Monaghan becoming an Age Friendly County along the lines already being implemented in County Louth?

**Reply:** *As 12 % of the county's population were aged 65+ at the last census, and as this percentage is expected to reach 20% nationally by 2036, Monaghan County Council will be taking an active interest in the findings of the pilot project currently underway in Co. Louth.*

*To make Monaghan an age friendly county should not require greatly increased expenditure, but rather a more imaginative use of existing resources, including the resources of older people themselves.*

*The Louth initiative has established a new partnership called the Age Friendly County Alliance. It comprises Louth County Development Board within the Louth County Council; The Health Services Executive; The Gardai; Louth County Enterprise Board; Dundalk Institute of Technology (DKIT); Sustainable Energy Ireland; The Ageing Well Network; and the Older People's Forum for County Louth. Therefore, in order to make Monaghan an age friendly county it is important that all organisations watch developments that are ongoing in Co Louth and avail of any opportunities that are presented to learn from them.*

**Cllr G. Carville asked:**

16. What plans does the Council have for the tidying up and restoration of Castleblayney Courthouse?

**Reply:** *The Council had originally intended to restore Castleblayney Courthouse in two phases. Phase one works consist of replacing the roof, restoring / replacing all windows and doors, replacement of external façade and treatment of internal woodworm and dry rot problems. The estimated cost of this work is €2.5million.*

*Phase Two works consist of remodelling the internal layout of the building for uses such as possible library/office/court space. The estimated cost of these works is €3million.*

*To date the Councils application to borrow the necessary funding has not received approval from the Department of Finance. The Court Services have also recently confirmed that it has no capital funding to contribute to the project. Due the current lack of funding the above works are unlikely to proceed in the short-term.*

*The Council is currently seeking quotations to board up all the windows in the building and is in consultation with the board of Castleblayney Community Enterprise exploring alternative ways by which the project maybe financed and progressed.*

17. What safety improvement measures does the Council plan for the N2 at Broomfield and when will the work commence?

**Reply:** *The Council is currently working on a design for this area and subject to funding hope to carry out improvement measures this year.*

**Cllr S. Conlon asked:**

18. As a result of contractors failing to complete the pipe laying works along the Armagh Rd. (N2) within the agreed contract time scale and prolonging the inconvenience to road users and businesses, will a financial penalty be levied for failure to meet contract deadline?

**Reply:** *Pierse Contracting Limited commenced construction of the North East Region Serviced Land Initiative on the 8<sup>th</sup> September 2008. The time for completion for the whole of the works as per the Appendix to the Form of Tender is 80 weeks. Liquidated Damages for the Delay of the whole of the works are provided in the Contract Documents but will only take effect following a delay to 'The whole of the works'.*

*Therefore, no penalty can or will be levied for failure by contractors to meet deadlines in their respective Clause 14 work programme.*

*For your information, pipe-laying works on the Armagh Road (N54) will be substantially completed by mid April 2009. This projected milestone represents approximately a 2 week delay on the original Clause 14 programme date of 27<sup>th</sup> March 2009. Monaghan Co. Co. staff and Pierse Contracting Ltd. have, and will, make every effort to minimise disruption to both the businesses and road users concerned.*



**Cllr S. Conlon asked:**

19. In light of excessive service charges (additional/separate to rent payment) being imposed and other difficulties being experienced by tenants residing in an Oaklee Voluntary Housing Apartment Building in Monaghan, do the Housing Section have any further plans to enter into similar Social Housing Provision arrangements in the County?

**Reply:** *The issue of service charges for apartment dwellings applies mainly in Town Council functional areas. Monaghan County Council has not entered into any agreements requiring payment of a Service Charge for the upkeep of shared/common areas, however such a provision is normal in apartment complexes and would have to be considered when acquiring apartment accommodation.*

20. Is there any other Social Housing currently being provided in the County where tenants are being levied with a service charge, if so, how does it compare with the €26 per week per unit being charged by Oaklee at Mullaghmonaghan?

**Reply:** *Monaghan County Council has not entered into any agreements requiring payment of a Service Charge for the upkeep of shared/common areas, however such a provision is normal in apartment complexes and would have to be considered when acquiring apartment accommodation.*

21. What funding has been received to date for 2009 to facilitate implementation of the Disability Act 2005 and specifically for implementing measures agreed by the Disability Steering Committee in the *Making Monaghan Accessible* Document?

**Reply:** *With regard to 2009 allocation of funds for implementing the Disability Act 2005 no call for funding has been received to date. At a meeting I attended in February the Department of Environment had stated that as yet they had not received confirmation from the Department of Finance as to what budget, if any would be made available under the National Disability Strategy for 2009. The focus of the Disability Steering committees work for 2009 will be on raising awareness of and implementing the policy documents developed over recent years.*

**Cllr S. Conlon asked:**

22. For the upcoming Local Elections taking place in June can the Teach na nDaoine Resource Centre at Mullaghmatt/Cortolvin be utilised for the County Council Election Count Centre?

**Reply:** *No. The Four Seasons Hotel Conference Centre will be used as the Election Count Centre for Monaghan County Council.*

**Cllr J. Crowe asked:**

23. Who is responsible for erecting sound barriers where needed along the Castleblayney - Clontibret by pass?

**Reply:** *The design and erection of noise barrier on the above scheme is the responsibility of the contractor GTCL*

**Cllr J. Crowe asked:**

24. What plans have Monaghan Co. Council to purchase houses in the Castleblayney area for future social and affordable housing needs?

**Reply:** *Monaghan County Council is awaiting the DoEHLG's announcement of a capital allocation for housing purposes before finalising plans for house purchases.*

25. When is it envisaged to start the resurfacing of the former N2 road from LIDL to the roundabout in Castleblayney and how long will it take?

**Reply:** *The County Council is reviewing the existing road layout prior to resurfacing. A survey is being carried out and will be done in the next 2-3 weeks. Any works are subject to the necessary funding being available.*

26. Monaghan Co. Council is purchasing 15 houses/apartments in the new housing scheme at Oram. Are there any plans to buy further houses in Phase 2 of this development?

**Reply:** *There are no plans to acquire further housing units in Oram at present*

**Cllr J. O'Brien asked:**

27. Can the Council look into getting the pedestrian lights on the main street of Castleblayney working as it is very dangerous?

**Reply:** *The Council will seek to have these repaired.*

28. When does the Council intend to take over Rosevale estate?

**Reply:** *In accordance with the provisions of Section 180 of the Planning and Development Act 2000 an application to have Rosevale estate taken in charge was submitted to the Planning Authority on 12<sup>th</sup> February 2009.*

*The application was referred to the Area Engineer and Water Services on 13<sup>th</sup> February 2009 for inspection and confirmation that the development has been carried out in accordance with the requirements of the councils Taking in Charge Policy for Private Housing Developments, March 2001.*

*If the development is found to be satisfactory in all respects, the Planning Authority will proceed to have the development taken charge in accordance with the provisions of Section 180 of the Planning and Development Act 2000 and Section 11 of the Roads Act 1993.*

*A public notice shall be placed in one or more newspapers circulating in the area of the proposal to declare the road to be a public road and to take the estate in charge. It shall state that the proposal may be inspected for a minimum period of 4 weeks and that objections or representations may be made within a specified time, which shall be not less than 2 weeks after the expiry of the period for inspection.*

*Following the period of public consultation, the making of the order declaring the road to be a public road, the consideration of representations and the taking of the estate in charge are considered by the elected members.*

*If the Planning Authority is not satisfied with aspects of the development, the developer will be requested to address outstanding issues prior to commencing the procedure for taking in charge.*

**Cllr J. O'Brien asked:**

29. What is the up to date position on the signage for Castleblayney off the new by pass?

**Reply:** *The Council is carrying out a review of the signage. It is intended to bring forward proposals to the next Road Area Committee for consideration.*

**Cllr N. Keelan asked:**

30. In the interest of road safety along the N2 Carrickmacross to Broomfield stretch, what progress has Monaghan County Council made in relation to putting in place right hand turning lanes at some of the most dangerous junctions, such as the junctions around the Broomfield area to facilitate people using the school/church, filling station and other businesses in the general location?

**Reply:** *The Council is currently working on a design for this area and subject to funding hope to carry out improvement measures this year.*

31. In relation to Lisdoonan village when is it hoped to complete the works requested by the Development Association, these works include signage for the disabled parking, footpaths completion, upgrading of the roadway adjacent to Lios housing development, resolution of the flooding problem at the AOH hall and the completion of the public lighting?

**Reply:** *It is intended to carry out the requested public lighting later this year. The carrying out the remaining works will be subject to the necessary funding being available.*

32. What progress has the Council made in relation to acquiring a land bank in the Carrickmacross town area to provide for the current and future housing need?

**Reply:** *Negotiations with various landowners are continuing.*

33. What is the delay in progressing our Civic Amenity / Recycling Centre in Carrickmacross?

**Reply:** *The Council received a letter of offer from the Department of the Environment, Heritage & Local Government in late March and will now proceed to completing the procurement process.*

34. In relation to the Inniskeen area what efforts is Monaghan County Council taking to ensure that the diversionary roads are maintained to an acceptable standard?

**Reply:** *The Council monitors the diversion route on ongoing basis. Diversionary roads maintenance issues are passed on to Louth County Council for their contractor to attend to.*

**Cllr D. Maxwell asked:**

35. What is the up to date information on the second part of the overlay of bitumen from Monaghan to Castleshane on the N2? The first section was completed at the end of December when does Monaghan County Council intend to complete these works?

**Reply: *Monaghan County Council completed the first phase in 2008. An application was made in 2008 to the NRA for an allocation of €996,348 to advance Phase 2 of the works in 2009. However, no funding was made available.***

**Cllr S. Coyle asked:**

36. When will Monaghan County Council have the erection and works completed on the additional public lighting schemes for the village of Latton, the erection of new public lighting on the Latton to Fivecrosses Road (LP03012) and the upgrading of existing lighting in the village completed as this scheme is a priority for the safety of pedestrians and motorists and all attending masses, etc. at these Churches.

**Reply: *An order has been placed with the ESB for the lights and un-metered connections. The ducting and civil works will be carried out by County Council staff. Completion of these works is programmed for July/August.***

37. When will Monaghan County Council have the erection and works completed on the new public lighting at St. Mary's Church, Carrickatee as this scheme is a priority for the safety of pedestrians and motorists and all attending masses, etc. at these Churches.

**Reply: *An order has been placed with the ESB for the lights and un-metered connections. The ducting and civil works will be carried out by County Council staff. Completion of these works is programmed for July/August.***

38. What is the up to date position on the extension by Monaghan County Council of the sewerage scheme on the Monaghan Road in Rockcorry and when are works expected to be completed and connections made to the residences on this road?

**Reply: *This project is due to start within a month once the contractor's Health & Safety and Traffic Management Plans have been approved. The estimated overall cost is €97,000 funded by DEHLG (40% under the Serviced Land Initiative), capital contributions from customers and Monaghan County Council. The scheme is scheduled to be completed by the beginning of June 2009.***

39. When will works be completed on the extension of public lighting on the Monaghan Road, Rockcorry, and will Monaghan County Council ensure the immediate connection by ESB for this scheme on completion of works?

**Reply: *There are no plans at present to extend public lighting at this location. These works can be considered for prioritisation of public lighting works at the next Clones Road Area meeting.***

**Cllr P. McKenna asked:**

40. When will Monaghan Co. Council clean up and fence the lay-by at Moybridge, Emyvale as it has become unsightly from a tourism point of view as it is full of litter and being used by traders from N. Ireland?

**Reply:** *It is proposed to clean up this area as part of Spring Clean week. There are currently no plans to fence this area.*

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

**The Council agreed to extend votes of sympathy to the following:**

- *The priests and parishioners of Tydavnet parish on the death of Canon Bernard Maguire, R.I.P.*
- *Cllr Eugene McCaughey on the death of his uncle Very Rev. Canon Patrick McCaughey, PE, The Parochial House, Brookeborough, Co. Fermanagh*

On the proposal of Cllr Martin, seconded by Cllr McElvaney it was agreed that the sympathy of this Council be extended to the families of Cengiz Azimkar and Mark Quinsey who were shot at Massareene Barracks in Antrim on Saturday March 7.

On the proposal of Cllr Martin, seconded by Cllr McElvaney it was agreed that the sympathy of the Council be extended to the wife and family of Constable Stephen Carroll from the Banbridge area of Co Down, who was shot in Craigavon on Monday 9<sup>th</sup> March 2009

In proposing the votes of sympathy, Cllr Martin condemned all three killings as futile acts and called on the full Council to condemn outright these evil acts. Cllr McElvaney seconded the vote of sympathy and joined in the condemnation of the killings. On a separate issue he called on those with information on the location of the “*bodies of the disappeared*” to make this information available to their families. The Mayor, Cllrs Treanor and McNally joined in the votes of sympathy and the condemnation of the killings on behalf of their respective parties.

The votes of sympathy were passed in silence, all present standing.

**The Council agreed to extend votes of congratulations to the following:**

- *Emyvale Ceili and Set Dancing teams who won the Ulster Scór Final and will now represent Monaghan in the All-Ireland Finals.*
- *Beechill College Debating Team who came second place in the National Finals in Dublin*
- *County Monaghan Vocational Schools team on winning the Ulster and All-Ireland Vocational Schools title.*

**Votes of Congratulations (contd):**

- *David McGregor, Ballybay, on winning the All-Ireland Rugby AIB Senior Cup medal with Ballinahinch in the All-Ireland AIB Senior Rugby Cup Final*
- *Rory Duffy, Threemilehouse, on winning the gold medal for tailoring – the first Irish recipient of this esteemed award*
- *Cathal McCarthy on being awarded with the Rehab Person of the Year Award 2008.*

**20. Conferences:**

*On the proposal of Cllr McElvaney, seconded by Cllr Coyle, it was agreed that the Council be represented at the following conferences by the Members listed.*

<b>Promoting Authority</b>	<b>Subject/Theme</b>	<b>Venue</b>	<b>Dates</b>	<b>Members</b>
Performance Enhancement m-Tek building	<b>How to run a winning campaign</b>	City North Hotel, Dublin	17 <sup>th</sup> - 18 <sup>th</sup> April, 2009	John O'Brien Seamus Coyle Owen Bannigan Pat McKenna
Irish Rural Dwellers Assoc	<b>Rural Dwellers – a threatened species</b>	Brehon Hotel, Killarney, Co. Kerry	22 <sup>nd</sup> -23 <sup>rd</sup> April, 2009	Robbie Gallagher Padraig McNally Owen Bannigan Gary Carville David Maxwell
National Planning Conference	<b>Planning for a Sustainable Economic Future</b>	Whites of Wexford Hotel	23 <sup>rd</sup> -24 <sup>th</sup> April, 2009	Benny Kieran John O'Brien Pat McKenna Heather Humphreys John Keenan
3 <sup>rd</sup> Sector Forum	<b>Ireland at the Crossroads – Economy, Europe &amp; Emigrants – the response of L.G</b>	Kingsley Hotel, Cork	30 <sup>th</sup> April – 2 <sup>nd</sup> May, 2009	Vincent P. Martin Seamus Coyle Robbie Gallagher Hugh McElvaney Gary Carville Heather Humphreys

The meeting then concluded.

Signed:

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Meara

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Meetings Administrator

Date

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