

**Minutes of Meeting of Monaghan County Council held in the Mtek Building, Armagh Road, Monaghan on Tuesday 6<sup>th</sup> April, 2010 at 1.00 p.m.**

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

**Present:** Cllrs. Bannigan, Carville, Conlon, Connolly, Coyle, Crowe, Gallagher, Keelan, Maxwell, McElvaney, B. McKenna, McNally, Murray, O'Hanlon, P. Treanor and S. Treanor.

Mr. D. Nelson, County Manager, Mr. P. Clifford, Mr. A. King, Mr. D. Fallon, Directors of Service, Mr. J. Murray, Head of Finance, Mr. A. Hughes, Senior Planner, Mr. T. Gourley, Senior Executive Planner, Mr. M. Murray, Senior Engineer, Ms R. McManus, SEO Housing and Ms. C. Thornton, Meetings Administrator.

**Apologies:** Cllrs M.Carthy, S. McKenna and J. O'Brien.

**1. Confirmation of Minutes:**

- (i) *On the proposal of Cllr Gallagher, seconded by Cllr Connolly it was agreed that the minutes of Council Meeting held on Monday 1<sup>st</sup> March, 2010 be confirmed.*

**2. Correspondence**

The following correspondence was circulated to the Members:

- Letter from An Tanaiste Mary Coughlan T.D., enclosing acknowledgements from Ministers Harney, Gormley and Dempsey of issues raised following meeting with An Tanaiste and Monaghan County Council deputation in Clones in March.
- Letter of acknowledgement from Department of Enterprise, Trade and Employment, regarding the Council's resolution relating to the retention of the minimum wage.
- Letter from An Tanaiste Mary Coughlan T.D., regarding support for indigenous industries in Co. Monaghan.
- Letter of acknowledgement from the Minister for the Environment, Heritage and Local Government regarding local authority rent decreases.
- Letter from the Minister of State with responsibility for the National Drugs Strategy in relation to funding for the drug education initiative under the NERDTF.
- Letter of acknowledgement from the Minister for Equality Disability and Mental Health in response to the Council request for a meeting to discuss the closure of the Admissions Unit at St. Davnet's Hospital.
- Letter from the National Roads Authority declining the Council's request for a meeting to discuss the N2 Clontibret to the Border Road Scheme.
- Copy of reply to Dail question addressed Deputy Seymour Crawford to the Minister of State at the Department of Health in relation to bed numbers at St. Mary's Hospital, Castleblayney.

- Letter from the County Manager outlining the position relating to the opening of tenders/award of contracts/public procurement.
- Letter from the Monaghan Association Beds and Herts., inviting two representatives from the Council to attend the 18<sup>th</sup> Annual Dinner Dance in Luton on Saturday 8<sup>th</sup> May, 2010.
- Resolution from Monaghan Town Council regarding the continued provision of public lighting in the Tullyherim area.
- Resolution from Monaghan Town Council requesting the Council to consider that development contributions levied by Monaghan County Council from construction projects on the Town Council boundary be used for development purposes in the Town Area.
- Resolution from Monaghan Town Council expressing disappointment at the County Council's reduced funding for the Gaeilge Programme for 2010.
- Resolution from Balbriggan Town Council in relation to cut backs in the number of Special Needs Assistants in schools.
- Resolution from South Tipperary County Council calling on the Minister for Health to reverse the decision to centralise all medical card processing to the PCRS offices in Dublin.
- Resolution from Kildare County Council calling on the Government to abandon the policy of leasing houses for social housing.
- Resolution from Clones Town Council calling on the County Council to reverse its decision not to protest at the downgrading of Monaghan hospital when Government Ministers visit the county.
- Letters from the General Secretary of L.A.M.A. to the IMPACT and SIPTU LAPO Unions calling on the Unions to give serious consideration to lifting the current practice whereby representations by Councillors on behalf of their constituents are not being responded to.

**Proposals arising out of correspondence:**

*On the proposal of Cllr Bannigan, seconded by Cllr Murray it was agreed that when the Council's Economic Sub-Committee is in possession of its commissioned report that this Council seek a meeting with Minister Batt O'Keeffe to discuss the creation of jobs in Co. Monaghan and that representatives from the County Enterprise Board, the Local Chambers of Commerce and the Town Councils to join in the proposed meeting.*

*On the proposal of Cllr Bannigan, seconded by Cllr McElvaney it was agreed that the Council write to the Minister for the Environment, Heritage and Local Government Mr. John Gormley, T.D., regarding the issues with septic tank upgrades, as relayed to him by An Tanaiste Mary Coughlan, T.D., following a recent meeting with An Tanaiste and Monaghan County Council and request him to reply to our queries now, given that he proposes to introduce legislation in this area in the third quarter of 2010.*

*On the proposal of Cllr Connolly, seconded by Cllr Carville it was agreed that the Council adopt the resolution from Balbriggan Town Council in relation to cut backs in the number of Special Needs Assistants in schools.*

*On the proposal of Cllr Connolly, seconded by Cllrs Coyle and Crowe it was agreed that the Council adopt the resolution from South Tipperary County Council calling on the Minister for Health to reverse the decision to centralise all medical card processing to the PCRS offices in Dublin.*

*Cllr Gallagher proposed, Cllr P. Treanor seconded that the Council adopt the resolution from Kildare County Council, as amended –*

*“ This Council calls on the Government to abandon the policy of leasing houses for social housing rather than buying them ”*

A recorded vote on this proposal resulted as follows:

***For*** - Cllrs. Bannigan, Carville, Conlon, Connolly, Crowe, Gallagher, Humphreys, Keelan, Maxwell, B. McKenna, Murray, P. Treanor and S. Treanor.

**Total 13**

***Against:*** Cllrs Coyle, McElvaney, McNally, O’Hanlon

**Total 4**

The Mayor declared the proposal carried.

*On the proposal of Cllr Conlon, seconded by Cllr Maxwell it was agreed to write to the Regional Co-ordinator of the North East Regional Drugs Task Force enquiring what provision has been made to service the needs of this region since the removal of the Drugs Education Initiative.*

It was agreed that the resolution from Monaghan Town Council regarding the continued provision of public lighting in the Tullyherim area be referred to the next North Monaghan road area meeting.

*On the proposal of Cllr Treanor, seconded by Cllr Humphreys it was agreed that the Council investigate the inclusion of ‘social clauses’ in public works contracts.*

*Cllr McElvaney, proposed, Cllr O’Hanlon seconded that the Council write to IMPACT and SIPTU (Lapo Branch) calling on the Unions to give serious consideration to lifting the current practice whereby representations from Councillors on behalf of their constituents are not being responded to.*

A recorded vote on this proposal resulted as follows:

***For*** - Cllrs Bannigan, Carville, Connolly, Coyle, Gallagher, Humphreys, Maxwell, McElvaney, McNally, Murray, O’Hanlon, and S. Treanor. **Total 12**

***Against:*** Cllrs Conlon, Crowe, Keelan, B. McKenna, P. Treanor

**Total 5**

The Mayor declared the proposal carried.

*Cllr Treanor proposed, Cllr B. McKenna seconded that the Council adopt the motion from Clones Town Council calling on the Members of Monaghan County Council to reverse their decision not to protest at the downgrading of Monaghan Hospital, when Government Ministers visit the County.*

Following a debate on this proposal to which a number of members contributed, the Mayor ruled that the proposal was out of order as it was, in effect, a proposal to rescind a motion previously adopted by the Council within the past six months and would have to follow the procedure set down in Standing Order 19.

*On the proposal of Cllr B. McKenna, seconded by Cllr McElvaney it was agreed that the Mayor and an official attend the Annual Dinner Dance of the Monaghan Association Beds. and Herts., in Luton on 8<sup>th</sup> May, 2010.*

**3. (i) To consider Material Contravention to the Monaghan County Development Plan 2007 – 2013, to grant planning permission for development at Tullyherim, Monaghan (Ref P09/600)**

**(ii) To consider Material Contravention to the Monaghan County Development Plan 2007 – 2013, to grant planning permission for development at Tullyherim, Monaghan (Ref P09/601)**

Cllr R. Gallagher declared an interest in this item and withdrew from the meeting room.

It was agreed to take both items together.

The Members considered the reports from the Director of Planning dated 23<sup>rd</sup> March, 2010 in relation to the proposed material contravention to the Monaghan County Development Plan 2007 – 2013 to grant planning permission for developments at Tullyherim, Monaghan. (Ref P09/600 and P09/601)

*On the proposal of Cllr McElvaney, seconded by Cllr Maxwell it was agreed to approve a Material Contravention to the Monaghan County Development Plan 2007 – 2013, to grant planning permission for the development of a two storey dwelling at Tullyherim Monaghan, Ref. P09/600, as per the report of the Director of Services Planning dated 23<sup>rd</sup> March, 2010.*

*On the proposal of Cllr McElvaney, seconded by Cllr Maxwell it was agreed to approve a Material Contravention to the Monaghan County Development Plan 2007 – 2013, to grant planning permission for the development of a two storey dwelling at Tullyherim Monaghan, Ref. P09/601, as per the report of the Director of Services Planning dated 23<sup>rd</sup> March, 2010.*

Cllr Gallagher re-joined the meeting.

#### **4. Lough Muckno – Lease to Mr. Chris Haren**

The Members were circulated with a copy of legal opinion from Mr. Patrick Butler, Senior Counsel in relation to the recent court hearing relating to Harren v Harinbrook Developments and Monaghan County Council, together with a copy of the map which had been submitted to the Judge during the hearing.

The County Manager advised that an appeal had been lodged in the High Court against the Circuit Court decision. He indicated that he wished to have a full debate on the matter but that this may include giving details which he considered to be commercially sensitive and therefore should not be debated in public session.

On the proposal of Cllr Maxwell, seconded by Cllr Crowe it was agreed that any further debate on this matter would take place '*In Committee*'.

The County Manager then outlined the full details relating to the Court Case and the decision of the Circuit Court Judge to grant a new lease to Mr. Haren. Questions put forward by the members were responded to by the County Manager.

During the debate it was agreed that a sub-committee would be set up to deal with this matter, which would comprise one member from each political grouping on the Council.

It was also agreed that the matter would be placed on the agenda for the May Council meeting.

The Council came back into public session at this point.

#### **5. To receive recommendations from Corporate Policy Group meeting held on 15 March 2010**

The Members considered the minutes of the Corporate Policy Group meeting held on 15<sup>th</sup> March, 2010.

##### **(1) Community Development Fund 2009 – Appeal from Latton Social Services and Development Ltd.**

Cllr Coyle stated that he was not happy with the recommendation of the Corporate Policy Group in relation to this item. He stated that the quality of the broadband service being rolled out in the Latton Area is not satisfactory due to the drumlin topography of the area.

Mr. A. King, Director of Services stated that Council officials have met with 3 Ireland on a few occasions. The roll-out of the National Broadband Scheme by 3 Ireland to the Latton area is ongoing and will not be finalised until later this year. He is confident that a satisfactory level of coverage will be available on completion of the roll-out of broadband to this area.

*Cllr Coyle proposed, Cllr P. Treanor seconded that in light of the failure of 3 Ireland to supply broadband to the Latton Area that the Council re-consider the appeal of Latton Social Services & Development Ltd., and award an amount of grant similar to that allocated to Rockcorry for the provision of broadband services.*

A vote by show of hands on Cllr Coyle's proposal resulted in 11 for. The Mayor declared the motion carried.

*On the proposal of Cllr Murray, seconded by Cllr Connolly, it was agreed that representatives from 3 Ireland be invited to a Council to discuss this matter.*

**(2) To consider requests for funding from Community Organisations:**

**(a) Monaghan Integrated Development/St. Patrick's Accommodation Centre:**

The Members considered the recommendation from the CPG that if the application to the European Refugee Fund for grant assistance towards the employment of a Community Support Worker is successful that the Council would favourably consider an application to the Community Development Fund for a grant of €2,000 per annum for the years 2010 – 2012.

*Cllr B. McKenna proposed, Cllr Maxwell seconded that the Council approve the allocation of €2,000 per annum from the Community Development Fund for the years 2010 – 2012.*

*Cllr Bannigan proposed, Cllr S. Treanor seconded that the Council do not agree with this recommendation.*

*A vote by show of hands on Cllr B. McKenna's proposal resulted in 12 for 3 against 1 abstention. The Mayor declared the motion carried.*

Arising out of the debate on this matter, Cllr B. McKenna referred to the unsatisfactory conditions that exist at the St. Patrick's Accommodation Centre.

*On the proposal of Cllr B. McKenna seconded by, Cllr McElvaney it was agreed that the Council write to the Management of St. Patrick's Centre seeking permission for the Council's Corporate Policy Group to visit the centre.*

*It was further agreed that should any concerns arise following the proposed visit to the St. Patrick's Centre that the Council would write, outlining these concerns, to the Department of Justice, Equality and Law Reform.*

**(b) Clann McKenna Family History Society:**

The Council approved the recommendation from the Corporate Policy Group allocating €500 to the Clann McKenna Family History Society for the planned Clann Rally scheduled to take place in Chile in April 2010.

**(3) Tydavnet Twinning Committee – Geel Visit.**

The Council approved the recommendation from the Corporate Policy Group allocating €1,500 to the Tydavnet Twinning Committee towards the cost of the visit to Geel for the Dimpna Days celebrations in May 2010.

**(4) Invitation from Fort Augustus Irish Descendents:**

*Having considered the recommendation from the Corporate Policy Group it was agreed that the Council accept the invitation from the Fort Augustus Irish Descendents, Prince Edward Island to the Annual Settlers Day Celebrations in May 2010. It was further agreed that the Council be represented by Cllrs McElvaney and Conlon.*

**(5) Members Expenses:**

*Cllr Conlon proposed, Cllr B. McKenna seconded that the balance of €6,000 from the provision for Members Expenses at Conferences in 2010, be allocated to the Garage Theatre.*

The County Manager advised the Members that Monaghan Town Council had recently allocated a sum of €30,000 to the Garage Theatre.

A vote by show of hands on Cllr Conlon's proposal resulted in 6 for 9 against and 1 abstention. The Mayor declared the proposal defeated.

**Expenses for Cross Border meetings:**

*On the proposal of Cllr Crowe, seconded by Cllr P. Treanor it was agreed that an amount of €6,500 be ring-fenced, within the Conferences budget of €94,000, for payment of expenses to Members attending meetings of cross border committees, eg ICBAN, East Border, Blackwater Regional Partnership.*

*On the proposal of Cllr Maxwell, seconded by Cllr B. McKenna, it was agreed that the minutes of the Corporate Policy Group meeting held on 15<sup>th</sup> March, 2010 be confirmed.*

**6. To adopt the Credit Policy now applied to all local authority loans since May 2009 under the Housing (Local Authority Loans) Regulations 2009**

The Members considered the Credit Policy documentation which had been circulated with the agenda for the meeting. Mr. A. King, Director responded to queries raised by the members in relation to this item.

*On the proposal of Cllr McElvaney, seconded by Cllr Murray it was agreed that the Council adopt the Monaghan County Council House Purchase Loans Credit Policy in accordance with the Housing (Local Authority Loans) Regulations 2009.*

*On the proposal of Cllr McElvaney, seconded by Cllr Carville it was agreed that the Council write to the Minister for Finance requesting that funding be made available to Monaghan County Council to enable the Council assist people who are not being facilitated with loans by the lending institutions.*

**7. To consider Draft Annual Report for 2009**

The Members considered the draft Annual Report for 2009 which had been circulated.

*On the proposal of Cllr P. Treanor, seconded by Cllr B. McKenna, it was agreed that the draft Annual Report for 2009 be adopted.*

**8. To receive report on activities of Audit Committee for 2009:**

The Members considered the report on the activities of the Audit Committee for 2009.

*On the proposal of Cllr Carville, seconded by Cllr Connolly it was agreed that the report on the activities of the Audit Committee for 2009 be adopted.*

**9. To receive minutes of Standing Orders and Procedures Committee meeting.**

The Members considered the minutes of the Standing Orders and Procedures Committee meeting held on 11<sup>th</sup> March, 2010, together with the letter dated 19<sup>th</sup> March, 2010 from the County Manager in relation to tenders/award of contracts/public procurement.

A debate took place on the award of contracts/public procurement during which issues raised by the Members were responded to by the County Manager.

*On the proposal of Cllr Carville seconded by Cllr Coyle it was agreed that the minutes of the Standing Orders and Procedures Committee meeting held on 11<sup>th</sup> March, 2010, be confirmed.*

**10. Water Framework Directive – To consider adoption of River Basin Management Plans –**

- (i) North Western River Management Plan (2009 – 2015)
- (ii) Neagh Bann River Management Plan (2009 – 2015)

The Mayor welcomed Dr. Tony McNally and Dr. Alan Barr from the NS Share River Basin District Project.

Dr. McNally referred to the Draft River Basin Management Plans and Managers Report which had been circulated to each member. He stated that the final date for adoption of the draft plans under the reserved function is 30<sup>th</sup> April, 2010 and by 14<sup>th</sup> May, 2010 under the executive function.

In relation to farm inspections, which have to date been the subject of multiple agency inspections, he stated that there will now be single inspections only and these will be undertaken by the Department of Agriculture.

Regarding septic tanks he stated that the the Minister for Environment, Heritage and Local Government proposes to bring forward legislation later this year which will provide standards for the performance, operation and maintenance of septic tanks and similar on-site wastewater treatment systems.

A debate followed during which queries raised by the members were responded to by both Dr. McNally and Dr. Barr.

*Cllr Bannigan proposed, Cllr Coyle seconded that the draft River Basin Management Plans be adopted subject to the following amendments being included:*

1. *The full cost of implementing the proposed plans shall be provided to the individual local authorities. Details of the financial costs to each sector and how these costs shall be financed. These costs must be met by Central Government.*

2. Under Section 5.2.3 Control of agricultural sources of pollution, the paragraph commencing with ‘Despite the improvements....’ shall now read as outlined below. This is on page 54 of Neagh Bann and page 57 of North Western respectively -

*“Despite the improvements in agricultural pollution control in recent years, it is clear that an effective inspection and enforcement regime is needed to ensure full compliance.”*

3. Under 5.2.3 Control of agricultural sources of pollution, the paragraph commencing with ‘The Nitrates Regulations represent...’ shall now read as outlined below. This is on page 55 of Neagh Bann and pages 58/59 of North Western respectively -

*“The Nitrates Regulations represent a major step forward in protecting waters from agricultural sources of pollution and are expected to deliver significant improvement in water quality when fully effective. An effective monitoring, inspection and enforcement regime is needed in order to ensure compliance.”*

Delete the first line of the last paragraph in this section (*ie The three scenarios described above pose particular difficulties for water quality management and the agricultural sector in the areas mentioned. Page 55 NBRBMP and Page 59 NWRBMP*)

4. *Any costs associated with the upgrade of septic tanks must be grant aided by Central Government.*

The Mayor put Cllr Bannigan's motion to the meeting and it was agreed. Cllr McElvaney stated that he was opposed to the adoption of the plans and voted against the motion.

#### **11. To consider motions from Clones Road Area Committee**

- (1) *On the proposal of Cllr Hugh McElvaney, seconded by Cllr. Pat Treanor it was agreed that a letter be sent to the NRA to complain that the Engineering priority list was not adhered to in relation to the roads projects proposed for the Clones Area in 2010.*
- (2) *On the proposal of Cllr McElvaney, seconded by Cllr. Humphreys it was agreed that a letter be written to the Department requesting that Clar money be reintroduced for the Local Improvement Scheme for 2010.*

#### **12. Proposed Eirgrid 400kv Interconnector**

Cllr Bannigan advised the members that the public consultation period in relation to the Eirgrid planning application for the proposed 400kv interconnector has now concluded and that in excess of 900 submissions were lodged with An Bord Pleanala. Copies of the submissions are available for inspection in the Council's Planning office.

#### **13. To receive reports from Members attending Conferences:**

The Members noted the reports from Cllrs Bannigan, Carthy, Carville, Conlon, Connolly, Coyle, McElvaney, B. McKenna, McNally, O'Brien, O'Hanlon and Murray in respect of their attendance at the following conferences –

- Planning Seminar, Limerick
- Preparing for Economic Recovery – Enniskillen
- Antrim Tourism Conference, Dunadry, Co. Antrim
- AMAI Spring Conference, Sligo
- Mid West Regional Authority Environment Conference – Limerick
- Colmcille Winter School, Church Hill, Co. Donegal
- Clonakilty Tourism Conference, Rosscarbery, Cork
- N.I.L.G.A. Conference, Newcastle, Co. Down
- A.C.C.C. Annual Conference, Limerick Junction, Co. Tipperary
- Rattoo Heritage Society Environmental Conference, Tralee, Co. Kerry

**14. Business submitted by County Manager**

**2010 Roads Programme:**

*On the proposal of Cllr McElvaney, seconded by Cllr Coyle it was agreed that the 2010 Roads Programme as agreed at the Road Area meetings be adopted by the Council.*

	<b>National Roads</b>	<b>Non-National Roads</b>	<b>Total Allocation</b>
<b>North Monaghan</b>	€3,363,769		
<b>North Monaghan</b>		€926,144	<b>€7,289,913</b>
<b>Clones</b>	€651,204		
<b>Clones</b>		€2,743,826	<b>€3,395,030</b>
<b>Castleblayney</b>	€1,580,851		
<b>Castleblayney</b>		€2,582,696	<b>€4,163,547</b>
<b>Carrickmacross</b>	€1,429,743		
<b>Carrickmacross</b>		€2,799,134	<b>€4,228,877</b>
	<b>€7,025,567</b>	<b>€12,051,800</b>	<b>€19,077,367</b>
<b>Winter Maintenance</b>	€245,000		
<b>Bridge Maintenance</b>	€1,000		
<b>Route Lighting</b>	€7,700		
<b>subtotal</b>	<b>€306,700</b>		
<b>Local Improvement Schemes</b>		€297,000	
<b>Non-National Training</b>		€ 44,699	
<b>subtotal</b>		<b>€341,699</b>	
<b>Total National Roads Allocation</b>	<b>€7,332,267</b>	<b>€12,393,499</b>	

**15. Matters arising out of minutes of Council meetings held on 1<sup>st</sup> March 2010**

Matters raised were responded to by the relevant officials.

## 16. Questions:

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

1. What is the up to date position with the planning compliance in Killycard Manor, Castleblayney? Has Monaghan County Council inspected the estate for planning compliance? Has Monaghan County Council a bond in place to complete these works? When can the residents of Killycard Manor expect to have the estate finished to comply with planning conditions?

**Reply:** *The Planning Authority has recently inspected Killycard Manor and has concluded that a number of the conditions imposed under planning permission 99/385 have not been complied with. A report has been completed detailing the outstanding issues and the Planning Authority is currently seeking legal advice to ascertain the options available to them with regard to rectifying those issues. If applicable, the Planning Authority will initiate enforcement proceedings in relation to non compliance with conditions as a matter of priority.*

*A bond was in place but expired in 2007. The Council has initiated an inspection of all uncompleted developments, throughout the county, and a report will be issued to all members over the coming months.*

### Cllr P. Connolly asked:

2. What is the likely timeframe for the construction of the proposed public footpath along the bank of the Mountain River Water from Sruth an Mhuillin towards the village at Emyvale, Co. Monaghan?

**Reply:** *It is proposed to construct this footpath by end of July 2010.*

3. What response has there been to the request from Monaghan County Council for a meeting with representatives From the Cavan, Louth, and Meath Co Co's to discuss the implications of withdrawal of Acute Hospital Services From Navan, Dundalk and Monaghan Hospitals?

**Reply:** *There has been no response from Cavan, Louth or Meath County Councils in relation to the Council's letter seeking a meeting with representatives of the three Councils to consider the removal of acute medical services from these hospitals.*

4. In relation to the North East Serviced Land Initiative in the Coolshannagh area of Monaghan town

(a) When will the system go live?

**Reply:** *The North East Serviced Land Initiative is operational. New connections are being made to the scheme.*

**Cllr P. Connolly asked:**

4. (b) What steps is Monaghan County Council taking to encourage existing dwellings to connect to the system?

**Reply:** *For a limited period only, Monaghan County Council will accept applications from households currently serviced by septic tanks to connect to the new scheme for a reduced capital contribution of €1,545 (50% of the normal capital contribution of €3,090. To avail of the reduced cost the applicant must complete the connection by the 30<sup>th</sup> July 2010. All householders in the area were notified to this effect, by way of a letter drop on the 19<sup>th</sup> January 2010.*

- (c) What response to date has there been from house owners in the area?

**Reply:** *Approximately 20 households have applied for sewerage connections to the scheme. St. Macartans College, St. Davnet's hospital campus and a number of other commercial premises are already connected to the scheme. The North East SLI will also facilitate the decommissioning of a number of private pumping stations.*

**Cllr B. McKenna asked:**

5. Can the Council please confirm why the playground at Cois Locha, Emyvale is not locked at night as was promised when it was being installed at this location?

**Reply:** *The new playground was installed in 2007. It was agreed with the local residents association that a fence would be provided around the playground to enable it to be locked at night. A key was then provided by the Council to the association so that they would ensure the playground was opened and locked daily 7 days a week. The Council will contact the association to establish why it is not being locked at present. Repairs required to the playground have been carried out.*

**Cllr S. Conlon asked:**

6. In an effort to encourage community and voluntary sector participation with Spring Clean and Tidy Town initiatives, that will in turn make a positive impact against the increasing scourge of littering, will the Community and Enterprise Section of Monaghan County Council use their influence with the various community representative forums and networks to heighten awareness and work collectively towards solutions of combating this increasing urban and rural dilemma that is destroying our countryside?

**Reply:** *The Office of Community & Enterprise provides development and administrative support to the County Network of Tidy Towns Groups and Residents Associations. The members of the Network participate in National Spring Clean every year. A letter went out to the groups on March 10<sup>th</sup> informing them of the arrangements for this year's Spring Clean. The letter also highlighted the 'Best Presented Bring Bank' award within the National Tidy Towns competition, and encouraged groups to enter this competition.*

**Cllr S. Conlon asked:**

7. Prior to the staging of the 3<sup>rd</sup> Annual Blackwater 10k Walk 'n Run Event on May 16<sup>th</sup>, will the Council undertake necessary road sweeping and maintenance works along paths and kerbs on the Threemilehouse Rd. between the Rossmore Park entrance and the Clones Rd.?

**Reply: *The Council intend to undertake these works prior to the event.***

8. In an effort to maximise the tourism/visitor potential to the County's largest mass participation event, the Annual Blackwater 10k Walk 'n Run, will the Community and Enterprise Section of Monaghan County Council initiate an event assessment and stakeholder review and analysis with a view to assisting in promoting this event as a weekend visitor destination? And that all future tourism related literature issued through Monaghan County Council and its partners include a reference to this well established annual event.

**Reply: *The Community & Enterprise Sections relating to Tourism and Economic Development and Monaghan Sports Partnership will co-operate in supporting the Blackwater 10k Walk 'n Run Committee as required to further develop and expand this major sporting event. Currently the Sports Partnership circulate information on the event to over 500 email contacts including relevant athletic clubs, community groups etc. The event is also promoted on the Monaghan Tourism Website [www.monaghantourism.com](http://www.monaghantourism.com) in the News & Events section. Details of the event are circulated to Failte Ireland North West for inclusion in all their promotional materials.***

9. Will Monaghan County Council ask Coillte to confirm the total hectares of Coillte managed property within County Monaghan that was planted with trees during the period 1990-1999 and give the same information for the period 2000-2009 and to give a breakdown per species and per location?

**Reply: *Monaghan County Council will contact Coillte seeking the total hectares planted by Coillte in the period 1990 – 2009.***

**Cllr S. Coyle asked:**

10. Will Monaghan County Council immediately place on their Public Lighting scheme's list and have plans, costings etc. complete for the provision of public lighting at:

- (a) Holy Trinity Church, Rockcorry
- (b) Christchurch of Ireland, Aughnamullen

as these are essential for the safety of those attending ceremonies at the above churches on dark evenings?

**Reply: *Clones Area Office will obtain an estimate for the provision of public lighting at these locations and add them to the list of public lighting schemes currently awaiting funding in the Clones Area.***

**Cllr S. Coyle asked:**

11. Will Monaghan County Council examine immediately what further safety measures and essential road surface repairs, can be carried out at the junction of the (LP03000-LS07000-LS07001-LP03001) known locally as “Veldins Cross,” Latton as it is currently a very dangerous junction?

**Reply:** *Clones Area Office will examine the junction to determine what remedial works are necessary to improve its safety in the short term.*

12. When does Monaghan County Council plan to complete and install all facilities at the Bring Bank facilities in the village of Newbliss?

**Reply:** *The bring-bank centre will open on completion of the Civil Works to the Newbliss car-park.*

**Cllr N. Keelan asked:**

13. In relation to my longstanding request to have a pedestrian crossing put in place adjacent to Highfield Estate in Carrickmacross, and given that funding has been confirmed for this project, when is it hoped work will commence?

**Reply:** *It is hoped to have this in place in 2010.*

14. (a) In relation to the Roads Act 1993 compelling landowners and occupiers of land to ensure that trees, hedges and other vegetation is not, or could be become, a danger to people using the public road, what actions have this Council taken in the past, or what action will this Council take in the future against a small minority of people who refuse to comply with hedge cutting/trimming notices or advice from our engineering staff?

(b) In relation to the same Act (Roads Act 1993) compelling landowners/occupiers of land to ensure that water and other materials do not escape onto the public road, is the landowner/occupier liable for damages if an accident was to happen as a result of water or material running onto the public road?

**Reply to (a) & (b):** *The Roads Act obliges Land owners and occupiers of land to take care to ensure that trees, hedges, other vegetation on their lands are not or could not become a danger to road users. Also, landowner and occupiers are obliged to ensure that water can drain off a public road and that water, soil or other materials do not escape onto the public road.*

*The Council deal with such cases on an ongoing bases and will, were necessary, serve Notices and will take further action as necessary to ensure the hazard is dealt with. Where the landowner does not take action following a notice the landowner may be found guilty of an offence under the Act or the Council may carry out the works and recover the reasonable costs of this work from the landowner.*

**Cllr N. Keelan asked:**

15. Given the unacceptable and deplorable state of almost all of the approach roads to Carrickmacross including the Cloughvalley and Rockdaniel Road, have the Council funding and a plan in place to resurface all of these roads as soon as possible that have been damaged as result of the necessary upgrading of the sewerage network?

**Reply:**

**Permanent Road / Trench Reinstatements - Completed at March 2010**

*Farney Street,  
O'Neill Street,  
Ballybay Road,*

*Chapel Lane Upper,  
Parnell Street,  
Magheross Road*

**Permanent Road / Trench Reinstatements Scheduled for Completion in April-May 2010**

*Kingscourt Road  
Shercock Road*

*Oriel Road*

*The pipelines contract provides for the permanent reinstatement of trenches only. However, where there are dual trenches in the carriageway or the existing roadway is in poor condition, it may be more cost effective to undertake full width or half width reinstatement. The schedule of works for permanent reinstatement is currently under review. P & S Civil Works Ltd. will continue to maintain temporary reinstatement on all remaining roads as provided for in the contract.*

16. When will the upgrading and extension of the sewerage collection network be complete as the people of the town of Carrickmacross including the business community and those that visit our town are anxious to see these works and disruption coming to an end?

**Reply:** *The contract is scheduled for substantial completion by the end of 2010.*

**18. Votes of Sympathy:**

The Council agreed to extend a vote of sympathy to Macartan Mohan, Revenue Collector on the death of his father Thomas Mohan, Knockatallon, R.I.P.

**19. Conferences:**

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

<b>Promoting Authority</b>	<b>Subject/Theme</b>	<b>Venue</b>	<b>Dates</b>	<b>Members</b>
Dundalk Chamber of Commerce	BIDS Conference (Business Improvement Dev Scheme)	Ballymascanlon Hotel, Dundalk	11 <sup>th</sup> May, 2010	<b>H. Humphreys P. Connolly J. O'Brien R. Gallagher</b>

**Urgent Business:**

The Mayor advised the members that she had received a notice of Urgent Business in the names of the Fianna Fail Members regarding the situation surrounding the Quinn Insurance Group.

It was agreed that the Council deal with the item of urgent business.

*Cllr Coyle proposed, Cllr Gallagher seconded that this Council joins in the calls on the Taoiseach and the relevant government departments to do all in their power to ensure the Quinn Insurance Group and its employees are assisted in every way possible.*

In moving the motion, Cllr McNally stated that he was concerned for the hundreds of people from the county who worked directly or indirectly with the Quinn Group and that he was anxious to ensure that the structure of the group and the jobs that went with it are maintained. Cllrs Gallagher, Keelan, Connolly, B. McKenna, McElvaney and the Mayor all expressed their support for the motion.

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

The meeting then concluded.

Signed: \_\_\_\_\_  
Meara Meetings Administrator

Date: \_\_\_\_\_