

Minutes of Meeting of Monaghan County Council held on Monday 3rd December, 2012 at 3.30 pm in the Council Chamber, M-Tek 1 Building, Knockaconny, Monaghan

Chair: Cllr H. McElvaney, Mayor.

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

Mr. D. Fallon, A/County Manager, Mr. P. Clifford, Mr. D. Treanor, Mr. A. King, Directors of Service, Mr. J. Murray, Head of Finance and Ms. C. Thornton, Meetings Administrator.

At the outset, the Mayor appealed to all road-users to take care on the roads at all times, and particularly over the Christmas period and to be mindful of other users and weather conditions.

1. Confirmation of Minutes:

On the proposal of Cllr Carville, seconded by Cllr Coyle it was agreed that the minutes of the Council meeting held on 5th November, 2012, be confirmed.

Cllr B. McKenna requested the agreement of the members to take Item 3 on the agenda next. This was agreed.

3. To fill casual vacancy on Monaghan County Council.

The Mayor referred to Section 19(3)(2) of the Local Government Act 2001 in relation to the filling of the casual vacancy.

Cllr B. McKenna proposed that Cathy Bennett, Drumdesco, Scotstown, Co. Monaghan, be co-opted to fill the casual vacancy on Monaghan County Council. Cllr McKenna confirmed that Ms. Bennett has consented, in writing, to the Sinn Fein party nominating her to fill the vacancy that had arisen following the death of their esteemed colleague, the late Sheila McKenna. Cllr Conlon seconded the proposal to co-opt Cathy Bennett.

Cllr McKenna's proposal was put to the meeting and agreed unanimously.

Cllr McKenna then introduced Cllr Cathy Bennett to the members and staff.

Cllr Bennett thanked her proposer and seconder and all the members for co-opting her onto the Council. She then addressed the Council.

All members joined in congratulating Cllr Bennett on her co-option as did the County Manager on behalf of the staff.

Vacancies on Council Committees:

It was agreed that vacant seats on a number of Committees be filled as follows:

Social, Cultural, Community and Voluntary SPC	– Cllr Cathy Bennett
Co. Monaghan Joint Policing Committee	- Cllr Brian McKenna
Twinning Committee	- Cllr Sean Conlon
Irish Public Bodies	- Cllr Cathy Bennett
Speed Limits Committee	- Cllr Jackie Crowe

2. Correspondence:

The following correspondence was circulated to the members –

- Letter of acknowledgement from the Minister for the Environment, Community and Local Government in relation to the Council's resolution regarding car testing regulations.
- Letter from the Minister for Education and Skills in relation to the processing of student grant applications by the Student Universal Support Ireland (SUSI)
- Letter from the Minister for Finance regarding the discontinuation of mortgage interest relief for principal private residences after the end of 2012.
- Email from Deputy Heather Humphreys enclosing response from the Minister for Agriculture regarding the proposed capital assets test for third level grants.
- Email and letter from Deputy Caoimhghín Ó Caoláin enclosing letter from Minister Richard Bruton regarding the sale of IDA lands at Knockaconny, Monaghan.
- Letter from the Department of Education and Skills in relation to the European Globalisation Adjustment Fund.
- Letter from the Department of Communications, Energy and Natural Resources, in relation to the National Broadband Plan.
- Letter from the National Roads Design Office inviting submissions on the Slane Traffic Management Study before 19th December, 2012.
- Letter from the CEO Bus Eireann in relation to proposed changes to Bus Route 177.
- Letter from Cavan County Council acknowledging the Council's submission in relation to the Cavan County Development Plan.
- Letter of acknowledgement from the Minister for Transport, Tourism and Sport in relation to NCT testing.
- Letter of acknowledgement from the Office of Public Works in relation to the acquisition of the former Customs and Revenue Building at Tullyherim, Monaghan.
- Email from Joe O'Reilly, T.D., in relation to the proposed capital assets test for student grant applications.
- Email from Brendan Smith, TD in relation to the proposed capital assets test for student grant applications.
- Letter of acknowledgement from Minister Simon Coveney in relation to the display of country of origin of chicken products in restaurants and takeaways.
- Letter from the Minister for Justice and Equality in relation to the Council resolution regarding an adequately resourced policing force.
- Letter from the Road Safety Authority regarding proposed changes to the National Car Test system.

- Resolution from Donegal County Council regarding the Government's decision to shut down County Enterprise Boards.
- Resolution from Donegal County Council calling on the Government to put measures in place in the 2013 Budget to help those in difficulties with their mortgages.

Proposals arising out of correspondence:

Cllr Connolly proposed, Cllr B. McKenna seconded that the Council support the resolution from Donegal County Council expressing concern at the Government's decision to shut down County Enterprise Boards at a time when there's never been more need for a locally based response to the job crises in every county.

A vote by show of hands on Cllr Connolly's proposal resulted in 10 for, 6 against. The Mayor declared the proposal carried.

On the proposal of Cllr Carthy, seconded by Cllr P. Treanor it was agreed that this Council write to the Minister for Education to decentralise the administration of student grant applications to either County Councils or the Education and Training Boards considering the absolute mess created by the centralised SUSI system.

On the proposal of Cllr Carthy, seconded by Cllr Conlon it was agreed that the Council writes again to Mr. Martin Nolan, CEO Bus Eireann, expressing disappointment with the content and tone of his November 23rd correspondence. It was further agreed that we again write to Mr. Nolan urging a meeting with him and a Council delegation to discuss the Route 177 service as a matter of urgency.

Cllr Connolly proposed, Cllr S. Treanor seconded that the Council write to the Minister for Transport, Tourism and Sport Leo Varadkar T.D., in relation to the NCT testing of vehicles and calling for NCT test certs to be dated forward from the actual date of the test.

A recorded vote was taken on Cllr Connolly's proposal which resulted as follows:

For – Cllrs Bennett, Carthy, Conlon, Connolly, Coyle, Crowe, Gallagher, Keelan, B. McKenna, O'Brien, P. Treanor and S. Treanor **Total 12**

Against – Cllrs Bannigan, Carville, Maxwell, McPhillips, Murray, O'Hanlon **Total 6**

The Mayor declared the proposal carried.

On the proposal of Cllr Conlon, seconded by Cllr Bennett it was agreed that the Mayor, County Manager and a representative number of Council members meet with the Oireachtas members with the intent of securing Department support for the purpose of purchasing into Council ownership the IDA lands at Knockaconny.

On the proposal of Cllr P. Treanor, seconded by Cllr McKenna it was agreed that we write to the Minister for Education, Ruairi Quinn TD asking him to engage the services of Community Welfare Officers to ensure that outstanding student grants are paid out before Christmas.

On the proposal of Cllr Gallagher, seconded by Cllr O'Brien it was agreed that the Council write to Minister Leo Varadkar TD., advising him of the contents of the letter that the Council received from the CEO of Bus Eireann and the Councils disappointment with the content and tone of same.

Urgent Business:

The Mayor stated that he had received a notice of urgent business in the names of the Sinn Fein members, as follows:

“ This Council implores the Water Services Section to take pre-emptive action in ensuring sanitary services are not disrupted at Knockroe Gleann Monaghan, that if implemented, will create public safety, health and sanitation issues resulting from ESB Networks notice to residents of impending disconnection of power supply to the pumping station.”

Mr. D. Fallon, A/County Manager stated that the Council would take whatever action was necessary to have the matter resolved. Mr. P. Clifford, Director of Services stated that the Council was in contact with the electricity supplier regarding this unfinished housing development and would take responsibility for the bill from a relevant date but that all arrears must be collected from NAMA or the developer.

Cllr Conlon, on behalf of the Sinn Fein members, stated that in view of the assurances given by the Acting County Manager he would withdraw the notice of urgent business.

4. Adoption of Road Traffic (Special Speed Limits County Monaghan) Bye-Laws, No. 2 of 2012

The Members considered the draft Road Traffic (Special Speed Limit Bye-Laws (No 2 of 2012) County Monaghan Draft Bye Laws, December 2012, which had been circulated with the agenda.

On the proposal of Cllr Carthy, seconded by Cllr Murray it was agreed that the Road Traffic (Special Speed Limit Bye-Laws (No 2 of 2012) County Monaghan Draft Bye Laws, December 2012, be adopted.

Cllr Conlon proposed, Cllr Keelan seconded that this Council adopts a policy whereby proposed alterations to traffic management systems at junctions are implemented in consultation with Councillors and with local communities by way of planning application signage.

Cllrs Maxwell and Bannigan stated they could not support this motion and that they had full confidence in the Council's Roads Engineers.

A vote by show of hands on Cllr Conlon's proposal resulted in 7 for 13 against. The Mayor declared the motion defeated.

On the proposal of Cllr Maxwell, seconded by Cllr McElvaney it was agreed that this Council seeks a meeting with the National Roads Authority in relation to altering the

speed limit on the N54 Clones Road at Tullygrimes, Monaghan which is holding back a development with the potential for over 200 jobs.

It was agreed that if a meeting was secured with the National Roads Authority that the following issues would also be raised –

- Funding for the design phase of the N2 Clontibret to the Northern Ireland Border Road Scheme.
- Directional sign for Monaghan at Junction 14 exit on the M1 Motorway

5. To fix dates for the following:

(i) January 2013 Council meeting

It was agreed that the January Council meeting would be held on Monday 7th January, 2013 commencing at 2.00 p.m.

(ii) Civic Reception

It was agreed that a Civic Reception would be held on Monday 7th January, 2013 at 7.00 pm to honour the following –

- Paul Brady and Eoghan McGinnity, World Champion Handballers
- Eileen and Jessica Cullen and Aoife Bannigan, World Champion Dancers
- Donaghmoyne Ladies GFC on winning the 2012 Tesco Home Grown Senior All Ireland Ladies Club Championship title.

6. To receive reports from Members attending Conferences

The members noted the report from Cllr Connolly in relation to his attendance at the AMAI Conference in Ballinasloe.

7. Proposed Eirgrid 440kv Interconnector

There was no discussion under this item.

8. Business submitted by County Manager

Development Contributions Scheme:

Mr. D. Fallon, A/County Manager advised the Council that the Development Contributions Scheme is due to expire at the end of 2012. Due to work on the draft County Monaghan Development Plan 2013-2019 it was not possible to have a new scheme in place for January 2013. He stated that he was seeking the approval of the members to extend the current scheme to the 30th June, 2013.

On the proposal of Cllr McNally, seconded by Cllr Maxwell it was agreed that the Development Contributions Scheme 2008-2012 be extended to 30th June, 2013.

Ulster Canal:

Mr. P. Clifford advised the members as follows:

- The planning application for the Northern Ireland Section of the Canal is proceeding.
- The further information submitted in respect of the planning application to Monaghan County is being assessed.
- Waterways Ireland didn't respond to the Clones Town Council request for further information within the specified six months period and in this regard the application has been deemed withdrawn.

A number of members expressed their concern and disappointment at the fact that the planning application to Clones T.C. has to be re-submitted.

Cllr Bannigan proposed, Cllr P. Treanor seconded that the Council invite Waterways Ireland to the next meeting of the Council to explain what happened in relation to the planning application to Clones Town Council and why the further information was not submitted within the required timeframe.

Cllr McElvaney suggested that as this is firstly a matter for Clones Town Council that they should contact Waterways Ireland to establish the facts of the matter. This was agreed.

Clones Regeneration Partnership:

On the proposal of Cllr Coyle, seconded by Cllr P. Treanor it was agreed that the Council call on the Minister for the Environment, Community and Local Government Phil Hogan, T.D., to extend the funding to Clones Regeneration Partnership to finance/support the extension of the employment of the project co-ordinator to the end of 2014, under the Rural Development Fund, as requested by Clones Regeneration Partnership.

Driving Licence System:

Mr. John Murray, Head of Finance advised the members that the Road Safety Authority is taking over responsibility for the issuing of driving licences with effect from 19th January 2013. The Council will issue its last driving licence on 12th January, but will continue to accept applications, on an agency basis for the RSA up until September 2013 – the actual licence will issue from the RSA. Mr. Murray responded to queries from the members.

On the proposal of Cllr McNally, seconded by Cllr Gallagher it was agreed that this Council write to the Road Safety Authority asking that a facility be put in place that would allow people to exchange their old licence, regardless of the expiry date, for a new swipe card type licence,.

9. Matters arising out of minutes of meeting held on 5th November, 2012.

Matters arising out of the minutes of the Council meeting held on 5th November, 2012 were responded to by the appropriate officials.

Cllr O'Hanlon requested that in advance of close off date to repair "Minor Defects" (Cloughvalley regeneration project) that all tenants would be written to and requested to confirm any defects still outstanding so that they can be dealt with.

In response to queries regarding the status of the Group Home in Carrickmacross Mr. A. King, Director confirmed that the planning application would be presented at the January 2013 Council meeting.

On the proposal of Cllr S. Treanor, seconded by Cllr Connolly it was agreed that this Council progress an application under the Rural Water Programme (Small Sewerage Schemes) in order to extend the Ballinode Sewerage Scheme out the Rafeenan road.

10. Questions:

Cllr B. McKenna asked:

1. Over the past number of weeks there has been a deterioration in the water quality in Emyvale village, particularly in relation to the colour where it was not possible to drink the water. Have the Council identified the reasons for this discolouration and what measures have or are being taken to prevent the recurrence of this problem?
Reply: *Approximately two weeks ago WS repaired a faulty hydrant at the junction of Scarnageeragh/N2. Following this repair and the subsequent scouring of the main line a temporary localised issue occurred which resulted in a deterioration of the supply which has subsequently been rectified.*

Cllr S. Coyle asked:

2. What public lighting schemes will Monaghan County Council complete and have connected with full lighting in the Clones Electoral area during 2012, by year end? Also how many schemes will be outstanding by the end of 2012 and at what approximate cost?

Reply: *Two schemes are being completed this year - Ballybay Road Newbliss and Clones Road, Smithboro. There are 22 schemes remaining at a cost of €230,000.*

3. Can Monaghan County Council examine what additional road safety measures could be put in place at Scoil Mhuire Gransha on the N54 (Smithborough to Clones Road)? With the large passing traffic there's a great danger to children, parents, staff etc. entering and exiting the school grounds.

Reply: *Monaghan County Council propose to place this as an item for discussion at the next Road Area Committee Meeting.*

4. Can Monaghan County Council outline in detail their quantities of salt/grit in stock? What plans are in place to deal with severe wintry weather conditions if they were to affect the county in the coming months? Should an emergency situation arise due to the inclement weather, can emergency contact telephone numbers be provided for

members of the public to contact during working hours and out of hours including weekends, holiday periods etc.?

Reply: *At the commencement of this season Monaghan County Council has 5,800 ton of salt available between existing stock and the 2012/2013 allocation notified to the Council by the National Roads Authority and the Department of Transport and Tourism. In the event of severe weather it is the Council's intention to advise the public of dedicated contact numbers including a Lo-call number to deal with calls from the public.*

Cllr R. Gallagher asked:

5. How many Community Groups etc have availed of the Salt Bins from the Council and what is the contact for those who wish to apply for them?

Reply: *The following table details the number of bins purchased by different groupings for the years 2011 and 2012:*

<i>Salt Bins 2011-2012</i>	
<i>Type</i>	<i>Number</i>
<i>Businesses</i>	<i>23</i>
<i>Churches</i>	<i>11</i>
<i>Community Centres</i>	<i>8</i>
<i>Council</i>	<i>9</i>
<i>Crèche</i>	<i>4</i>
<i>Private</i>	<i>11</i>
<i>Resident Associations</i>	<i>11</i>
<i>Schools & Colleges</i>	<i>24</i>
<i>Total Salt Bins Issued</i>	<i>101</i>

Details of the "Purchase a Salt Bin Scheme" and application forms are available on the Council's web site www.monaghan.ie. Application forms are also available in the four Area Roads Offices or by contacting the Road Section Office at roads@monaghancoco.ie or by telephone 047 30597.

6. What is the current spending on litter in the county – breakdown per area/town and what initiatives have been successful?

Reply: *Monaghan County Council makes annual returns to the Department of Environment, Community and Local Government under the Litter Pollution Acts. The figures submitted in 2011 for expenditure which include Street/Road Cleaning, Litter Warden Services, Public Awareness Initiatives & Promotional Activities etc were as follows:*

*Monaghan County Council: €341,187
Carrickmacross Town Council: €159,248
Monaghan Town Council: €384,427*

Clones Town Council: €94,098
Castleblayney Town Council: €124,309

Expenditure under the Litter Pollution Acts for the first 10 months of 2012 including Street/Road Cleaning, Litter Warden Services, Public Awareness Initiatives & Promotional Activities etc approximate as follows:

Monaghan County Council: €284,000
Carrickmacross Town Council: €132,700
Monaghan Town Council: €320,400
Clones Town Council: €78,000
Castleblayney Town Council: €104,000

Initiatives undertaken in accordance with Monaghan County Council's Litter Management Plan include:

- *Spring and Autumn Clean Ups*
- *Financial support to Tidy Town groups*
- *Green Schools Programme*
- *Bin your butt with local publicans*
- *Dog waste signage/bins*

Cllr R. Gallagher asked:

7. Monaghan County Council provides three Grants to assist people to live independent lives namely, Housing Adaption Grant for People with a Disability, Housing Aid for Older People and Mobility Aids Housing grant Scheme. How many people applied for the schemes, how much was spent in total on each scheme and how many people were successful in securing a Grant?

Reply:

GRANT TYPE	APPS REC'D	GRANT APRVD	AMT APPRD	GRANT PAID	AMT PAID	GRANTS PENDING COMPLETION	APPS PENDING ASS'MENT	APPS REFUSED
HGD	72	53	729,263.58	36	445,094.97	17	19	0
MAG	81	67	287,184.75	55	233,836.75	12	14	0
HOP	120	105	456,572.26	88	377,846.21	17	11	4
TOTAL	273	225	1,473,020.59	179	1,056,777.93	46	44	4

Figures as at 23rd November 2012

MCC's original allocation for 2012 was €1,152,172. By early August, due to the high volume of applications received, grant approvals were already over and above this budget. MCC ceased accepting any new applications as from the 16th August. An application for additional funding was submitted to the department in September and we were successful in obtaining a further €347,828 bringing our total allocation for the year to €1,500,000.

NB: Please note that MCC's contribution to these schemes is 20% (€300,000), the remaining 80% (€1,200,000) is recoupable from the Exchequer.

Cllr R. Gallagher asked:

8. In the interest of Road Safety could the Council liaise with the NRA with a view to getting a reduced Speed limit on the eastern side (Armagh side) of the new VEC Educational Campus/ -M-Tek Buildings?

Reply: *The Council made an application to the National Roads Authority (NRA) seeking approval to extend the existing 50kph from its current location to the east side of the roundabout serving the VEC Campus currently under construction. The NRA did not approve the application as they were of the view that the existing 60kph was adequate for the level of development on this section of road and having regard to the new roundabout that additionally ensures regulation of speeds. At a recent Monaghan County Council Speed Limit Committee Meeting it was agreed that a letter of support would be sought from the VEC and an application be resubmitted to the NRA asking that they reconsider their decision.*

Cllr. N. Keelan asked:

9. What is the average cost per annum to this Council for legal advice; approximately how much has Monaghan County Council spent on legal advice in the last three years?

Reply: *Details of expenditure on legal fees and expenses for the last three years is as follows:*

<i>2010</i>	<i>2011</i>	<i>2012 to Date</i>
<i>€487,422</i>	<i>€539,007</i>	<i>€415,630</i>

10. How much per annum does Monaghan County Council spend on hiring Consultants and other outside advice; approximately how much has this Council spent on Consultants in the last three years?

Reply: *Details of expenditure on Consultants for the last three years is as follows:*

<i>2010</i>	<i>2011</i>	<i>2012 to Date</i>
<i>€1,636,351</i>	<i>€1,649,681</i>	<i>€1,050,786</i>

Cllr. N. Keelan asked:

11. How many planning permission applications has Monaghan County Council received in the last 12 months; how would this figure compare with years 2007-2008?

Reply: *Monaghan County Council has received 351 planning applications to date in 2012, compared to 2,445 applications in 2007 and 1,334 in 2008.*

12. In relation to safety measures at St. Daig's National School in Inniskeen Village, will this Council carry out an upgrading of the road markings and also carry out some work to the traffic island to allow for bus set down; will the Council also consider the provision of a traffic speed indicator to ensure that drivers slow down going through the village, particularly at school times?

Reply: *Repairs and improvements will be looked at as part of ongoing maintenance works. The works to the traffic island to facilitate school buses has been completed. The need of further measures to control speed will be examined.*

Cllr PJ O'Hanlon asked:

13. (a) Will Monaghan County Council request Eircom to remove or move to another location telephone pole at the junction of L 49052 on the main Carrickmacross to Shercock Road as this is causing a serious issue coming out at this junction. This pole leaves it nearly impossible to see the traffic coming on the main road at speed.

(b) Will Monaghan County Council make an application for funding immediately to the NRA to make this junction safer?

(c) Will Monaghan County Council put road markings in place immediately at this junction and proper signage to make road users aware of the dangers at this junction?

Reply: *A letter can be issued to Eircom raising the safety concerns. The Council can examine this location in conjunction with the Regional Road Safety Engineer with a view to making an application for funding under the Low Cost Safety Improvement Scheme. The Council will consider what additional road markings or signage could be employed to improve road safety.*

12. Votes of sympathy/congratulations:

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

- All award winners and nominees for the recent Monaghan People of the Year Awards and the Monaghan Integrated Development Community Achievement Awards.
- Donaghmoyne Ladies GFC on winning the 2012 Senior All-Ireland Ladies Club Championship title and to the Club's officers, players, members and supporters on a marvellous year of success for the club.

The meeting then concluded.