

Minutes of Meeting of Monaghan County Council held in the Mtek Building, Armagh Road, Monaghan on Tuesday 15th February, 2011 at 10.00 a.m.

Chair: Cllr J. Crowe, Mayor.

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

Mr. D. Fallon, Acting County Manager, Mr. P. Clifford, Mr. A. King, Mr. D. Treanor, Directors of Service, Mr. J. Murray, Head of Finance, Mr. A. Hughes, Senior Planner, Ms. N. Woods, Senior Executive Officer, Ms. P. Maguire, Staff Officer, and Ms. C. Thornton, Meetings Administrator.

At the outset, Cllr Sheila McKenna thanked the Members and Staff for the support she received following the recent death of her brother Owen, RIP and for the Council's decision to adjourn the February Council meeting as a mark of respect.

1. To consider Notice received by the County Manager on 19th January 2011 under Section 140 of the Local Government Act, 2001.

The following is a copy of the text of the said Section 140 Notice:

“Whereas Monaghan County Council has permitted 15 borrowers previously covered by the mandated Mortgage Protection Scheme to seek alternative cover and whereas seven of these borrowers have confirmed that they received alternative cover.

Whereas many other borrowers covered under this scheme have been quoted less expensive cover, by alternative companies, but with the same levels of protection as the mandated scheme.

We, members of Monaghan County Council, by resolution hereby issue a requisition to the County Manager under Section 140 of the Local Government Act 2001 to:

Permit those current borrowers covered by the mortgage protection scheme to avail of alternative cover if it offers the same or greater protection as the current mandated scheme.

The notice was signed by Cllrs Carthy, B. McKenna, Crowe, S. McKenna, Conlon, P. Treanor and Keelan.

In moving the motion Cllr Carthy stated as follows:

- Monaghan County Council has permitted 15 borrowers previously covered by the mandated Mortgage Protection Scheme to seek alternative cover.

- Many other borrowers covered under this scheme have been quoted less expensive cover, by alternative companies, but with the same levels of protection as the mandated scheme.
- The Council should permit those current borrowers covered by the mortgage protection scheme to avail of alternative cover if it offers the same or greater protection as the current mandated scheme.
- From the time persons allowed to opt out of the scheme until they re-joined it, the cost of the insurance cover had almost doubled.
- People have a right to be treated fairly and equally.

Cllr B. McKenna seconded Cllr Carthy's motion.

Mr. D. Fallon, A/County Manager stated that Section 140 of the Local Government Act, 2001 states that "*An elected Council may by resolution require any particular act, which the local authority or manager can lawfully do in the performance of the executive functions of the local authority*"

He further stated that a Group Local Authority Mortgage Protection Scheme is operated jointly by the DoEHLG Housing Finance Agency and the City and County Managers Association. The Minister of State for Housing, in response to a written question from Deputy Ó Caoláin dated 19 January 2010 inferred that a number of borrowers in Carrickmacross who had left the group scheme could remain outside the scheme.

Monaghan County Council is empowered to issue housing loans under section 11 of the Housing (Miscellaneous) Provisions Act 1992. Sub section 13(t) provides for the adoption of regulations in relation to mortgage protection insurances. Circular 7/86 dated 19 August 1986 states that "*The Local Authority Mortgage Protection Plan will apply, subject to the terms of the Plan, to all house purchase loans approved on or after 1st July 1986 Inclusion in the plan will be obligatory for all borrowers whose loans are approved on or after 1st July and who qualify under the terms of the plan.*"

Mr. Fallon stated that he had sought advice from the Council's legal advisor who advises that the Section 140 motion before the meeting would direct the Manager to breach the terms under which the Council obtained funding from the Department for and issued local authority loans, and thus would be unlawful.

He further stated that if the members feel that the terms of the scheme are unduly onerous on applicants then they should make representations to the Department of the Environment, Heritage and Local Government to have it amended.

A number of members contributed to the debate.

In his reply, Cllr Carthy stated that if the motion is passed he is asking the officials to check with every local authority as to the position operated therein. He also requested that the Council would discuss the matter again with the Department and that the Manager would raise it at the next meeting of the City and County Managers' Association.

Mr. A. King, Director of Housing stated that the matter had been discussed with officials from the Department. Those outside of the scheme had been permitted to remain outside of it by the Minister. The matter had been raised at least three times in the Dail. It had also been dealt with by the Ombudsman who had closed the matter as 'not upheld'. In further discussions with the Department they had advised that it is obligatory that people availing of loan finance from the Council would participate in the mortgage protection insurance scheme.

The Mayor put Cllr Carthy's motion to the meeting. A recorded vote was called for which resulted as follows (18 members being present at this time)

For: Cllrs Carthy, Carville, Conlon, Connolly, Coyle, Crowe, Gallagher, Humphreys, Keelan, Maxwell, McElvaney, B. McKenna, S. McKenna, McNally, Murray, O'Hanlon, P. Treanor and S. Treanor. **Total 18**

Against: Nil

The Mayor declared the motion carried unanimously.

2. Confirmation of Minutes:

On the proposal of Cllr McElvaney, seconded by Cllr Coyle, it was agreed that the minutes of Council Meeting held on Tuesday 11th January, 2011 be confirmed.

3. Correspondence:

The following correspondence was circulated –

- Letter of acknowledgement from Mr. Noel Dempsey, T.D. Minister for Transport
- Letter from the National Roads Authority in relation to salt distribution.
- National Roads Allocation for 2011
- Email from Deputy Margaret Conlon regarding the liberalisation of the Irish Postal Market.
- Email from Deputy Rory O'Hanlon, regarding the liberalisation of the Irish Postal Market.
- Letter from the Canadian Ambassador thanking the Council for its good wishes.
- Letter from the Director of Ballybay Wetlands Centre thanking the Council for the grant allocation of €25,000.
- Letter from the Minister for Justice and Law Reform in relation to the assistance of the Probation Service in the clean up of litter.
- Letter from the Minister for Communications, Energy and Natural Resources regarding a moratorium on the liberalisation of the postal sector.
- Letter to Dr. Rory O'Hanlon TD from the Minister for Communications in relation to the liberalisation of the postal sector.
- Regional and Local Roads Allocation for 2011.

- Letter from Fondúireacht an Phiarsaigh inviting nominations for the Padraig Pearse Award 2011.
- Letter from the Council for Bravery Awards inviting nominations from the Council for persons who have carried out deeds of bravery.
- Resolution from Limerick County Council regarding planning applications.

Proposals arising out of correspondence:

On the proposal of Cllr Conlon it was agreed that the Council write again to the Competitions Authority in relation to the implement measures that will enhance competition within the bulk LPG (Liquified Petroleum Gas) market in Ireland.

Cllr Connolly proposed, Cllr McNally seconded that the Council procure its own salt supplies for non national roads.

A vote by show of hands on this proposal resulted in 11 for 1 against. The Mayor declared the motion carried.

On the proposal of Cllr P. Treanor, seconded by Cllr Crowe it was agreed that the Council set aside time at the March Council meeting for a 'diospóireacht as gaeilge' (Irish debate).

On the proposal of Cllr P. Treanor, seconded by Cllr Keelan it was agreed that the Council write to the Department of Transport seeking additional funding to repair the damage to county and regional roads as a result of the severe frost period during November and December 2010.

On the proposal of Cllr McElvaney, seconded by Cllr Crowe it was agreed to nominate the emergency services who attended the scene of the recent plane crash at Cork Airport for a Comhairle na Mire Gaile bravery award.

4. To receive presentation from Grontmij Consultants in relation to the N2 Clontibret to the N.I. Border Road Scheme

The Mayor welcomed Dimitrios Paraskevakis, Technical Manager, Grontmij Consultants to the meeting. Also present was Mr. Con McCrossan, Senior Executive Engineer (Council Roads Section).

Mr. Paraskevakis then outlined the current position in relation to the scheme. He stated that as a result of the submissions received during the public consultation period in late 2010, a number of changes had been made to the route corridors – some additional areas had been included and some areas had been omitted. As a result of these changes he recommended that a further consultation period of three weeks is allowed for the public and those affected by the changes to make submissions. He stated that two information sessions will be held on the 16th and 17th February to facilitate detailed inspection by those interested/affected by the proposed changes.

Following Mr. Paraskevakis' presentation, Cllr Maxwell requested that he outline in greater detail the precise changes being proposed to the route corridor, which Mr. Paraskevakis then did.

On the proposal of Cllr Gallagher, seconded by Cllr Coyle, it was agreed that the public consultation period be extended from 3 – 6 weeks to allow sufficient time for the public to consider the proposed changes and make submissions.

Mr. D. Fallon, A/County Manager thanked Mr. Paraskevakis for his presentation and stated that he would discuss the matter of an extension of the consultation period with the National Roads Authority. He stated that funding had been allocated in 2011 for the route selection process only and that he encouraged members of the public who had not already made a submission on the project to do so.

5. To consider Section 183 Notice – Disposal of 4.89 square metres at Derrynaloobinagh, Fair Green, Ballybay

On the proposal of Cllr B. McKenna, seconded by Cllr Crowe it was agreed that the Council approve the disposal of 4.89 square metres of land at Derrynaloobinagh, Fair Green, Ballybay to the Electricity Supply Board in accordance with notice dated 26th January, 2011 under Section 183 of the Local Government Act, 2011.

6. Review of the Monaghan County Development Plan and preparation of Core Strategy for County Monaghan

Mr. A. Hughes, Senior Planner advised the Council that it is now necessary to commence the Review of the Monaghan County Development Plan. The plan making process will take two years and will conclude with the publication of the Monaghan County Development Plan 2013 – 2019. He referred to the draft issues paper that had been circulated to the Members. He stated that there will be a public consultation period during which time members of the public can make submissions to the Council. The closing date for receipt of these submissions is Friday 6th May 2011.

On the proposal of Cllr Maxwell, seconded by Cllr P. Treanor, it was agreed that the Planning Strategic Policy Committee would be the forum for the consideration of submissions made to the Council during the public consultation process of the Review of the County Development Plan..

Review of Core Strategy:

Mr. A. Hughes, Senior Planner advised the Council that the Council is obliged under Section 10 1(B) of the Planning and Development Act 2010 to prepare a Core Strategy which shows that the development objectives in its development plan are consistent, as far as practicable, with national and regional development objectives in the National Spatial Strategy and the Regional Planning

Guidelines. The Act requires that the Strategy is prepared before 29 September 2011. The Strategy which must include a written statement, associated maps and a core strategy table summarising the key statistics as regards future population and housing requirements, must be adopted as a variation of the current development plan.

7. Taking in Charge of the following housing developments:-

The Members considered the recommendations from the Planning Section in relation to the taking in charge of the following estates –

- (i) Cathedral Walk, Monaghan
 - (ii) Rosevale, Castleblayney
 - (iii) Knocktornagh, Castleblayney
- (i) *On the proposal of Cllr Gallagher, seconded by Cllr Maxwell it was agreed that the Council approve the taking in charge of the development known as Cathedral Walk, Aghananimy, Monaghan, in accordance with Section 180 of the Planning and Development Act, 2000, as amended.*
- (ii) *On the proposal of Cllr Crowe, seconded by Cllr Coyle it was agreed that the Council approve the taking in charge of the development known as Rosevale, Bree, Castleblayney, in accordance with Section 180 of the Planning and Development Act, 2000, as amended.*
- (iii) *On the proposal of Cllr Crowe, seconded by Cllr Coyle it was agreed that the Council approve the taking in charge of the development known as Knocktornagh, Tullanacrunnat, Castleblayney, in accordance with Section 180 of the Planning and Development Act, 2000, as amended.*

It was agreed that a list of estates taken in charge would be circulated to the Members.

8. To receive Statutory Audit Report and Audited Annual Financial Statement for 2009

Mr. J. Murray, Head of Finance referred to the Statutory Audit Report and the Audited Annual Financial Statement for 2009 which had been circulated with the agenda.

Mr. Murray responded to queries raised by the Members.

9. Review of ICBAN – Draft Corporate Plan 2011-2013

Mr. A. King, Director referred to the ICBAN Draft Corporate Plan 2011-2013 which had been circulated with the agenda for the meeting. Mr. King stated that the board of ICBAN had requested that the draft plan be submitted to the

Council for consideration. The Plan highlighted the two functions of ICBAN namely -

- (i) the role of ICBAN as lead partner for the INTERREG IVA Programme in the Central Border Region and
- (ii) the strategic development and leadership function for the region

Mr. King encouraged Members to consider the draft plan and if they wished to make a submission, the closing date for receipt of submissions is 16th February, 2011.

10. To consider revised date for Joint Policing Committee meeting.

It was noted that the forthcoming General Election on 25th February will result in a change to the Oireachtas Members who sit on the County Joint Policing Committee. It was agreed that the date for the meeting of the JPC would be re-scheduled to Tuesday 29th March, 2011 at 10.00 a.m. in the Mtek Building.

11. To receive reports from Members attending Conferences:

The Members noted the report from Cllr Bannigan in relation to his attendance at the ICLRD Conference in Sligo.

12. Proposed Eirgrid 440kv Interconnector

On the proposal of Cllr Bannigan, seconded by Cllr Murray it was agreed that this Council write to the Minister for Energy Mr. E. Ryan and his successor in office, calling for an independent analysis of Grid 25 policy and that the all relevant stakeholders and those that took part in the in the Eirgrid Interconnector Oral hearing be consulted as part of the overall independent review.

13. Business submitted by County Manager

Mr. D. Fallon, A/County Manager advised the members that he wished to update them in relation to Hope Castle.

On the proposal of Cllr Bannigan, seconded by Cllr S. Treanor it was agreed that the Council deal with this matter 'in Committee'.

Mr. Fallon then briefed the Members in relation to Hope Castle. Following the briefing, the Council then came back into public session.

It was agreed that a meeting of the Muckno sub-committee would be held on 22nd February, 2011 at 10.00 a.m. in the Conference Room, The Glen.

Road Area Meetings:

It was agreed that Road Area meetings to discuss the 2011 non national road allocations would be held as follows:

Carrickmacross	1 st March, 2011 at 10.00 a.m.
Castleblayney	1 st March, 2011 at 2.00 p.m.
Clones	2 nd March, 2011 at 2.30 p.m.
Monaghan	3 rd March, 2011 at 11.00 a.m.

Funding allocations:

Mr. Fallon, A/County Manager advised the Members that under the Interreg 4 Rural Development Initiative a CASA (Castleblayney/South Armagh) grant allocation has been received for £1.3m towards 3 initiatives in (i) Lough Muckno (ii) Ballybay Enterprise Centre and (iii) Slieve Gullion (with Newry and Mourne DC)

He further advised that the Clones Erne East application has been approved in an amount of £1.688m. This funding is towards developments in Clones associated with the opening of the canal, angling infrastructure in Fermanagh and village enhancements along the original route of the canal to Lough Neagh.

He stated that under the Peace 3 Phase 2 application an amount of €3m has been allocated to date.

14. Matters arising out of minutes of Council meeting held on 11th January 2011.

Matters arising out of the minutes of the Council meeting held on 11th January, 2011 were responded to by the relevant official.

15. Questions:

Cllr B. McKenna asked:

1. Given that the parking area for residents in the housing development at Gort an Caibleir, Emyvale is being used as a public car park, what measures will this Council take/put in place to ensure that their parking rights are protected?

Reply: *It is proposed to erect a sign, 'Residents parking only'.*

Cllr P. Connolly asked:

2. (a) What plans are in place to ensure that broadband is extended to the 10% of people in the county who currently cannot receive broadband?

Reply: *Monaghan County Council understands that the Department of Communications, Energy and Natural Resources will launch Phase Two of the National Broadband Scheme in the coming months. It is proposed that this scheme will target those individuals that do not have adequate access to broadband services within the County. Monaghan County Council, subsequent to the placing of adverts in the local press has commenced compiling a list of individuals that do not have access to broadband. Although the Department of Communications, Energy and Natural Resources will publicise the scheme, it is the Council's intention to provide this information to the Department once Phase Two of the programme is launched.*

Monaghan County Council in partnership with Monaghan County Enterprise Board and Fermanagh District Council is making an application to SEUPB seeking grant aid under the Interreg Programme to extend Project Kelvin from Castleblayney to Carrickmacross and from Monaghan to Enniskillen via Smithboro, Clones and Lisnaskea. In the event that this project is successful, alternative backhaul will be provided to the towns of Clones and Carrickmacross thus allowing the MANs in these towns to become operational.

(b) What plans are in place to ensure that the broadband signal is improved and upgraded in areas where there are weak signals at present?

Reply: *Monaghan County Council understands that the Department of Communications, Energy and Natural Resources will launch Phase Two of the National Broadband Scheme in the coming months. It is proposed that this scheme will target those individuals that do not have adequate access to broadband services within the County. Monaghan County Council, subsequent to the placing of adverts in the local press has commenced compiling a list of individuals that do not have access to broadband. Although the Department of Communications, Energy and Natural Resources will publicise the scheme, it is the Council's intention to provide this information to the Department once Phase Two of the programme is launched.*

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(c) What measures can people take who have no broadband signal at present to ensure they will receive a broadband signal?

Reply: *Individuals should first check if they have access to the National Broadband Scheme (NBS). Details of this scheme may be found by contacting 3 (service provider) at 1800 944 791 or by visiting the website www.three.ie. In the event that they are not serviced by this scheme, they should submit their*

details to Kevin McNally, Monaghan County Council so that they may be made aware of Phase Two of the National Broadband Scheme once it is launched.

3. How many Wi-Fi hot spots are there in Co Monaghan and are there any plans to increase the number of Wi-Fi hot spots?

Reply: *There are currently 22 premises participating in the Wi-Fi Hotspots Initiative with the majority from the tourism/hospitality sector. Details of participants below:*

*The Lodge at Castle Leslie
The Market House
McKenna's Bar
Ashleigh House
Creighton Hotel
Hillgrove Hotel
Alice's Loft & Cottages Self-Catering
Tanagh Outdoor Education Centre
Monaghan Chamber of Commerce
Monaghan County Enterprise Fund
(MTEK1)
Four Seasons Hotel
A Healthy Choice Spa & Clinic
Westenra Arms Hotel
Monaghan Town Library
Castlecool Ltd
Listside Ltd
Iontas
Gleneven Guesthouse
Grangeview House
Killyliss Country House
Glencarn Hotel
Nuremore Hotel & Country Club*

This scheme was rolled out through Chambers of Commerce and Monaghan Tourism. The WiFi HotSpot form can be downloaded from www.mycountyforum.com which was set up by the IT Business Leaders Forum under the CDB Economic Development Strategy.

4. In relation to the €9.1million that has been allocated by the NRA, what specific projects are ear-marked for improvement?

Reply: *Attached is the breakdown of the funding.*

Cllr A. Murray asked:

5. Does the Council own any vacant industrial sites on the Convent Lands Carrickmacross or any other sites in the Carrickmacross Urban area?

Reply: All industrial sites on the Convent Lands were sold. Monaghan County Council does not own any zoned industrial lands in Carrickmacross.

Cllr P. McNally asked:

6. (a) When is it expected that this Council will resurface the Ardee road, Carrickmacross in particular the section between Highfield and Church Hill.

Reply: It is planned to undertake these works in early 2011.

- (b) In light of the completion of the town sewerage upgrade, which is due in late February early March, can this Council give an assurance that all the affected roads will be properly reinstated in the shortest possible time scale?

Reply: It is expected that permanent reinstatement of all roads affected by the Carrickmacross Sewerage Scheme will be completed within the twelve month maintenance period, as provided for under the contract. The maintenance period commences following substantial completion in Q1 of 2011. However, it must be noted that it is Monaghan County Council's intention to undertake permanent reinstatement as soon as is reasonably practicable. The majority of affected roads are permanently reinstated at this juncture.

- (c) When does this Council expect to make a decision regarding the 50% reduction on new sewerage connections in Carrickmacross?

Reply: A 50% reduction in the wastewater connection charge to the new Carrickmacross wastewater scheme will be applicable to existing dwellings on septic tanks or effluent treatment systems. On completion of the scheme, Monaghan Co. Co. will write to the estimated 390 houses in question, inform them of the reduction, and request them to apply for a connection within the six month period, within which the reduction is applicable.

7. Has this Council any plan in place for the washing of all road signs on an annual basis?

Reply: Washing of signs is carried out by the Engineering Areas and is assessed on the basis of condition and resources available. There are no plans at present to put in place a plan to wash all signs annually.

8. In light of the development of the new Council offices and Public Library in Carrickmacross, what does this Council intend doing with the buildings and yards at Market Square, Carrickmacross?

Reply: Monaghan County Council has not determined the future use of these buildings. No formal requests or expressions of interest for use of the buildings have been received to date.

9. Where, on our list of priorities, is the final phase of the Industrial Link Road adjacent to Rye Valley in Carrickmacross, as the completion of same would eliminate the dangerous junction at Barford Meats and lessen the daily traffic chaos at the junction adjacent to Inver College?

Reply: *The completion of this link is a high priority for the Council and if funding becomes available it will be completed.*

Cllr S. Conlon asked:

10. The Bord Fáilte Capital Development Programme budget for 2010 amounted to €21m. Similarly, for 2011 the amount is €26m. 75% of this funding is apportioned towards Local Authority spend. To what extent has Monaghan County Council availed of, or are intent on availing of, funding aimed at enhancing tourism related projects throughout the county?

Reply: *A meeting has been scheduled with Fáilte Ireland Midlands East to discuss potential tourism development projects for Monaghan. This will take place at the end of February by which stage Monaghan County Council expects to have been informed as to the success or otherwise of its capital development tourism applications to SEUPB under INTERREG IVA. If funded, these projects would be supported at a level of 100% so this has been a priority for Monaghan County Council.*

11. Are Council staff actively encouraged to take time off their normal Council duties to work as temporary staff at polling stations on Election Day and at the count centres?

Reply: *Staff working at elections on normal work days are required to take annual leave.*

Cllr. N. Keelan asked:

12. How much motor tax revenue have we collected in Co. Monaghan in 2009 and 2010; how does that figure compare with this counties block road grant from the National Roads Authority and the Department of Transport?

Reply: *The amount collected by the Motor Tax office was €11,891,239 in 2009 and €11,224,305 in 2010. The corresponding allocation for Road Grants for these years was*

	Regional and Local Roads	National Roads	Total
2009	€12,445,199	€712,717	€13,157,916
2010	€12,393,499	€686,700	€13,080,199

Cllr. N. Keelan asked:

13. In relation to the taxation of goods vehicles (small vans, commercial jeeps, etc), what changes have been brought in, in 2011; is it now the case that persons owning such vehicles have to produce a VAT number or Herd number or other such documentation?

Reply: *Article 3 of the Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992 provides that a licensing authority must be satisfied that a vehicle is correctly taxed, the applicant, in particular in relation to small vans and adapted goods vehicles will be asked to submit a completed Goods Only Declaration RF111A and a copy of one of the following supporting documentation which can include but is not limited to:*

- *Certificate of Insurance which should show the carriage of goods in the course of trade or business is covered*
- *Evidence of registration for VAT*
- *Tax Clearance Certificate*
- *Copy of their 'Notice of Tax Registration Form'*
- *Letter from District Veterinary office to confirm Herd No/Flock No*
- *Letter from Employer on headed paper stating that the vehicle is used in the course of the person's employment.*

RF111A (Goods Only Declaration) must be completed if you are taxing the vehicle at the goods rate and the design gross vehicle weight of the vehicle does not exceed 3,500kg

14. In relation to the provision of 2 additional bus shelters on the link roads in Carrickmacross Town, what progress, if any, has been made on this matter?

Reply: *There is currently no funding for these works in the 2011 budget.*

15. In relation to Inniskeen village, when is it hoped to replace the footpaths which are in a poor state of repair along St. Daigh's Tce; is there any update in relation to the provision of a bus shelter for the people of the village?

Reply: *It is proposed to discuss these proposals at the Next Road Area Committee Meeting.*

16. In relation to the ongoing works on the Carrickmacross Sewerage Collection Scheme, which is now substantially complete, when will the 400 households not currently serviced by the network be able to connect to same; will all these households still be able to avail of the 50% reduction in the cost of connecting to the network (which costs €3000 approx) as previously agreed; have we a programme in place to resurface all the approach roads including the Main Street in our town which have been badly damaged by the ongoing works?

Reply: *A 50% reduction in the wastewater connection charge to the new Carrickmacross wastewater scheme will be applicable to existing dwellings*

on septic tanks or effluent treatment systems. On completion of the scheme, Monaghan Co. Co. will write to the estimated 390 houses in question, inform them of the reduction, and request them to apply for a connection within the six month period, within which the reduction is applicable.

It is expected that permanent reinstatement of all roads affected by the Carrickmacross Sewerage Scheme will be completed within the twelve month maintenance period, as provided for under the contract. The maintenance period commences following substantial completion in Q1 of 2011. However, it must be noted that it is Monaghan County Council's intention to undertake permanent reinstatement as soon as is reasonably practicable. The majority of affected roads are permanently reinstated at this juncture

Cllr G. Carville asked:

17. What progress has been made between the Co Council and the Contractors of the Castleblayney By-Pass in relation to the various landowner issues raised by Mid Monaghan councillors at a meeting with officials on 19 October 2010 and is the Council addressing the issues that officials undertook to address for specific landowners in the Cremartin area?

Reply: *Some of the issues have been addressed but some issues have yet to be agreed. Progress on the issues will be discussed at the next Road Area Meeting.*

18. How is Monaghan Co Council progressing the issue of the restoration of Castleblayney Courthouse? Is the Council in a position to make funding available which will enable matching funding to be obtained through funding agencies?

Reply: *It is intended to explore the restoration of the Market House in co-operation with Castleblayney Enterprise Board taking the lead role. A sub-committee is to be established consisting of Mid-Monaghan County Councillors , Castleblayney Town Councillors and Enterprise Board members with the target of completing deliberations within a number of months.*

Cllr M. Carthy asked:

19. When will the speed ramps be re-stated at Rockdaniel Road / Cloughvalley area of Carrickmacross in the interests of road safety?

Reply: *The speed ramps will be reinstated in early 2011.*

Cllr M. Carthy asked:

20. With regard to the current works in Carrickmacross being undertaken by P & S:

- (i) Is the Council aware that there is much public anxiety relating to the state of some roads during and following works; has contact been made with P&S in this regard and if so what was the nature of this contact?

Reply: *The Carrickmacross Sewerage liaison committee was established for this very purpose, this group comprises of elected members, local business Co Council officials Gardai and the contractor.*

- (ii) When will road surfaces be restored to a proper standard?

Reply: *It is expected that permanent reinstatement of all roads affected by the Carrickmacross Sewerage Scheme will be completed within the twelve month maintenance period, as provided for under the contract. The maintenance period commences following substantial completion in Q1 of 2011. However, it must be noted that it is Monaghan County Council's intention to undertake permanent reinstatement as soon as is reasonably practicable. The majority of affected roads are permanently reinstated at this juncture.*

- (iii) Is there any contractual obligation on the company to have roads in a reasonable condition and is a time period specified?

Reply: *They must comply with the specification as outlined within the conditions of contract. The relevant time period is 12 months (maintenance period) following the issue of Certification of Substantial completion.*

- (iv) Is there recourse for Monaghan County Council if roads are not restored to an adequate condition within a reasonable timeframe?

Reply: *Yes. Monaghan County Council withhold retention monies until the contractor has complied with his obligations under this contract.*

- (v) Who is responsible for determining that road surfaces are restored to a satisfactory level?

Reply: *The contractor must comply with the specification as outlined within the contract, if the engineer feels this condition has not been complied with corrective action through the use of retention monies withheld can be used.*

- (vi) Who is liable for damage caused to vehicles as a result of the poor state of roads arising from these works?

Reply: *If the cause of pothole is a result of wear & tear the local authority is not liable. Each individual case is assessed on its own merits. If the County Council receive a claim it is forwarded to our insurance company IPBM to deal with the claim and assess if there is any liability.*

21. Further to the decision of the Council to propose to take-in-charge the road surrounding Lough Derry what is the exact procedure and timeframe that will be employed to bring this proposal to finality?

Reply: *Monaghan County Council have published in the local paper that they propose to declare that the road at Lough Derry be made a public road. A map of the road will be available for inspection from 4th February to 4th March. Submissions on the proposed declaration may be made up to 18th March. The Area Engineer will then draft a report taking into consideration any submissions received. This will then go before the next Council meeting for approval.*

Cllr R. Gallagher asked:

22. With regard to any return of severe weather what is the current situation regarding the Councils replenishing of salt stocks and what reserves have been built up?

Reply: *There is currently 1,700 tonne of salt in stock should the severe weather return. The new salt barn is complete and currently stocks 1,000 tonne of salt.*

23. With regard to road works at Milltown, what is the likely date for completion of same and removal of the pole which is causing obstruction?

Reply: *It is planned to complete fencing when weather permits access to the field. The pole is off the edge of the road and cones are in place along road edge as part of traffic management.*

Long term plan is to construct a footpath along this section of road subject to funding. This can be discussed at the next Roads Area Meeting.

16. Notices of Motion:

Cllr M. Carthy proposed, Cllr Bannigan seconded, and it was resolved.

(a) *That Monaghan County Council establishes the Allocations sub-committee to consider the allocation of funding received under the Development Contribution Scheme for Community, Recreation and Amenity facilities.*

It was agreed that the selection of members to sit on this sub-committee be placed on the agenda for the March Council meeting.

Cllr B. McKenna stated that he wished to withdraw the following motion -

(b) *That this Council agrees to work with the Irish Family History Foundation to provide a genealogy centre for County Monaghan with an online research service similar to the thirty already in place in Ireland.*

Cllr B. McKenna requested that the Council Members be circulated with a report from the Council's Library Service on the services provided to the public. This was agreed.

17. Votes of Sympathy/Congratulations

It was agreed that a vote of congratulations be extended to the following.

- *Padraig McKenna, St. Macartan's College on winning the Ulster Colleges Intermediate 40 x 20 Handball title.*
- *Darren Doherty, St. Macartan's College on winning the Ulster Colleges Junior 40x20 Handball title and the All Ireland Colleges Junior 40x20 title.*
- *The Transition Year Students of St. Macartan's College and Monaghan Collegiate School for their joint project on World War I veterans.*

18. Conferences

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

Promoting Authority	Subject/Theme	Venue	Dates	Members
Colmcille Heritage Trust with the co-operation of Co. Donegal V.E.C.	The Future of the Irish Educational System	Colmcille Heritage Centre, Gartan, Church Hill, Letterkenny	25 th -27 th February, 2010	Cllr S. Coyle Cllr P. McNally
Carlow Tourism Conference	A River Runs Through It – exploiting heritage, adventure and tourism opportunities of Ireland's Waterways	The Seven Oaks Hotel, Carlow	3 rd – 5 th March 2011	Cllr P. Connolly Cllr PJ O'Hanlon Cllr R. Gallagher Cllr P. Treanor Cllr H. McElvaney Cllr A. Murray Cllr D. Maxwell
E.S.B.	Renewable Energy Summit	Croke Park Conference Centre Dublin	3 rd March 2011	Cllr O. Bannigan Cllr J. Crowe

Urgent Business:

The Mayor advised the members that he had received two notices of urgent business.

The Members agreed to take both notices of urgent business.

Motion No. 1.

Cllr S. Treanor proposed, Cllr B. McKenna seconded,

That this Council withhold all contracts with the Clarke Group Lisnaskea until the contractors in this area have been paid the 2.2 million Euro owed to them, while this Council continues to honour its debts to the same group.

In proposing the motion Cllr S. Treanor called on the Clarke Group to honour its obligations and pay off the debts of affected sub-contractors engaged by it on projects. He called on the Council to cease giving contracts to the Clarke Group until such time as the matter is resolved and the company has cleared its outstanding debts.

Cllr Murray expressed the view that this matter was outside of the Council's control but that the Council, as a body, should bring forward a motion that will have a positive effect nationally.

The Mayor put Cllr S. Treanor's motion to the meeting. A vote by show of hands resulted in 12 for, Nil against – 2 abstentions.

Motion No. 2

Cllr Connolly proposed, Cllr B. McKenna seconded,

That Monaghan County Council

- (a) calls on the Department of Health and Children and the Health Service Executive to provide adequate funding to ensure that services currently being provided by NEDOC will continue thereby avoiding the proposed reduction in service due from 1st March 2011;*
- (b) calls on the Department of Health and Children and the Health Service Executive to investigate NEDOC's inability to provide an adequate out of hours service to the people of the North Monaghan Area*
- (c) calls on the Department of Health and Children and the Health Service Executive to provide a full out of hours service from Monaghan General Hospital.*

In proposing the motion, Cllr Connolly stated that the decision to reduce the services provided by the Doctor on Call services represents a further reduction in health services being provided to the people of County Monaghan. He stated that it is proposed that one doctor in Cavan will cover both counties between the hours of 11 pm and 8 am and this situation is not acceptable.

Cllr B. McKenna seconded the motion and concurred with the sentiments expressed by Cllr Connolly. He stated that he had raised the matter at the HSE Dublin and North East Forum.

A number of members contributed to the debate.

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

On the proposal of Cllr McNally, seconded by Cllr Coyle it was agreed that the Council

- (i) invite an official from the Health Service Executive to a meeting of the Council to discuss the proposed changes to the Doctor on Call service*
- (ii) write to all election candidates advising them of the situation proposed for the Doctor on Call service and calling on them to give their support to a reversal of any proposed cutback in the Doctor on Call service provision in the county.*

The meeting then concluded.