

Minutes of Adjourned meeting of Monaghan County Council held in the M Tek Building, Armagh Road, Monaghan on Monday 18th February 2013 at 10.00 p.m.

Chair: Cllr Hugh Mc Elvanney, Mayor.

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

Mr. D. Fallon, A/County Manager, Mr. P. Clifford, Adge King and Mr. D. Treanor, Directors of Service, Mr. J. Murray, Head of Finance, Adrian Hughes, Senior Planner and Toirleach Gourley, Senior Executive Planner and Ms. R. Mc Manus, A/Meetings Administrator.

Apologies: **Brian McKenna and Seamus Coyle.**

On the proposal of Cllr. Pdraig McNally, seconded by Cllr. Gary Carville it was agreed to approve the list of newspapers circulated in accordance with Part 4 Article 18 (2) of the Planning and Development Regulations 2006 for use in Monaghan Planning Authorities for giving notice of the intention to make a planning application.

North Monaghan Electoral Area,

Northern Standard, Anglo Celt, Irish Independent, Irish Daily Star, Irish Times

Monaghan Town Council

Northern Standard, Anglo Celt, Irish Independent, Irish Daily Star, Irish Times, Evening Herald

Carrickmacross Town Council and Carrickmacross Electoral Area

Northern Standard, Dundalk Democrat, Irish Independent, Irish Daily Star, Irish Times,

Castleblayney Town Council and Castleblayney Electoral Area

Northern Standard, Dundalk Democrat, Anglo Celt, Irish Independent, Irish Daily Star, Irish Times,

Clones Town Council and Clones Electoral Area

Northern Standard, Anglo Celt, Irish Independent, Irish Daily Star, Irish Times

The County Manager advised the members that an update on Lough Muckno had been circulated to the members and that a case was being heard in the High Court today in relation to the Muckno Lease.

1. Draft Monaghan County Development Plan 2013 -2019.

To consider the Manager's report on the submissions received in relation to the amendments made to the Draft Development Plan 2013 – 2019.

Submission No 4 National Roads Authority

On the proposal of Cllr. Bannigan and seconded by Cllr. P Treanor it was agreed that this Council retain Policies NRPI, NRP 3 and NRP 4 in the County Development Plan

Cllr. Bannigan expressed disappointment in the NRA who he felt were discriminating against farming families. He noted that they are intent on appealing

every case to An Bord Pleanála. He advised that the Council should ignore the submission of the NRA.

Cllr P Treanor believes that the Council should make a case to continue with the exemptions, on the grounds that Co Monaghan is different. He recommended that we continue with the policy that we have.

Cllr Murray considers that the Council needs the flexibility to make decisions

Cllr Keelan believes that the policy that we had was the best for Monaghan. The NRA should be more concerned with assisting in resolving dangerous junctions and providing the necessary finance to deal with them

Cllr. Maxwell referred to the speed limit issue at Tullygrimes.

Adrian Hughes, Senior Planner advised that the executive has sympathy with the proposal, however he confirmed that the Council cannot set aside national policy, by doing so the Council would be sending out misleading signals to prospective applicants.

In relation to the access on the Clones Road, an extension to the speed limit had been put in place but the NRA had been unaware that the extension has been granted. This matter had been clarified by Monaghan County Council.

Cllr. M. Carthy felt that the NRA were misinterpreting the policy when they objected on this issue. He stated that the Bord was overruling their own inspector's advice.

Cllr McNally expressed the view that An Bord Pleanála needs to be reconfigured. He is aware of an appeal that is outstanding for a year. He feels that the Bord has limited staff and that those that are there are overworked. He asked Adrian Hughes if the flexible policy in respect of the applications on national routes was going to cease. He also queried if the Co. Manager would have to follow the NRA requirement?

Cllr P.J. O'Hanlon felt that the whole discussion was irrelevant as the members can't change national policy. He queried if Monaghan County Council is happy in relation to the planning permissions granted outside town centres.

Adrian Hughes advised that the discussion on this particular matter was unfortunately irrelevant in respect of applications for development onto national routes. He stated that national policy would apply, irrespective of the content of the Development Plan.

Cllr McNally asked if the period of 10 years still applies for replacement of an existing house on to a national route.

Cllr O' Hanlon stated that he accepted that the planning applications granted in Carrickmacross town centre complied with the relevant policy. He referred to an application for development at Kingscourt Road, Carrickmacross. He stated that he

would be of the opinion that it would cause congestion of traffic and hinder getting into Carrickmacross. He referred to the fact that Aldi has been granted planning permission. He considered that the new road back to the town is not sufficient. He does not want to see the Town Centre left bare

Cllr McElvaney advised that the Convent Lands and that entire area is viewed as Town Centre in the Development Plan

The Co. Manager advised that he accepted that the members were free to express opinions, but that he must implement national policy.

A vote by show of hands resulted in 16 for, 0 against

On the proposal of Cllr Maxwell and seconded by Cllr Treanor it was agreed that lands C3 be zoned for Industrial Employment Enterprise in the new Development Plan 2013 to 2019

Submission No. 6 T F Partnership

Cllr Maxwell proposed that the lands remained zoned as industrial, employment and enterprise in the Development Plan. He expressed the view that the policy of the NRA is at odds with the spatial strategy. The removal of the speed limit next to Monaghan town on the N54 is important

The Mayor expressed his support for the proposal as Monaghan is not placed centrally for jobs employment creation.

Cllr. S Conlon advised that the Government intend to abandon the policy of encouraging gateways and hubs. He felt the policy was some help in attracting development. He considers the NRA as being heavy handed in making decisions

A vote by show of hands resulted in 16 for, 0 against

Submission No 10 Minister for the Environment

Cllr P. Treanor enquired as to the outcome of a meeting between representatives of the Planning Department and a representative from the Spatial Planning Policy Division of the Department of the Environment, Community and Local Government.

Adrian Hughes advised that the Department had confirmed that they were not content with the approach taken by the Council and had asked for it to be reviewed in the near future. The Department official was taken on a visit to the affected rural areas and the situation on the ground was examined

The Mayor asked about areas considered as being under strong urban influence, and whether there had been an overall reduction in these. Adrian Hughes advised that the AUSUIs in the county had been reduced overall by approximately 25% since the

adoption of the 2007 Plan. The Mayor requested that a list of townlands affected be provided so that the landowners in those areas can be advised.

Submission No12 Barry Aughey

At this point Clls Mc Phillips, O'Brien and Gallagher absented themselves from the meeting.

Cllr Conlon advised that the report proved difficult to read and confusing. He sought clarification of the submission.

Adrian Hughes agreed that the submission was difficult to understand. He advised that the submission was asking for further relaxations beyond that which were agreed by the members at the previous stage of the Plan preparation. It attempted to facilitate the total occupation of units at the retail park by convenience and comparison shops. He advised that this matter had previously been resisted by the Council and the Bord in their determination of earlier applications

Formal Adoption of the County Development Plan 2013 to 2019

Adrian Hughes stated that today's proceeding brought to an end the conclusion of a 2 year process. He thanked the Members for their advice and input to the process.

Cllr Bannigan outlined that the process had worked better this time and left it easier to deal with the issues arising. .

On the proposal of Cllr P. Treanor and seconded by Cllr Bannigan it was agreed to adopt the Plan as the County Development Plan 2013 to 2019

Cllr Treanor acknowledged the positive approach of the Council, need to include hubs and identify areas of greatest need. Look at deprivation statistics and at changes in E.U. policy, and try to maximise funding for the county

Cllr P. McNally said that decisions made for the adoption of the last plan had been impacted on by pressures at the time. He was disappointed at the numbers who attended the consultation session. He found the process efficient and effective this time. He said there is an onus on the Councillors to lobby the NRA intensely.

Cllr. Carthy complimented the planning staff on how they had engaged in the process. He feels that there needs to be a full review of the planning process, to bring the local community and local councillors more into the process. He thanked the Director of Services and the staff for the work done on the compilation of the County Development Plan. He also thanked the Mayor and the members for their input and the Community Groups and individuals who took part in the consultation

Adrian Hughes confirmed that the Council is required to review the plan in 2 years. When queried, he stated that he was not aware of any difficulties that may arise from the reconfiguration of the County into municipal districts.

A vote by show of hands resulted in 15 for, 0 against

Official opening of new Civic Office in Carrickmacross

The Mayor outlined that it was proposed to invite the Minister to the official opening of the new Civic Office in Carrickmacross prior to his departure as Mayor. He also intends to hold a meeting of Monaghan County Council in Clones and enable members to view the work of the Clones Erne East Partnership.

The Mayor also wishes to arrange a summit in Clones in May 2013, to link with the proposed G8 Summit. To look at issues of deprivation in Clones

Votes of sympathy

It was agreed that the sympathy of the Council be extended to John Murray on the death of his father in law, Jimmy Rogers

Enterprise Unit in Ballybay

The Mayor raised the question of a recent launch at the Enterprise Unit in Ballybay, which is a cross border initiative funded through the County Enterprise Fund. He requested that the members should be invited to attend along with the local T.D.'s. The Co Manager advised that he had attended the launch and that he will inform the members of any future such meetings.

Urgent business

The Mayor read a motion of urgent business in relation to the Emyvale Road. The members agreed to deal with the motion at the end of the meeting

12. Proposed Eirgrid 440kv Interconnector

Cllr. Bannigan advised that the application for costs arising from the failed oral hearing had been settled out of court in the committees favour.

On the proposal of Cllr Bannigan and seconded by Cllr McNally, it was agreed that this council write to Minister Rabbitt and Eirgrid seeking to have the same level of consultation afforded to the people of county Monaghan as is being afforded to 16 people affected by Grid Link and Grid West.

A vote by show of hands resulted in 16 for, 0 against

On the proposal of Cllr McNally and seconded by Cllr. Gallagher, it was agreed that this council writes to the Chief Executive of Eirgrid asking how much was spent on these application to date and in his opinion how much of it was public funds and should be used efficiently

A vote by show of hands resulted in 16 for, 0 against

On the proposal of Cllr Carthy and seconded by Cllr O'Brien, it was agreed that Monaghan County Council write to Eirgrid requesting an outline of the company's expenditure on advertising over the past three years and to explain the rationale behind spending public monies on a P.R. campaign.

A vote by show of hands resulted in 16 for, 0 against

On the proposal of Cllr O'Brien and seconded by Cllr Carthy, it was agreed to write to the CEO Eirgrid, requesting full compensation for the committee.

17. Notices of Motion:

Cllr C. McPhillips moved that:

1. *Monaghan County Council calls on Phil Hogan, TD, Minister for Environment, Community and Local Government to bring a Bill before the Dáil which if approved by the Oireachtas would require Returning Officers in each constituency to ensure that a minimum of 75% of people employed by the Returning Officer for work at polling stations and election and referenda Count Centres are on the Live Register at the time of the election or referendum.*

A vote by show of hands resulted in 16 for, 0 against

2. *Monaghan County Council calls on the Minister for Education, Ruairí Quinn to urgently review the languages available on the Leaving Certificate syllabus with a view to replacing archaic and unspoken languages with modern languages, in particular Mandarin, the most widely spoken language globally*

A vote by show of hands resulted in 16 for, 0 against

On the proposal of Cllr McPhillips and seconded by Cllr Carthy, it was agreed that Monaghan County Council write to Joe Smyth, Co Registrar, asking that he seeks 75% of staff at polling stations/counts to be unemployed (determined by attachment of S.W. receipt of application for post)

A vote by show of hands resulted in 16 for, 0 against

The members requested that a copy of the motion issue to Cavan County Council seeking their support.

On the proposal of Cllr McNally and seconded by Cllr Gallagher, it was agreed that Monaghan County Council write to Joe Smyth, County Registrar asking has he investigated the large number of ballot papers that were not franked/stamped thus leaving them spoiled. Has he identified the persons responsible for this and does he intend removing them from these posts?

A vote by show of hands resulted in 16 for, 0 against

It was agreed to defer Notices of Motion 3 and 4 to the next meeting due to absence of Cllr. S Coyle,

Notices of Motion 5 was previously withdrawn

Cllr M. Carthy moved:

7. *That Monaghan County Council notes with concern the recent all-Ireland report which shows that this country has one of the highest rates of suicide among young people in Europe. That we recognise the terrible legacy that suicide has on communities, on society and especially on families affected. That this council calls on all statutory agencies to work together on an all-Ireland basis in a bid to tackle the phenomena of suicide.*

A vote by show of hands resulted in 16 for, 0 against

Cllr R. Gallagher moved:

8. *That this Council condemns the axing of the dedicated Garda Drugs Unit in the Cavan-Monaghan Garda division. The disbandment of the Divisional Drugs Unit after 14 years in operation is another major blow to law and order in this region.*

The mayor proposed an addendum to the motion. He requested that the Council write to the Local Garda Superintendant to clarify the position in relation to the dedicated Garda Drug unit. Cllr Gallagher also requested that a letter issue to the Minister Shatter.

A vote by show of hands resulted in 16 for, 0 against

Lough Muckno

The Co Manager advised the members that the Council had been successful in a High Court appeal today against a malicious injury claim taken in respect of a fire at the Hope Castle property in Castleblayney. He also advised that he did not have any information on costs as yet. The next step will be to return to the Circuit Court to determine the terms of the lease. The issue of an insurance claim in respect of Hope Castle is not yet resolved.

On the proposal of Cllr Mc Elvaney, Mayor, and seconded by Cllr. Carville it was agreed to adopt the circulated report on Lough Muckno.

Urgent business

At this point, the Mayor advised the Members that he had received a notice of urgent business as follows:

- i. Notice on the names of Cllr Conlon and Cllr Bennett*
The Temporary closure of roads on the N2 coming into force today has the potential of closing businesses over the 5 month duration as the order states "National Route and HGV" diversion.
That we further discuss this issue in an effort to find an alternative solution.

Following discussion it was agreed that the North Monaghan Councillors and the Mayor would be involved in discussions on the road closure.

Votes of Congratulations

On the proposal of Cllr Carville and seconded by Cllr Bannigan, it was agreed that congratulations of the Council be extended to Martin McAvinney, Ballybay, on his

election on Saturday last as Uachtaran Comhairle Ulaidh GLT (President, Ulster Council GAA)

On the proposal of Cllr Bennett and seconded by Cllr Conlon, it was agreed that congratulations of the Council be extended to The Garage Theatre on the opening show. The New Garage Theatre is a credit to all. The Staff in the Garage Theatre, The VEC and all involved. On behalf of everybody in the County Council, we would like to congratulate County Monaghan on having such a brilliant facility and would encourage everyone to support the new Garage Theatre. It is a truly amazing theatre and we would like to wish congratulation to this great development in County Monaghan.

The meeting then concluded at 1.30pm