

Minutes of Adjourned Meeting of Monaghan County Council held in Mtek Building, Knockaconny, Monaghan on Monday February 19th 2007 at 10.00 a.m.

Chair: Cllr P McNally, Mayor

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

Mr. D. Nelson, Co. Manager, Mr. M. Fitzpatrick, Mr. D. Fallon, Mr. A. King and P. Clifford Directors of Service, Mr J. Murray, Head of Finance, Ms C. Thornton, Meetings Administrator and Ms A. Mackle, A/Staff Officer.

6. Billy Fox Memorial Park

Ms. Bernie O'Rourke, Community & Enterprise Development Officer outlined in detail her report on the proposed development of the Billy Fox Memorial Park, copy of which had been circulated with the agenda. In her report she referred to the background to the project, the views of the local community and Coillte, together with proposals for the future development of the park.

The Mayor thanked Ms. O'Rourke for her report. A lengthy debate then ensued during which Members welcomed the report and the proposals for the development of the park. During the debate the following points were made

- The community had come together to develop this asset and the local authority should assist them.
- Public liability insurance cover is a major issue for this park.
- A theme of reconciliation should be of paramount importance.
- Toilet facilities should be provided
- The maintenance of this park should be shared among the various interested parties and the local authority should not have sole responsibility.
- In addition to the provision of initial funding for works to be carried out provision is also required for on going maintenance.
- It was important to push ahead with the development of this park as soon as possible to ensure funding is allocated and that the park is developed to its full potential.

Cllr McElvaney proposed the adoption of this report. Cllr Keenan seconded.

Ms. O'Rourke stated that during discussions with Coillte they had suggested that representatives from the Council and the Bawn Community Group should visit Lough Key Forest Park and Devils Glen Park in Wicklow to see how these parks have been developed.

Mr. D. Nelson, County Manager in welcoming the report stated that it was initially a discussion document which is indicative of a proposal that can be implemented. Public consultation is necessary to find out exactly what the local community want. Ownership of the park and insurance cover are issues which require clarification and it would be necessary to have an ongoing maintenance programme in place. Confirmation of funding for initial development works together with funding for ongoing maintenance would also be a requirement. He would agree with a site visit to other similar parks.

It was agreed that the following Members would visit Lough Key - Cllrs Keelan, Keenan, McElvaney, Coyle and Martin.

The Mayor asked these Members to act as a sub-committee and report back on their findings to the full Council.

8. Minutes of Standing Orders & Procedures Committee meeting held on 15th January 2007

The Members noted the Minutes of this Committee held on 15th January 2007, and which had been circulated with the agenda.

Cllr Martin said that if Members make serious allegations they should be able to substantiate what they say, he was disappointed that this committee had not come up with sanctions against Members who abuse the system.

The Mayor said that perhaps if Cllr Martin had attended the meeting he would have been able to put forward a suggestion.

Cllr McElvaney said he had experienced problems in receiving meeting notices from the Council and as a result had missed an SPC meeting the previous week. He suggested there may be an element of bias towards him.

Ms. C. Thornton refuted the comment of Cllr McElvaney and confirmed that there was a regime in place for issuing agendas for Council meetings. She would stand over the fact that Cllr McElvaney's agendas for Council meetings had issued from the office. The Council were not responsible for the delivery of the post.

Arising out of this discussion it was agreed that, in future, notice of all meetings being issued to Cllr McElvaney would be sent by registered post.

It was agreed that motions to discuss Urgent Business, if agreed by the Council, would be taken at 12.30 p.m. in the meeting and that the debate thereon would be curtailed to two speakers from each party and Cllr Martin if he wished to speak.

10. Business submitted by County Manager:

Extension of Town Boundaries

The County Manager said he wished to clarify an item that was reported in a newspaper article the previous week in relation to the extension of town boundaries. He was reported as saying the boundary lines in Carrickmacross would be changed. In fact what he had said was the procedures for extending the town boundaries would be reviewed. The process for changing town boundary is set out in the 2001 Local Government Act and it is a long drawn out process. There would be financial implications for the County Council as it would lose rate income.

Mr. John Murray, Head of Finance in conjunction with the Revenue Collectors was currently looking at the financial implications involved in extending town boundaries, in particular the net effect on rate collection, the effect on Franchise/Electoral areas, taking in charge certain estates etc. The Local Government Act provides for a financial adjustment being made between the local authorities involved for a fixed period of time.

The decision to extend a town boundary is a reserved function with final approval from the Minister for Environment, Heritage and Local Government.

A brief debate took place during which Members discussed the advantages and disadvantages of the town boundaries being extended.

The County Manager said there was benefits to both, the County would recoup any losses in rates and the town council would increase their population figures and would increase the electoral representation in town areas. The population of the towns needs to be increased as this would benefit access to such programmes as RAPID. A full report on the matter would be brought before the Council later in the year.

Matters Arising from Minutes:

Minutes of Budget Meeting held on 4th December 2006

Housing Matters

Cllr Humphreys enquired if it be possible to seek funding to allow the Housing Liaison Officer to hold pre-tenancy meetings with new local authority home owners to highlight the dangers of money lenders. She said some of these lenders are legitimate but are charging anything from 100% - 150% in interest on items they provide. Cllr Keelan agreed with this. Mr. M. Fitzpatrick said he would discuss this with the Tenant Liaison Officer.

In response to a query from Cllr B McKenna in relation to a review of the Essential Repairs Grant Scheme by the Housing SPC Mr. Fitzpatrick stated that there was a possibility that this scheme might be linked up with the

Housing Aid for the Elderly Scheme operated by the HSE but that no decision in the matter had been notified yet.

Cllr Crowe asked would the short fall in funding for Disabled Persons Grant be increased, he had requested in the past that the HSE make up this shortfall and they had usually accommodated him in his request. Mr. M. Fitzpatrick said the issue of the shortfall arising under this scheme is being addressed by the Department under the current review.

In response to a query from Cllr Kieran regarding the provision of land to facilitate traveller's horses, Mr. M. Fitzpatrick stated he would explore the position in other local authorities.

Cllr Conlon said he had requested an inventory of all Council land for the February meeting and he was now requesting that this land be valued.

Mr. J. Murray, Head of Finance said he would have this information for the May Council meeting.

Minutes of Budget meeting held on 14th December 2006.

In response David Fallon, Director of Services said he had not received the engineers report on the condition of roads in the Castleblayney area yet and had received no response for the NRA. Regarding the cleaning of road signs, three letters were forwarded but they had received no response.

Ms. C. Thornton, Meeting Administrator said they had not received any response from the OPW in relation to flooding and that Coilte had agreed to attend the April meeting.

In relation a query from Cllr Bannigan regarding the hardship fund for Refuse Collection charges, the County Manager said that each case was assessed on its individual needs and if he forwarded details of the case in question he would follow it up.

Cllr P Treanor referred to ongoing difficulties in the Clones area with the CAMP project. Mr. David Fallon, Director of Services said the Chief Fire Officer was attending a meeting in relation to this subject this week and he would make some representations regarding this issue.

Minutes of Council Meeting January 5th, 2007.

Water Charges

Cllr McElvaney asked that the Members be provided with a comparison of water charges between this years charges and previous years for the March meeting.

Local Sports Partnership

Cllr McElvaney asked the County Manager had he signed the Local Sports Partnership agreement on behalf of the County Development Board or on behalf of the County Council, he said that there had been a resolution passed by this Council that the Vocational Education Committee would be included.

The County Manager replied that he had signed it on behalf of both as he had remit for both. He said that it was Government policy that the Sports Partnership was set up under the auspices of the County Development Board.

Cllr McElvaney said it was his understanding that the Executive was not carrying out the wishes of the Members. The Members had resolved that this committee proceed under the auspices of the VEC and the County Council. He said that he was making his objections known and he believed that the VEC should be involved.

Cllr P Treanor said the Sports Partnership had been established and was running very well. As someone involved in this committee, it had been established in line with the guidelines laid down - however the VEC had withdrawn from the committee. It had been agreed at an earlier meeting that an invitation would be issued from the Partnership to the VEC.

Cllr Humphreys said the next meeting of Sports Partnership was to take place in the very near future and they would discuss this matter.

Minutes of Adjourned Council Meeting, January 15th 2007.

New Council Offices

The Mayor, Padraig McNally asked for the following item to be placed on the March agenda, "to arrange a date to discuss the new county offices".

Urgent Business

The Mayor, Padraig McNally said the Fine Gael Party had submitted an item of Urgent Business, in the names of Cllrs Bannigan, McElvaney, Carville, McKenna and Maxwell.

"To ask the officials of Monaghan County Council to make a statement on the East West Dundalk to Sligo Road in light of the recent announcements by the Cavan County Manager and Public Representatives in Cavan regarding an allocation of money in the 2007 Roads Budget towards the design of a road from Cavan to Carrickmacross"

The Members agreed to deal with this item.

In proposing the motion Cllr Bannigan made the following points -

- He had read with interest an article in the Angelo Celt newspaper that Cavan County Council had received funding for the new East West Dundalk to Sligo road.
- As far as he was aware this route had not yet been agreed by Monaghan County Council.
- The Members had received a presentation from a number of consultants on the feasibility of various routes and during that meeting the Members had agreed this route should go through Ballybay, Clones and on to Cavan.
- The Consultants had said there would be a problem with this proposed route because of the Bridge over the Erne and the likely hood of Fermanagh District Council upgrading this bridge.
- He was therefore amazed to read in the Anglo Celt that the Cavan County Manager welcomed funding for the new East West link, which was to go through Shercock and Carrickmacross, and not the route as proposed by Monaghan County Councils.
- He asked had this Council received any correspondence in relation to this and could this road go ahead without the approval of Monaghan County Council members?

Cllr Treanor agreed with Cllr Bannigan's comments and said that he too had argued the best route for this road was through Clones and Ballybay. He felt the NRA had been let off the hook in relation to this matter, the NRA had yet to concluded this matter but had decided to let Monaghan and Cavan County Council argue it out to bring the matter to its conclusion.

Cllr McElvaney said he recalled a meeting between the NRA and Monaghan County Council to discuss the East West Link and was that no funding would be made available for this route until there was an agreement between Monaghan and Cavan County Council.

Cllr McElvaney proposed, Cllr Crowe seconded that we request a meeting with the NRA to discuss the proposed East West Link

Cllr B McKenna said when this study was first carried out it was clear that the route proposed by the Consultants was not the route preferred by this Council – this was mainly because of an issue with the bridge over the River Erne at Enniskillen. The Consultants should have been advised that the issues with the bridge in Enniskillen was now been resolved and to ascertain if the route through mid Monaghan was now feasible. He stated that the Council had already requested a meeting with the NRA in relation to the N2 Monaghan/Emyvale by pass and that this matter could be raised at that meeting

The Mayor said that the Members should not be surprised that Cavan's Manager welcomed this funding. We should look at the positives here - the link to the M1 is from the Castleblayney road. He said this issue was nothing to do with the NRA as the roads being upgraded were regional roads. The matter will not be on the NRA programme of works until the counties affected have reached agreement on the route.

On the proposal of Cllr Treanor, seconded by Cllr B McKenna it was agreed to seek a meeting with the Executive of Cavan County Council first and then at political level to discuss the matter.

Mr. David Fallon, Director of Services said this allocation was for the preliminary design. The NRA response to a query made in relation to this in 2005 was this route was not included in the Agenda 21 programme. The officials of this Council are committed to the route selected by the Members.

The County Manager stated that route has been included in the National Spatial Strategy and the Regional Planning Guidelines. The Carrickmacross to Dundalk road needs to be upgraded.

On the proposal of Cllr Bannigan seconded by Cllr McElvaney it was agreed that this Council write to the Minister for Environment, Heritage and Local Government, Mr Dick Roche, TD, asking him to explain his decision to fund the design of the East West Dundalk to Sligo Road, through Cavan County Council, in light of the fact that no agreed route has been identified.

The meeting then concluded

Signed: _____
Meara **Meetings Administrator**

Date: _____