

Minutes of Meeting of Monaghan County Council held in the Council Chamber, Mtek Building, Armagh Road, Monaghan on Monday 12th January, 2015 at 2.00 pm

Chair: Cllr Padraig McNally, Cathaoirleach

Present: Cllrs. Bannigan, Bennett, Campbell, Carthy, Conlon, Connolly, Coyle, Crowe, Gallagher, Keelan, Maxwell, McElvaney, B. McKenna, McPhillips, O'Hanlon, P. Treanor and S.Treanor.

Mr. E. Cummins, Chief Executive, Mr. P. Clifford, Director of Services, Mr. J. Murray, Head of Finance and Ms. C. Thornton, Meetings Administrator.

At the outset the Cathaoirleach welcomed all present to the first Council meeting of 2015. He wished everyone a Happy New Year.

The Cathaoirleach expressed sympathy on behalf of the Council to the families of the four young women killed in a road traffic accident near Athy in Co. Kildare, the previous week.

He then welcomed Mr. Fintan McPhillips, to the meeting and wished him well in his new post as Senior Executive Officer, Community. He also welcomed John McKernan who had been appointed as Acting Senior Engineer Roads.

Urgent Business:

The Cathaoirleach informed the meeting that four notices of urgent business had been submitted, as follows:

(i) Notice in the names of Cllrs Coyle, Gallagher, McNally and O'Hanlon

That Monaghan County Council initiate a meeting with Ulster Council G.A.A., Monaghan County Board G.A.A. and St. Tiernachs G.A.A. Club, Clones to assist the G.A.A. and identify priorities of the Clones Town Development plan 2013-2019, to allow for the redevelopment of St. Tiernachs Park, Clones as the venue for all Ulster G.A.A. finals, major provincial and national games in the future.

A vote by show of hands on whether this matter would be taken as urgent business resulted in 10 members voting for and 8 against. The Cathaoirleach declared that the matter would be dealt with.

(ii) Notice in the names of Cllrs Coyle, Gallagher, McNally and O'Hanlon

That Monaghan County Council seeks an immediate meeting with Oireachtas Members for the Cavan/Monaghan Constituency, to brief them on the consequences for the people of Clones and its surrounding area, of the closure of the Social Welfare Branch Offices in Clones Town, and to seek through the Oireachtas members, a meeting with the Minister for Social Protection, An Tanaiste, Joan Burton T.D. a meeting to reverse the closure decision, with enhanced Branch Offices for the town of Clones.

(iii) Notice in the names of Cllrs Bennett, Carthy, Conlon, Crowe, Keelan, B. McKenna and P. Treanor

That Monaghan County Council expresses its alarm at the closure of the Social Welfare Office in Clones and the loss of another service to the town. That we seek an urgent meeting with the Minister for Social Protection, Joan Burton and with Oliver Egan and Seán Reilly of the North East Divisional Management to request the reversal of this decision.

(iv) Notice in the names of Cllrs Coyle, Gallagher, McNally and O'Hanlon

That this Council calls on the Minister for Health, Leo Varadkar TD and the Fine Gael led Government to take immediate action to tackle the crisis engulfing every A & E in order to protect patients at risk.

It was agreed to take items (ii), (iii) and (iv) as Urgent Business and that items (ii) and (iii) would be taken together.

The Cathaoirleach stated that he would take all Urgent Business at 5.15 pm

1. Confirmation of Minutes

On the proposal of Cllr McElvaney, seconded by Cllr Crowe, it was agreed that the minutes of the Statutory Budget meeting held on 18 November, 2014 be confirmed.

On the proposal of Cllr McElvaney, seconded by Cllr Coyle, it was agreed that the minutes of the Adjourned Statutory Budget meeting held on 1 December, 2014 be confirmed.

On the proposal of Cllr Maxwell, seconded by Cllr P. Treanor, it was agreed that the minutes of the Council meeting held on 1 December, 2014 be confirmed.

2. Correspondence

The following correspondence was circulated with the agenda:

- Letter from the Office of the Taoiseach in response to the Council's resolution regarding the introduction of water charges.
- Letter from the Minister for Public Expenditure and Reform in relation to the inclusion of childcare facilities in the list of exemptions in the Valuation (Amendment) (No. 2) Bill 2012, which is currently progressing through the Oireachtas.
- Email from Minister Heather Humphreys in reply to the Council's resolution regarding the exemption of childcare facilities from commercial rates.
- Email from Deputy Joe O'Reilly in reply to the Council's resolution regarding the exemption of childcare facilities from commercial rates.
- Letter from the Office of Public Works in reply to the Council's resolution regarding the provision of an office in Ballybay for the Public Service Card function.
- Letter of acknowledgement from the Minister for Social Protection in relation to the PSC office in Ballybay.

- Email from Minister Heather Humphreys in reply to the Council's resolution regarding funding for the N2/A5 road project.
- Letter from IDA Ireland to the Monaghan M.D. offering a forum to discuss job creation opportunities in the county.
- Letter of acknowledgement from the Minister for the Environment, Community and Local Government in relation to the Council's resolution on housing rental caps.
- Letter from the National Roads Authority outlining the 2015 National Roads Allocation.
- Resolution from Donegal County Council directing the Council Management not to comply with a demand from Irish Water to pass over the personal information of Council Tenants held by Donegal County Council.
- Resolution from Killarney Municipal District confirming support for the Carers Association in their call to the Minister for Social Protection to amend the Social Welfare Bill to make provision for the restoration of the Respite Care Grant.
- Resolution from Carlow County Council calling on the Minister for Justice and Equality to bring forward much needed legislation in order to regulate shops that give Cash for Gold.

The following correspondence was circulated at the meeting:

- Circular Letter LG 27/2014/FIN 21/2014 from the Department of the Environment, Community and Local Government regarding the requirement to prepare a schedule of proposed works of maintenance and repair to be carried out in each municipal district for adoption by the M.D. members.

Proposals arising out of correspondence:

On the proposal of Cllr Connolly, seconded by Cllr S. Treanor it was agreed that the Council writes again to the Minister for Public Expenditure and Reform requesting a review of rates on all childcare facilities.

It was agreed that a copy of the letter be forwarded to the local Oireachtas members.

On the proposal of Cllr Connolly, seconded by Cllr S. Treanor it was agreed that the Council write to the Industrial Development Authority indicating that the Council wish to avail of the offer of a forum comprising IDA, County Councillors and the Chief Executive to meet annually.

On the proposal of Cllr Connolly, seconded by Cllr S. Treanor it was agreed that the Council supports the motion from Killarney M.D. in relation to the respite care grant and writes to the Minister for Social Protection confirming the Council's support for the amendment of the Social Welfare Bill to make provision for the restoration of this grant.

On the proposal of Cllr Coyle, seconded by Cllr Bennett, it was agreed that Monaghan County Council writes to An Taoiseach Enda Kenny T.D., An Tanaiste Joan Burton T.D., Junior Minister Kevin Humphreys TD and the Minister with responsibility for Small Business Simon Harris T.D, and all local Oireachtas representatives, seeking an immediate assurance that the Department of Social Protection PSC Office will remain in Ballybay.

On the proposal of Cllr Bennett, seconded by Cllr B. McKenna it was agreed that the Council writes again to the Minister for Public Expenditure and Reform asking him to consider "all childcare facilities" as educational facilities in relation to exemption from rates.

Cllr Bennett proposed, Cllr Connolly seconded - that the Council supports the Carer's Association and calls on the Minister for Social Protection to amend the Social Welfare Bill to make provision for the restoration of the Respite Care Grant.

A vote by show of hands resulted in 14 for 3 against. The Cathaoirleach declared the motion carried.

Cllr Bennett proposed, Cllr P. Treanor seconded – that the Council calls on Minister Heather Humphreys to use her influence at the Cabinet Table and ask the Office of Public Works to consider the ample properties in Ballybay as a long term solution to the Department of Social Protection's need for a Public Services Card Office.

Cllr McElvaney proposed an addendum which was accepted by Cllr Bennett – that Minister Humphreys consult with the M.D. Co-ordinator prior to contacting the OPW.

The substantive motion was put the meeting and agreed unanimously.

On the proposal of Cllr Carthy, seconded by Cllr Conlon it was agreed that this Council responds by letter to the Office of An Taoiseach, rejecting the response received from that office in relation to the introduction of domestic water charges and stating that the Council voted in favour of reversing these charges and not to put a cap on the amounts being charged. We ask that the Government listen to the public's outcry and scrap these charges.

Cllr O'Hanlon proposed, Cllr Coyle seconded, that this Council calls on the Government to change the way rates are levied on businesses by introducing a system where commercial rates are based on the profitability/turnover of a business.

A recorded vote was taken which resulted as follows:

For: Cllrs Bennett, Carthy, Conlon, Connolly, Coyle, Crowe, Gallagher, Keelan, McNally, O'Hanlon, P. Treanor and S. Treanor **Total 12**

Against: Cllrs Bannigan, Campbell, Maxwell, McElvaney and McPhillips **Total 5**

The Cathaoirleach declared the proposal carried.

On the proposal of Cllr O'Hanlon, seconded by Cllr Gallagher, it was agreed that this Council calls on the Government to implement a 'social clause' element to all Government Contracts using the ones in Northern Ireland as a template.

3. Part VIII of the Local Government (Planning & Development) Act –

The members considered the report from the Director of Services, Planning in relation to the proposal to consider granting permission to demolish existing bridge at Lackan, Co. Monaghan.

On the proposal of Cllr Bennett, seconded by Cllr McElvaney, it was agreed that the Council approve the granting of permission for the demolishing of the existing bridge at Lackan, Co. Monaghan (Ref 14/8005) to comply with report dated 22nd December, 2014 and in accordance with Part VIII of the Local Government (Planning and Development) Regulations 2001.

4. Management Report – December 2014:

The members considered the Management Report for December which had been circulated with the agenda. Mr. E. Cummins, Chief Executive outlined the contents of the report in detail and responded to queries/comments from the members in relation to items contained therein.

5. Draft Corporate Plan 2015-2019

The Meetings Administrator advised the members that the Monaghan County Council Draft Corporate Plan was currently being prepared. It was intended that the Draft Plan would be brought to the Corporate Policy Group for consideration at its February meeting. In accordance with Section 134(4)(b) of the Local Government Act 2014 it was necessary that the Council approve an extension of time to complete this process.

On the proposal of Cllr McElvaney, seconded by Cllr Crowe it was agreed that in accordance with the provisions of Section 134(4)(b) of the Local Government Act 2014 the period for the preparation and adoption of the draft Monaghan County Council Corporate Plan be extended to March 2015.

6. To receive Report on Social Housing Strategy.

Mr. Drew Hurley (Housing Section) made a presentation to inform members of the Social Housing Strategy 2020. The presentation included a summary of the main points of the Strategy and concluded with the possible challenges that Monaghan County Council would encounter in implementing the strategy into the future.

It was agreed that the item would be placed on the agenda for a future Housing SPC meeting.

7. Audit Committee

(i) To approve Audit Committee Charter:

The Members considered the Audit Committee Charter which had been circulated with the agenda.

On the proposal of Cllr McPhillips, seconded by Cllr McElvaney it was agreed that the Council approve the Monaghan County Council Draft Audit Committee Charter.

(ii) To approve Audit Committee Annual Work Plan:

The Members considered the Draft Audit Committee Work Programme which had been circulated with the agenda.

On the proposal of Cllr McPhillips, seconded by Cllr McElvaney it was agreed that the Council approve the Monaghan County Council Draft Audit Committee Work Programme.

8. Strategic Policy Committees:

The following dates were agreed for SPC meetings:

SPC for Economic Development	26 January 2015 at 6.00 p.m.
SPC for Housing and Fire & Civil Protection	27 January 2015 at 7.00 p.m.
SPC for Social, Cultural & Community Dev.	22 January 2015 at 6.30 p.m.
SPC for Transport and Environment	26 January 2015 at 4.30 p.m.

All meetings to be held in the Council Chamber, Mtek Building.

9. County Monaghan Joint Policing Committee:

It was agreed that the first meeting of Joint Policing Committee would be held on Monday 9th February, 2015 at 10.00 a.m. in the Council Chamber, Mtek Building.

10. To approve recommendations and minutes of Corporate Policy Group meeting held on 8th December, 2014.

Consideration of this item was adjourned to the February Council meeting.

11. To approve recommendation from An Coiste Logainmneacha – Naming of Doohamlet Housing Estate

Consideration of this item was adjourned to the February Council meeting.

12 To fix dates for the following sub-Committee meetings:

(i) Meeting of An Coiste Gaeilge

It was agreed that a meeting of An Coiste Gaeilge would be held on Friday 6th February, 2015 at 10.00 am in the Conference Room, The Glen.

(ii) Meeting of the Landfill Committee

It was agreed that a meeting of the Landfill sub Committee would be held on Wednesday 4th February, 2015 at 10.00 am in the Conference Room, The Glen.

(iii) Meeting of the Disability Committee

It was agreed that a meeting of the Disability Steering Committee would be held on 28th January 2015 at 4.30 pm in the Conference Room, The Glen.

13. To receive reports from Members attending Conferences/Training events

Consideration of this item was adjourned to the February Council meeting.

14. Business submitted by Chief Executive.

Consideration of this item was adjourned to the February Council meeting.

15. Matters arising out of the minutes of Council meetings held on 18th November and 1st December 2015.

Consideration of this item was adjourned to the February Council meeting.

16. To receive update on North South Interconnector project

Cllr Keelan updated the members in relation to the current status of this project.

On the proposal of Cllr Keelan, seconded by Cllr Crowe, it was agreed that this Council writes again to the Independent Expert Panel expressing its disappointment that the information sought by the Council ie the information supplied by EirGrid to the IEP - has not been furnished to date, given that the Council requested this information over four months ago.

On the proposal of Cllr Keelan, seconded by Cllr P. Treanor it was agreed that Monaghan County Council writes to Minister Heather Humphreys T.D., requesting that she uses her influence at Cabinet to raise the issue of the North South Interconnector and ensure that the people of this county and the other counties affected by this proposal be treated the same as those affected by the Grid West and Grid Link Projects, in terms of creditable undergrounding option and that the Minister would revert back to the Council.

17. Questions:

Cllr C. Carthy asked:

1. Can the County Council seek to take over the running of external lighting to the entrance and car park of Gaelscoil Lorgan, Castleblayney as, since the closure of business premises adjacent to the school, they have not been turned on?

Reply: This matter has been referred to the Carrickmacross-Castleblayney Municipal District for reply.

2. What is the status of Inver Park housing estate, Carrickmacross, regarding the Council taking over its upkeep?

Reply: The Planning Authority is currently awaiting the submission of further information from the developer in respect of outstanding water infrastructure issues. Upon receipt of this information, the application for the taking in charge of this development will be advanced.

Cllr R. Gallagher asked:

3. Can the Council provide an update with regard to the Knockcarrick estate in Annyalla?

Reply: The Planning Authority understands that all the housing units in this development, and the adjacent residual lands have been sold.

Monaghan County Council has unsuccessfully sought the payment of the related bond. This matter has now been passed to the Councils solicitor for pursuit through the Courts. Upon receipt of the bond monies, the Council will proceed to carry out remedial works on the development.

4. Can the Council provide an update on the issue regarding voters being able to cast their votes at the nearest polling station to their dwelling place?

Reply: A Draft Polling Scheme is almost complete and will be submitted to the Council for consideration. The Council and the members of the public can review the location of existing polling stations at this time.

5. Can the Council provide details with regard to the roll out of life saving carbon monoxide alarms to elderly and vulnerable people as part of a review of the existing Government scheme which currently provides smoke alarms and panic buttons, as announced recently by Minister of State Kathleen Lynch?

Reply: The Department provides funding to Monaghan County Council to purchase smoke detectors as part of their fire prevention programme. It does not fund Carbon Monoxide alarms, as this is not a fire safety issue. There is currently no government scheme which supplies CO alarms. The Department is merely considering that they might include these, as part of a review of the current scheme. If the Department changes the current scheme and awards us funding to purchase CO alarms, we will make the elected members and the general public, aware of their availability.

Cllr P. McNally asked:

6. (a) In light of the recent publication of the Housing Plan by the Government, what on a town to town basis does Monaghan County Council intend to do to avail of the funding that is available.

Reply: As indicated in the presentation made on the 12/01/15 in the short term the funding will be used to front load the resumption (2015-2017) of LA and AHB housing, reliant on capital based exchequer funding (18,000 units). The actual amounts of monies available to the Council has not been confirmed by the Department.

In the short term it has been indicated that the means of providing these units should be by the acquisition of properties, refurbishment, delivery through leasing and Part V; in the medium term (2018-2020) 17,000 units are proposed to be provided using current funding to support private capital based on off-balance sheet construction. Preparatory work has already commenced on these elements.

In respect of local needs, consideration will be given to the nature of demand for houses and housing types as determined from the housing waiting list. Consideration in the short term also has to be given to the availability of properties available to purchase, rent or lease. In the longer term consideration to be given to the land currently owned and also available to purchase. Preparatory work has already commenced on these elements.

Cllr P. McNally asked:

6. (b) What land has Monaghan County Council available for local authority housing and where is it located?

Reply: The Housing Section has limited own land available for housing. As Members will be aware housing developments are ongoing in Clones; proposals are in place for the refurbishment of houses in Drumillard, Castleblayney and the regeneration proposals in Mullaghmatt, Monaghan, is ongoing. Land is also being acquired in Monaghan Town. A co-ordinated approach is being taken to examine all the other land in the Councils ownership to determine options for its future use and in particular it's suitability for housing. In addition contact is being made with other public bodies to ascertain their land banks and to seek co-operation in its possible use by the Council for various purposes including housing.

7. Has this Council got a compensation package available for landowners who are told not to spread farmyard waste on their land as a result of being adjacent to a water source which is being used for public consumption?

Reply: The EPA as the supervisory authority recommended that Irish Water/Monaghan County Council should ensure that farmers in the immediate vicinity of a water source which is being used for public consumption are notified of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2009 and their responsibilities under these regulations. Irish Water/Monaghan County Council issued an advisory letter to farmers within a 250m buffer to remind them of their responsibilities under the GAP Regs. A pesticides information leaflet was also issued detailing best practice in the use of pesticides to protect drinking water. There is no direct compensation payable to farmers as a result of receiving these advisory letters from Irish Water/Monaghan County Council.

19. Votes of sympathy/congratulations.

It was agreed that the Council extend a vote of sympathy to the following:

- *The French Ambassador to Ireland, Ambassador Thebault, French people living in Ireland and the people of France on the great tragic terrorist attack on Paris on Wednesday 7th January, 2015.*
- *The family of the late Dr. Patrick J. Quinn, The Diamond, Clones who gave a lifetime of service as a doctor to people of Clones and County Monaghan and surrounding areas.*
- *Martin McVicar, Monaghan on the death of his uncle Francis Woods, Eshnaglough, Knockatallon.*
- *Pat and Ann Murray, Council staff on the death of Pat's father, Patrick Murray, RIP, late of Keady.*
- *Mary Murray, Council staff on the death of her father Owen McMahon, RIP, late of Drollagh, Castleblayney.*
- *The wife and family of the late John E. Keenan, RIP a former Solicitor in Monaghan town who gave a lifetime of service to the people of Monaghan and surrounding areas.*

Cllr McNally, Cathaoirleach appealed to the public and community groups to assist in the search for Kevin McAree from Emyvale who has been missing from his home since early December.

It was agreed that the Council extend a vote of congratulations to the following:

- *Mitchel McLaughlin, MLA for South Down on his election as Ceann Comhairle/Speaker of Assembly in the Stormont Assembly.*
- *His Excellency Kevin Vickers, newly appointed Canadian Ambassador to Ireland and that an invitation be extended to the Ambassador to address a meeting of Monaghan County Council as per the long standing tradition.*

Urgent Business:

(i) Cllr Coyle proposed, Cllr Gallagher seconded

That Monaghan County Council initiate a meeting with Ulster Council G.A.A., Monaghan County Board G.A.A. and St. Tiernachs G.A.A. Club, Clones to assist the G.A.A. and identify priorities of the Clones Town Development plan 2013-2019, to allow for the redevelopment of St. Tiernach's Park, Clones as the venue for all Ulster G.A.A. finals, major provincial and national games in the future.

A lengthy discussion took place during which members expressed support for the proposal that St. Tiernach's Park should be developed as the venue for all Ulster GAA finals, given the recent court decision in relation to the planning permission to develop Casement Park in Belfast. It was noted that the Ballybay-Clones M.D. had been in contact with the St. Tiernach's Club and the Ulster Council in relation to a meeting. Whilst it was agreed that the Ulster Final was a huge economic benefit to the town of Clones, members agreed that the county as a whole would derive benefit. It was therefore important that Monaghan County Council, as the premier body, should be seen to be supporting the retention and development of St. Tiernach's Park as the venue for future Ulster Finals.

Cllr Coyle stated that the Clones Peace Link sports facility could be used in conjunction with St. Tiernach's Park as it could be used for team warm-ups, preparations and meetings and this would be a major selling point that could be offered to the whole re-development project.

On the proposal of Cllr B. McKenna, seconded by Cllr McNally it was agreed that the Council could send representatives to the meeting being arranged by the Ballybay-Clones M.D.

On the proposal of Cllr McPhillips, seconded by Cllr Bannigan, it was agreed that Monaghan County Council fully supports the retention of the Ulster Football Final and other major GAA events at St. Tiernach's Park Clones and pledges support to such endeavours

(ii) Cllr Coyle proposed, Cllr McNally seconded

That Monaghan County Council seeks an immediate meeting with Oireachtas Members for the Cavan/Monaghan Constituency, to brief them on the consequences for the people of Clones and its surrounding area, of the closure of the Social Welfare Branch Offices in Clones Town, and to seek through the Oireachtas members, a meeting with the Minister for Social Protection, An Tanaiste, Joan Burton T.D. a meeting to reverse the closure decision, with enhanced Branch Offices for the town of Clones.

(iii) Cllr P. Treanor proposed, Cllr Bennett seconded

That Monaghan County Council expresses its alarm at the closure of the Social Welfare Office in Clones and the loss of another service to the town. That we seek an urgent meeting with the Minister for Social Protection, Joan Burton and with Oliver Egan and Seán Reilly of the North East Divisional Management to request the reversal of this decision.

Following a discussion on both motions, the Cathaoirleach put the motions to the meeting and they were agreed unanimously.

(iii) Cllr Gallagher proposed, Cllr O'Hanlon seconded

That this Council calls on the Minister for Health, Leo Varadkar TD and the Fine Gael led Government to take immediate action to tackle the crisis engulfing every A & E in order to protect patients at risk.

Following a short debate, the Cathaoirleach put the motion to the meeting and it was agreed unanimously.

February Council meeting:

It was agreed that the February Council meeting would commence at 10.00 on the 2nd February and that the meeting would continue until all business on the agenda was dealt with.

The meeting then concluded.