

**Minutes of meeting of Monaghan County Council held in the Mtek Building, Armagh Road, Monaghan on Monday 2<sup>nd</sup> July, 2012 at 10.00 am.**

**Chair:** Cllr H. McElvaney, Mayor.

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

Mr. D. Fallon, A/County Manager, Mr. P. Clifford and Mr. A. King, Mr. D. Treanor, Directors of Service, Mr. J. McNally, A/Head of Finance, Mr. A. Hughes, Senior Planner, Ms. K. McKenna, Clerical Officer and Ms. C. Thornton, Meetings Administrator.

**1. Confirmation of Minutes:**

- (i) *On the proposal of Cllr Carville, seconded by Cllr S. Treanor it was agreed that the minutes of the Council meeting held on 5<sup>th</sup> June, 2012, be confirmed.*
- (ii) *On the proposal of Cllr Carville, seconded by Cllr P. Treanor it was agreed that the minutes of the Annual Council meeting held on 18<sup>th</sup> June, 2012, be confirmed.*
- (iii) *On the proposal of Cllr Carville, seconded by Cllr McElvaney it was agreed that the minutes of the adjourned June Council meeting held on 18<sup>th</sup> June, 2012 be confirmed.*

**2. Correspondence:**

The following correspondence was circulated with the agenda –

- Letter from the Minister for Jobs, Enterprise and Innovation regarding redundancy and fair treatment for the former employees of Game, Monaghan.
- Letter from the Minister for Jobs Enterprise and Innovation in relation to the protest by workers from the Lagan Brick factory in Kingscourt, Co. Cavan.
- Letter of acknowledgement from the Minister for Arts, Heritage and the Gaeltacht in relation to the preservation of 10-25 Moore Street, Dublin.
- Letter from the National Roads Authority in relation to funding for the N2 Clontibret to the Northern Ireland Border Road Scheme.
- Letter from the Department of Social Protection in relation to social welfare payments for unemployed self employed persons.
- Letter from the Minister for Public Expenditure and Reform regarding pension arrangements for Ministers, T.Ds., and Senators.
- Letters of acknowledgement from the Minister for Health and the Health Service Executive regarding the Council's resolution calling for the extension of the Long Term Illness Scheme to include rheumatoid arthritis/lupus as a long term chronic illness.

- Letter from the Minister for Health declining a meeting with the Council in relation to the closure of kitchen facilities at St. Marys and Monaghan General Hospitals.
- Letter from Coillte in relation to the installation of an electronic barrier and entrance fees at Rossmore Forest Park.
- Letter of acknowledgement from An Post in relation to the remuneration of sub-postmasters.
- Letter from the Data Protection Commissioner in response to query from the Council regarding access to housing allocation information.
- Resolution from Galway City Council regarding the imposition of charges for the supply and fitting of water meters.
- Letter from Newry & Mourne District Council regarding the provision of healthcare planning.
- Letter from Lagan Cement Group Limited regarding the closure of Lagan Brick, Kingscourt.
- Letter from the Minister for the Environment regarding the Council's resolution on the awarding of public contracts to the Lagan Group.
- Letter of acknowledgement from the Department of Communications, Energy and Natural Resources regarding the Council's resolution in support of the enhancement of services in rural post offices.

#### **Proposals arising out of correspondence:**

*On the proposal of Cllr Gallagher, seconded by Cllr Coyle it was agreed that Monaghan County Council calls on the Minister for Social Protection, Joan Bruton TD to ensure that the self-employed who find themselves un-employed be entitled to the same benefits as all other workers who find themselves in unemployment.*

Cllr Gallagher requested that the resolution be forwarded to the Advisory Group on Tax and Social Welfare.

*On the proposal of Cllr Connolly, seconded by Cllr S. Treanor it was agreed that the Roads Section be requested to liaise with Coillte in relation to what can be done to eliminate the practice of parking on the Cootehill and Threemilehouse Roads and facilitate motorists who wish to park in safety and that the Council request a reduction in the entrance fee charged to users of the forest park.*

*On the proposal of Cllr Coyle, seconded by Cllr Gallagher it was agreed that the Council calls on the Minister for Social Protection, Joan Burton TD and the Government to re-allocate resources/staff to the immediate expedition of the processing of processing of Social Welfare payment applications i.e. Carers Allowance and Disabled Persons Allowance/Benefit, as the current waiting times for decisions are scandalous.*

*On the proposal of Cllr Coyle, seconded by Cllr O'Brien it was agreed that the Council contact all Oireachtas members for Cavan/Monaghan, seeking their assistance to expedite an immediate meeting with the Minister for Health Dr. James Reilly TD, as requested by the elected members at the October 2011 meeting to discuss the ongoing removal of hospital services in County Monaghan.*

*On the proposal of Cllr B. McKenna, seconded by Cllr P. Treanor it was agreed that the Council write to the Oireachtas Members for the county requesting that they lobby the National Roads Authority to ensure that funding is provided in 2013 to progress the N2 Clontibret to the Northern Ireland Border Road Scheme project to the Design Phase, so that the route corridor is reduced to circa 100 metres.*

*On the proposal of Cllr B. McKenna, seconded by Cllr P. Treanor it was agreed that the Council write to Minister Phil Hogan, T.D., requesting that he bring forward legislation that would prevent companies from tendering for public contracts or being awarded contracts where they are found to be in breach of good employment practices and company law.*

*On the proposal of Cllr P. Treanor, seconded by Cllr B. McKenna it was agreed that the Council write to the Department of Education enquiring how many former construction workers in County Monaghan have been re-trained with the assistance of the EU Globalisation Programme for former Construction Workers and how much of this grant has been drawn down.*

*On the proposal of Cllr Coyle, seconded by Cllr Gallagher, it was agreed that the elected members who have made representations in support of an applicant for housing accommodation to Monaghan County Council be informed immediately of an offer by the Housing Section of a tenancy to the applicant.*

### **3. Part VIII Local Government (Planning and Development) Regulations 2001 –**

(i) To consider granting permission for a Pilot scheme to form a 5.5ha Willow plantation irrigated with final discharge quality water from Knockatallon Sewage Treatment Works at Corlat and Knocknageeha, Knockatallon, Co Monaghan. (Ref 12/8009)

The Members considered the Manager's report dated 25<sup>th</sup> June, 2012 which recommended that the Council proceed with the development, as proposed, subject to a number of conditions.

*On the proposal of Cllr B. McKenna, seconded by Cllr Connolly, it was agreed that the Council approve the development of a Pilot scheme to form a 5.5ha willow plantation irrigated with final discharge quality water from Knockatallon Sewage Treatment Works at Corlat and Knocknageeha, Knockatallon, Co Monaghan (Ref 12/8009) to comply with the Manager's Report dated 25<sup>th</sup> June, 2012 and in accordance with Part VIII of the Local Government (Planning and Development) Regulations 2001.*

(ii) To consider granting permission for the development of a well for the abstraction of groundwater, erection of security fencing, installation of well chambers, kiosk and all associated site works at Trostan, Carrickmacross, Co Monaghan. (Ref 12/8004)

The Members considered the Manager's report dated 25<sup>th</sup> June, 2012 which recommended that the Council proceed with the development, as proposed, subject to a number of conditions.

*On the proposal of Cllr Murray, seconded by Cllr O'Brien, it was agreed that the Council approve the development of a well for the abstraction of groundwater, erection of security fencing, installation of well chambers, kiosk and all associated site works at Trostan, Carrickmacross, Co Monaghan. (Ref 12/8004) to comply with the Manager's Report dated 25<sup>th</sup> June, 2012 and in accordance with Part VIII of the Local Government (Planning and Development) Regulations 2001.*

#### **4. Student Grant Scheme 2012**

The Members noted the changes to the Student Grant Scheme 2012 which had been circulated with the agenda for the meeting.

#### **5. To consider amendment of Intoxicating Liquor Bye laws - to include the townland of Onomy, Castleblayney**

The Members were advised that Castleblayney Town Council has requested Monaghan County Council to amend its existing Bye Laws for the Regulation and Control of the Consumption and Possession of Intoxicating Liquor in public places to include the townland of Onomy, Castleblayney, which is outside of the Town Council boundary.

*On the proposal of Cllr Crowe, seconded by Cllr O'Brien it was agreed that the Council proceed to amend the existing Bye Laws for the Regulation and Control of the Consumption and Possession of Intoxicating Liquor in public places to include the townland of Onomy, Castleblayney – the revised Bye Laws to be placed on public display and submissions invited from the general public.*

#### **6. To receive a Presentation from Grontmij Consultants on the N2 Clontibret to the N.I. Border Road Scheme Preferred Route Corridor**

The Mayor welcomed Mr. Steve Wallace, Grontmij Consultants, Con McCrossan, Senior Executive Engineer and Ms. Marie Smyth, A.O. Roads Section to the meeting. He invited Mr. Wallace to address the members.

Mr. Wallace presented the preferred route corridor for the N2 Clontibret to the Northern Ireland Border Road Scheme. He responded to queries from the members in relation to the preferred route corridor

*On the proposal of Cllr Conlon seconded by Cllr Connolly it was agreed that if and when the N2 Clontibret to the Northern Ireland Border Road Scheme is commenced that the bypass of Emyvale Village is undertaken as phase 1 of the project.*

*On the proposal of Cllr McNally, seconded by Cllr Gallagher it was agreed that the Council notify Donegal County Council in relation to the selection of the preferred route corridor for the N2 Clontibret to the N.I. Border Road Scheme.*

**7. To endorse Position Paper on the proposed role of the Local Authority Led Cross Border Groups in the INTERREG VA Programme**

Cllr Crowe outlined the background to the preparation of the Position Paper on the proposed role of the local authority led Cross Border Groups in the Interreg VA Programme. This paper will be used to lobby the Department of Finance and Personnel, Department of Public Expenditure and Reform (DPER) and Special European Programmes Board (SEUPB) as authors of the next programme, as well as the North South Ministerial Council to ensure an enhanced and significant role for the local authority led cross border partnerships. This paper will also be used to feed into the Special European Programmes Board autumn consultation. It essentially calls for a return to a similar delivery model that local government led partnerships implemented through partnership in INTERREG IIIA and to avoid the mistakes of INTERREG IVA. The model will adhere to the Community led Local Development model as outlined in Article 28 of the General Regulation of the European Union.

*On the proposal of Cllr Crowe, seconded by Cllr P. Treanor it was agreed that Monaghan County Council approve the proposed INTERREG V model as a partner of the East Border Region Partnership and the Irish Central Border Area Network.*

**8. To fix dates for the following Committee meetings:**

**(i) Landfill sub-Committee meeting**

It was agreed that a meeting of the Landfill sub-Committee would be held on 10<sup>th</sup> July, 2012 at 10.00 am in the Mtek 2 Building.

**(ii) Muckno sub-Committee:**

It was agreed that a meeting of the Muckno sub-Committee would be held on Tuesday 3<sup>rd</sup> July, 2012 at 3.00 pm in the Council HQ, The Glen.

**9. To receive reports from Members attending Conferences**

The Members noted the reports from Cllrs Bannigan, Carville, Coyle, Crowe, Gallagher, Maxwell, McElvaney, B. McKenna, McNally, Murray, and O'Hanlon in relation to their attendance at the following conferences –

- Living Landscape Seminar, Clifden, Co. Galway
- A Guide to getting the right work done, Castletroy, Limerick
- TJK Conferences Planning Seminar, Limerick
- ACCC Spring Conference Kilkenny
- The Councillor and the Environment, Ballyvaughan, Co. Clare.
- LAMA Spring Seminar, Waterford.
- BMW Regional Assembly Annual Conference, Castlebar, Co. Mayo
- Political & Civic Collaboration Programme, An Creagán, Omagh

## **10. Proposed Eirgrid 440kv Interconnector**

Cllr Bannigan advised the members that the Joint Oireachtas Committee on Communications, Natural Resources and Agriculture had published its report on the Meath/Tyrone Interconnector. He gave a brief synopsis of the report and outlined the recommendations contained therein.

*On the proposal of Cllr Bannigan, seconded by Cllr Murray it was agreed that the Council write to the Minister for Communications, Energy and Natural Resources Mr. Pat Rabbitte, T.D., requesting that a full independent cost benefit analysis of undergrounding -v- overgrounding of the North South Interconnector be carried out/ published as recommended by the Joint Oireachtas Committee on Communications, Natural Resources and Agriculture.*

*It was further agreed that EirGrid re-commence the public consultation process and involve local communities in the early stages of it, as recommended by the Oireachtas Committee and as being carried out on the proposed line from Kildare to Cork via Wexford.*

*On the proposal of Cllr O'Hanlon, seconded by Cllr Keelan it was agreed that the Council write to the Minister for Communications, Energy and Natural Resources Mr. Pat Rabbitte, T.D. enquiring if he is happy with the expenditure incurred to date by EirGrid in connection with the North South Interconnector.*

## **11. Business submitted by County Manager:**

### **Community Development Fund 2012 – Allocation of grants:**

Mr. D. Fallon, A/County Manager referred to the recommendations from the Corporate Policy Group meeting held on 29<sup>th</sup> June together with the Report detailing the allocations.

Mr. A. King, Director responded to queries from the members in relation to the grant allocations.

Cllr P. Treanor requested that the CPG would review the spread of expenditure across the county to ensure, as far as possible, a balanced allocation of grant funding in each electoral area.

*On the proposal of Cllr B. McKenna, seconded by Cllr J. O'Brien it was agreed that the Council adopt the recommendation of the Corporate Policy Group in relation to the allocation of grants under the Community Development Fund 2012.*

*On the proposal of Cllr Connolly, seconded by Cllr B. McKenna, it was agreed that the Council accept the appeal from the Ballinod Community Projects in relation to their amalgamation of 2010 and 2011 funding for one project (without written permission from MCC), but that the application for 2012 be deemed late and not accepted.*

### **European Police Fishing Competition:**

Mr. D. Fallon, A/County Manager stated that he had received correspondence from Mr. Dick Caplice, Organising Committee for the European Police Fishing Competition which is being held at Lough Muckno in October 2012. The group were seeking financial support from the Council towards the hosting of the competition.

*On the proposal of Cllr Murray seconded by Cllr Maxwell it was agreed that an amount of €1,000 be allocated towards the European Police Fishing Competition, as recommended by the Corporate Policy Group.*

*On the proposal of Cllr B. McKenna, seconded by Cllr Maxwell it was agreed that the minutes of the CPG meeting held on 29<sup>th</sup> June, 2012 be adopted.*

### **Gate House at Hope Castle:**

Mr. D. Fallon, A/County Manager advised the Council that he had been approached by Co. Monaghan VEC who are interested in acquiring a short term lease of a Gate House at Hope Castle for a particular project they are involved in – namely the provision of a ‘community men’s shed’. The County Manager stated that he was seeking approval ‘in principle’ to the granting of a lease. If the Council is agreeable, then a formal Section 183 disposal notice will be prepared for consideration at the next meeting.

*Cllr Bannigan proposed, Cllr Crowe seconded that the Council support this project and congratulate all involved in it and that the disposal be approved ‘in principle’.*

Cllr B. McKenna stated that he was not in favour of granting a lease until such time as all outstanding matters relating to Lough Muckno/Hope Castle are sorted. He suggested that the matter be referred to the Lough Muckno sub Committee.

Cllr Bannigan’s proposal was put to the meeting. A vote by show of hands resulted in 14 for, nil against and four abstentions. The Mayor declared the proposal carried.

### **Clones/Erne East Sports Project:**

*On the proposal of Cllr Coyle, seconded by Cllr McPhillips it was agreed that the members enter ‘into Committee’ to discuss this matter, in accordance with Section 45 of the Local Government Act 2001.*

Mr. A. King briefed the Members in relation to the current status of the tendering process for this project following the need to re-tender some elements of it. A brief discussion followed to which a number of members contributed.

Cllr P. Treanor suggested that the Council would write to SEUPB asking that body to consider allocating additional grant funding to cover any excess expenditure that might be incurred as a result of the re-tendering process.

Cllr Carthy requested that a full report be brought to the Council before any decision is taken to allocate additional funding to this project.

Following the discussion the meeting returned to public session.

**12. Matters arising out of minutes of meetings held on 5<sup>th</sup> and 18<sup>th</sup> June, 2012.**

Matters arising out of the minutes of meetings held on 5<sup>th</sup> and 18<sup>th</sup> June 2012 were responded to by the relevant officials.

**13. To receive Presentation from Dr. Ciaran Byrne, Chief Executive, Inland Fisheries Ireland and Mr. Peter Walsh, Secretary, Irish Angling Development Alliance:**

The Mayor welcomed Dr. Ciaran Byrne, Chief Executive, Mr. Ronan O'Brien Inland Fisheries Ireland and Mr. Peter Walsh, Irish Angling Development Alliance to the meeting.

Dr. Byrne thanked the Mayor and Members for the opportunity to address them. He stated that the principal function of Inland Fisheries Ireland is the protection, management and conservation of the inland fisheries resource. Regarding the perception that there is no fish left in the lakes in the county, Dr. Byrne stated that this is not true – biologists tell us that many of the county's lakes and rivers are 'teeming with fish'. Whilst acknowledging that illegal fishing does happen, he stated that things are not as bad as people make out. The reality is that it would be virtually impossible to 'fish out' a lake and there are a number of other factors impacting on fish stocks – the main problem being the presence/threat of non-native invasive species. He also referred to other issues such as anti social behaviour; littering and angler experience. The decline in the number of visiting anglers from England is due to a number of change factors ie – the market place, the angler profile and the angler experience (wild v stocked). Ireland is now competing with international markets and the biggest competitor in the coarse fishing market is Holland. Inland Fisheries Ireland is attending roadshows in England to start the process of re-engaging with British anglers. It had spent over €100,000 on surveys this year to determine the fact about the markets they needed to target.

Following his presentation, Dr. Byrne responded to queries from a number of members.

Mr. Peter Walsh, Secretary, IADA then addressed the Members. He concurred with the comments of Dr. Byrne. He stated that there has been a huge reduction in the level of illegal taking of fish from lakes. The problem of the commercial taking of fish from waters has not been experienced to any great degree in County Monaghan. There had been cases of non Irish nationals removing fish from lakes but he did not think the problem was anywhere near the levels that people thought it was. The IADA has been engaging with the foreign national community recently. He further stated that Monaghan has great potential to grow as a tourism angling venue but the problem of non-native invasive species has to be addressed. He also referred to the need for up-to-date information to be available to visiting anglers and he suggested the production of a DVD involving recognised local angling experts and also the



development of specialist and dedicated accommodation facilities for those who come to the county to fish. There is also a need to provide and promote the availability of bait, tackle, equipment, guides, gillies and transport. He called for the design and publication of a dedicated angling website for Co. Monaghan and called for more fishing festivals to be organised in the county.

Mr. Walsh responded to queries from the Members.

The Mayor then thanked Dr. Byrne and Mr. Walsh for their very informative presentations and wished them well in their respective positions.

#### 14. Questions:

##### Cllr P. Connolly asked:

1. In relation to the recent award of €471,000 to Monaghan County Council from the Dept of Transport Tourism and Sport to establish a Greenway cycle path through Monaghan town using the disused Ulster Canal tow-path when is this project likely to commence and is there a specific period within which funds must be drawn down?

**Reply:** *The funding which has been secured from the Dept of Transport, Tourism & Sport is in respect of a 4km 'greenway' walking/cycling path along the tow path of the Ulster Canal through Monaghan town. Monaghan County Council is working with Monaghan Town Council to prepare a full schedule for the project. When this is to hand, we will be able to give firmer dates for completion. The funding is available until the end of 2013, with the possibility of an extension to the time period if required.*

2. To ask if Monaghan County Council that in view of the fact that a housing development comprising 20 houses, Coolshannagh Walk, without a recreation/play area and an industrial unit with heavy traffic movements, if they will consider moving the 50 kph speed limit on the Coolshannagh Road 300 /400 metres towards Ballyalbany thereby improving road safety on this stretch of road?

**Reply:** *This speed limit is located within the administrative area of Monaghan Town Council. The river Blackwater marks the boundary between the town and county area. If the proposal is to move the speed limit to the north of the river it can be referred to the next meeting of the Monaghan County Council Speed Limit Committee.*

3. Further to the recent Radon measurement survey which was carried out by Monaghan County Council were there any indications of areas in the county that are more susceptible to high levels of radon (200Bq/m<sup>3</sup>)?

**Reply:** *Following on the national survey carried out by the Radiological Institute of Ireland (RPII) in 2007 which indicated that some areas of County Monaghan maybe at risk of high levels of Radon Gas occurring, the Council decided to test all its rented housing stock to check such levels. The first phase of Monaghan County Council's testing programme was to test all the houses in the areas shown on the*

*RPII prediction map where the percentage of homes with radon concentrations above 200 Bq/m3 was greater than 1%.*

*239 houses have been tested so far which represents 17% of all Local Authority Housing stock tested to date. All areas shown on the RPII prediction map where the percentage of homes with radon concentrations below 200 Bq/m3 was less than 1%, remain to be tested. The complete testing programme is scheduled on a phased basis and will take 4 to 5 years to complete.*

*The results from the first phase of testing indicate that nine houses had readings above 200 Bq/m3. Eight of these houses are in the Castleblayney Area which is situated in an area on the RPII prediction map where the percentage of homes with radon concentrations above 200 Bq/m3 was between 10% and 20%. The other house was in the Inniskeen Area which is situated in an area on the RPII prediction map where the percentage of homes with radon concentrations above 200 Bq/m3 was over 20%.*

**Cllr P. Connolly asked:**

4. To ask Monaghan County Council for an update in relation to progress being made regarding unfinished housing developments?

*Reply: The Council have identified 41 unfinished housing developments within the County. These have been categorised in accordance with guidelines issued by the Department of the Environment, based primarily on each developments potential public health risk*

*Remedial works have been carried out on the three most serious developments (category 4) following the receipt of grant aid from the Department under the Unfinished Housing Developments Project.*

*The Planning Section has met with developer / responsible financial institution in respect of 31 of the remaining 38 developments (category 1 -3), in an attempt to agree acceptable site resolution plans.*

*Formal enforcement proceedings have been commenced in respect of 31 cases. Formal court proceedings have been successfully progressed in one of these cases. The Council has requested the payment of the associated security bond in 9 cases, although to date no money has been received. The first of these bonds claimed is now the subject of High court proceedings.*

**Cllr P. McNally asked:**

5. (a) Has this Council received any response from the OPW regarding October flooding at Drumgoan, Carrickmacross?

*Reply: The OPW has replied to Monaghan County Council. The OPW are of the opinion that the river channel was capable of taking the flow and that the flooding was caused by a back-up from the road bridge.*

- (b) Did the Planning Section examine if any unauthorised development caused part of the same flooding?

**Reply:** *A complaint was received by the Planning Section on 06 January 2012 alleging that unauthorised works had been carried out at Drumgoan, Carrickmacross. Following a site inspection, a Warning Letter was issued to Mr. Cyril Meegan (landowner) on 22<sup>nd</sup> February 2012 in respect of, inter alia, an extension of his yard into the adjoining watercourse, in addition to the construction of a retaining wall along its boundary. The site was subsequently re-inspected and it was confirmed that the alleged unauthorised development remained in place. The development remains the subject of ongoing enforcement action.*

**Cllr P. McNally asked:**

6. Has this Council put in place a proper emergency plan to deal with future serious flooding events?

**Reply:** *Monaghan County Council has an emergency plan in place to deal with emergencies such as serious flooding: We are presently introducing a Flood Risk Monitoring System for County Monaghan.*

**Cllr M. Carthy asked:**

7. What is the most up-to-date position regarding the proposed Group Home for women with physical and sensory disabilities in Carrickmacross?

**Reply:** *The Department Inspector met with the Housing technical staff on the 6<sup>th</sup> June to discuss the revised plans submitted by RESPOND on the 24<sup>th</sup> May. These plans were given directly to the Inspector at this meeting and he appeared satisfied that the issues raised had been addressed. The complete project file has again been sent to the Inspector seeking his approval and we are now awaiting his official written report. Further correspondence has issued to the Department stating the urgency of this matter and requesting the report as soon as possible. Monaghan County Council will ensure that every effort is made to get the project on site before the end of the year.*

8. Further to correspondence received by the Council explaining that work is required on 9 local authority houses to reduce the risk of Radon Gas emissions:
  - when will the works be carried out?
  - Are the houses identified in a particular geographical area and, if so, will the Council inform private homeowners in those vicinities that there may be a risk?

**Reply:**

*- Remediation works to the nine houses as described in the correspondence is completed and each house will now be re-tested.*

*- Eight of the houses are in the Castleblayney Area, which is situated in an area on the RPII prediction map where the percentage of homes with radon concentrations above 200 Bq/m<sup>3</sup> was between 10% and 20%. The other house was in the Inniskeen Area which is situated in an area on the RPII prediction map where the percentage of homes with radon concentrations above 200 Bq/m<sup>3</sup> was over 20%.*

*A public Seminar on Radon organised by Monaghan County Council was held in the Glencarn Hotel on 21<sup>st</sup> September 2011.*

*Details are available on the RPII website [www.rpii.ie](http://www.rpii.ie) for private homeowners to arrange their own radon measurements and a list of companies who carry out such measurements is also provided.*

9. Since the introduction of the Development Contributions Scheme by Monaghan County Council how much finance has been raised for community development? How much of this was received as a result of electronic mast developments?

**Reply:** *Since the adoption of the revised development contribution scheme in December 2008, €1,300,262.54 has been collected on foot of the Community, Recreation and Amenity levy. Of this, €551,952 was collected in respect of telecommunication masts.*

**Cllr M. Carthy asked:**

10. Has Monaghan County Council sought legal advice on the legality or otherwise of the Council's Differential Rent Scheme which discriminates against couple's renting local authority houses who both receive Social Welfare payments? If not, will the Council now seek legal advice on same?

**Reply:** *Monaghan Co. Council has not sought legal advice on the legality of the Council's Differential Rent Scheme and does not intend to do so.*

*Monaghan Co. Council's Differential Rent Scheme has been in operation since 2005. The Department of the Environment, Heritage & Local Government has informed us that new guidelines will be issued from their department for a national Differential Rent Scheme in the near future.*

11. How many landowners who were subject to the Carrickmacross By-pass CPO have requested the option of having a portion of their lands returned to them? In how many cases where some lands acquired by CPO were excess to requirements was the request to re-buy refused?

**Reply:**

1. *Number of Requests: 13*
2. *Number processed or in the course of being processed: 5*
3. *Number refused: 3*
4. *Number of requests from interested parties outside of CPO: 2*
5. *Number not finalised either due to lack of interest or otherwise from requested party: 3*

**Cllr A. Murray asked:**

12. (a) What has been the approximate cost to Monaghan Co Council from January to date this year of disposing of diesel waste dumped in the County?

**Reply:** *To date in 2012 Monaghan County Council has dealt with 39 separate incidents of diesel wash dumping with again the vast majority of these incidents taking place in the border regions of both the Castleblayney and Carrickmacross Electoral Areas. Approximately, 225,000 kgs of waste (225 tonnes) have been dealt with at these sites since the beginning of 2012. Costs incurred in dealing with the diesel wash waste during the time period October 2011 to March 2012 were approx €174,000.*

- (b) Is this cost recoverable from any source?

**Reply:** *To date all costs incurred by Monaghan County Council in dealing with diesel wash have been recovered from The Department of Environment Community and Local Government. The most recent claim was made to the department on May 25<sup>th</sup> 2012 for costs incurred between October 2011 to March 2012. A payment of €173,767 was subsequently received from the Department on June 11<sup>th</sup> 2012 to cover these costs. To date the costs have been 100% recoverable from the Department. A listing of the monies revived to date from the Dept is provided in the table below.*

<b><i>Diesel Wash Claim Details</i></b>	<b><i>Amount</i></b>
<i>Claim 1 to Dept: December 2003</i>	<i>€168,357</i>
<i>Claim 2 to Dept: November 2004</i>	<i>€279,000</i>
<i>Claim 3 to Dept: November 2005</i>	<i>€327,322</i>
<i>Claim 4 to Dept: September 2006</i>	<i>€273,882</i>
<i>Claim 5 to Dept: March 2008</i>	<i>€72,812.83</i>
<i>Claim 6 to Dept: August 2008</i>	<i>€60,711.51</i>
<i>Claim 7 to Dept: October 2008</i>	<i>€48,903.65</i>
<i>Claim 8 to Dept: June 2009</i>	<i>€19,008.68</i>
<i>Claim 9 to Dept: August 2009</i>	<i>€27,622.60</i>
<i>Claim 10 to Dept: April 2010</i>	<i>€28,414.38</i>
<i>Claim 11 to Dept: November 2011</i>	<i>€89,588.00</i>
<i>Claim 12 to Dept: May 2012</i>	<i>€173,767.65</i>
<b><i>Total Claimed and received to date from Dept</i></b>	<b><i>€1,569,390</i></b>

**Note:** *Since Monaghan County Council made its previous claim to the Dept in May there have been further significant costs incurred due to the large number of incidents during May and June. A significant volume of waste is again in storage at Scotch Corner pending removal off site and subsequent treatment abroad. A detailed costing has yet to be submitted but the costs to handle these wastes is likely to be in the region of €75,000. A claim for these costs will be submitted to the Department most likely during August.*

- (c) Would the Council consider installing cameras in camouflaged positions, especially along border roads which would aid in preventing this illegal activity and also help in the anti litter campaign.

**Reply:** *The dumping of diesel wash is problem that primarily occurs along the border along an area stretching from Annyalla in the Castleblayney area to Inniskeen in the Carrickmacross Electoral Area. As diesel wash dumping can occur effectively anywhere on any road within this large area it would be extremely expensive and logistically virtually impossible to effectively erect CCTV units to attempt to identify those responsible.*

**Cllr A. Murray asked:**

13. Re Carrickmacross Sewerage Scheme: A number of people in the Carrickmacross area are concerned about the best and most economic way to connect to the sewerage scheme. How is the Council assisting with regard to this issue?

**Reply:** *Monaghan County Council will liaise with all applicants for connection to the Carrickmacross Sewerage network. Concerned applicants may contact Water Services directly in relation to this matter.*

**Cllr D. Maxwell asked:**

14. Can Monaghan County Council provide solar panelled speed indicator signage on both sides of the approaches to Drumacrutin National School Dunraymond Monaghan?  
There is an issue with road safety at this location, speed of cars being paramount and how they can be slowed to a safer speed. There have been two accidents at this location at collection times.

**Reply:** *Monaghan County Council proposes to put Speed Bar lines on the approach road to this school.*

15. Can Monaghan County Council look into safety measures at the crossroads below Billis national school on the Glaslough to Monaghan town road there is a problem with sight lines and speed at this location can there be solar panelled speed indicator signage installed or some other measures looked at this location.

**Reply:** *The grass has been trimmed at this junction to improve the sight lines.*

16. Can Monaghan County Council give a full update on the awarding of the tender for construction of the next phase of Emyvale Road realignment the tenders for which were opened a number of weeks ago?

**Reply:** *Monaghan County Council's consultants are presently evaluating the tenders received and we hope to be soon in a position to award the contract.*

**Cllr G. Carville asked:**

17. Has Monaghan County Council engaged with the Procurement in Local Government initiative spearheaded by Kerry County Council ([www.LAQuotes.ie](http://www.LAQuotes.ie)) and what benefits have accrued to the Council to date in terms of actual financial savings and other efficiencies?

**Reply:** *Monaghan County Council have engaged with the LAQuotes online annual quotation system since 2007 for procurement of plant hire, road making materials supplies and services. Efficiencies and savings arise from more competitive pricing and a reduction in the administrative overheads associated with running multiple procurement competitions. It is estimated that there is a recurring cost saving for all local authorities nationally which use the LAQuotes system of approximately €58 million per annum.*

18. In view of the concerns raised by residents of The Willows, on the Shercock Road in Castleblayney, concerning the safety of vehicles turning into their estate as a result of the positioning of the junction for the slip road to the Castleblayney By-Pass, has this Council engaged with the National Roads Authority in seeking funding for improvements as the present problems have been largely caused by the development of the By-Pass?

**Reply:** *Monaghan County Council will discuss the residents' concerns with the National Roads Authority.*

19. What is the up to date position with regard to the proposed playground and other works at Lough Muckno in Castleblayney? When is it proposed that work will substantially begin?

**Reply:** *There are two playgrounds currently in development for the old caravan park at Lough Muckno; one is for young children, the other for older children. Both projects are well advanced regarding their design, and an application for planning permission will be made by Monaghan County Council to Castleblayney Town Council within the next ten days. Tender documents are currently being prepared so that the procurement process for contractors will be carried out as quickly as possible following receipt of planning permission. It is hoped to have a contractor appointed before the end of 2012, and to have the playgrounds completed in time for summer 2013.*

**Cllr S. Conlon asked:**

20. For the purpose of (a) enabling continuity of the proposed cycling and pedestrian path along the realigned sections of the Monaghan to Emyvale Road and (b) enhancing road safety, is consideration being given to the provision of a path along the first phase of the realigned road that has been completed but without such path.

**Reply:** *Monaghan County Council will discuss this matter with the National Roads Authority Road Safety Engineer.*

**Cllr S. Conlon asked:**

21. Following the recent statement by Tánaiste Eamon Gilmore TD who said “the Government was working with NAMA to have houses transferred to the public system so they would be available for people who needed them”, what level of engagement have Monaghan County Council had with the relevant Department that will result in houses being provided for those on the Councils lengthy social housing list.

**Reply:** *Monaghan County Council has had no direct contact with NAMA to date.*

**Cllr N. Keelan asked:**

22. How much useable land, approximately, is in the ownership of Monaghan County Council? Where is this land situated around the county? Is Monaghan County Council getting an income from this land?

**Reply:** *Monaghan County Council owns 2.34 ha of useable land in Mucker, Inniskeen, 0.54 ha in Corrybrennan, Ballybay, 1.44 ha in Clonseady, Magheracloone, 1.12 ha in Brackley, Broomfield and receives rental income from these lands. The Council also owns 1.54 ha of useable land in Carrickmacross, adjacent to the Civic Offices.*

23. How many planning applications for one off rural housing have Monaghan County Council received in 2011. How would this figure compare with applications received in 2008?

**Reply:** *In 2008 Monaghan County Council received 663 No planning applications for single detached rural dwellings. This represented approximately 50% of the total number of planning applications received that year (1334 No). In 2011 the Council received 124 No dwellings for single detached rural dwellings, representing approximately 31 % of the total number of applications received that year (402 No).*

24. Approximately how much money would Monaghan County Council spend each year on the hire of equipment to carry out our road works and to provide other services?

**Reply:** *Monaghan County Council spends approximately €1.4m each year on plant hire.*

25. How many housing developments are deemed unfinished by Monaghan County Council including unfinished estates in the Town Council areas? Will the Planning Office give an overall view as to how works are progressing in terms of having these estates completed to an acceptable standard? What actions are our Planning Section taking to ensure that planning conditions are complied with by the developer of these estates?

**Reply:** *The Council have identified 41 unfinished housing developments within the County. These have been categorised in accordance with guidelines issued by the Department of the Environment, based primarily on each developments*



*potential public health risk. Remedial works have been carried out on the three most serious developments (category 4) following the receipt of grant aid from the Department under the Unfinished Housing Developments Project.*

*The Planning Section has met with developer / responsible financial institution in respect of 31 of the remaining 38 developments (category 1-3), in an attempt to agree acceptable site resolution plans. Formal enforcement proceedings have been commenced in respect of 31 cases. Formal court proceedings have been successfully progressed in one of these cases. The Council has requested the payment of the associated security bond in 9 cases, although to date no money has been received. The first of these bonds claimed is now the subject of High court proceedings.*

**Cllr N. Keelan asked:**

26. In relation to the various grant aids available to citizens of our county for housing adaptation, Housing Aid for Older People, and Mobility Aid, how much funding is committed to date for these grants? How much funding is left in the budget?

**Reply:**

- *Monaghan County Council's total allocation for 2012 is €1,152,172.00 of which 80% (€921,736) is recoupable from the Department and the remaining 20% (€230,434) to be funded from within our own budget.*
- *Since 1<sup>st</sup> January, 197 grant applications have been received of which 128 have been approved, amounting to a total commitment of €866,306.50 – leaving a balance of €285,865.50.*
- *The value of the 69 applications awaiting approval is estimated to be approx €360,000.*

**Cllr B. McKenna asked:**

27. In view of the installation of the pedestrian crossing adjacent to houses on the Glen Road what guarantees can Monaghan County Council give to these property owners that this crossing will not impact on any future proposals for development by these property owners?

**Reply:** *These properties, due primarily to their limited plot size, have restricted development potential. It is not envisaged that the location of the pedestrian crossing at this point will have a negative impact on this existing limited potential.*

**16. Votes of Sympathy/Congratulations:**

It was agreed that the sympathy of the Council be extended to the following –

- *Cllr Paudge Connolly on the death of his aunt and godmother Kathleen Donnelly, RIP*
- *Lorraine Murphy and Carmel Murphy employees of Monaghan County Council/Clones Town Council on the death of their mother Mary Kate Brogan, RIP*

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

- *Cavan/Monaghan U-14 Emerging Talent Soccer Team on winning the FAI Kennedy Bowl in Limerick recently with victories over Wicklow, Limerick, Clare, Louth and Meath and particularly the Monaghan based players, Shane McMahon, Jason McBride, Conor Leonard and Michael Bannigan.*
- *The County Monaghan Minor Football on reaching the Ulster Final on 22<sup>nd</sup> July, 2012.*
- *Darren Geary, Monaghan Fire Service on refurbishing two decommissioned fire engines, donated by Monaghan County Council, for the Zinder region of Niger in West Africa.*

## 17. Conferences:

*On the proposal of Cllr Maxwell, seconded by Cllr Coyle it was agreed that the Council be represented at the following conferences by the members listed.*

<b>Promoting Authority</b>	<b>Subject/Theme</b>	<b>Venue</b>	<b>Dates</b>	<b>Members</b>
<b>Training Seminar for Councillors</b>	<b>Local Authority Housing</b>	<b>Kingsvalley Hotel, Dublin Road, Galway</b>	<b>13th-14<sup>th</sup> July</b>	Cllr. O’Hanlon Cllr. McNally Cllr. Maxwell Cllr. Murray Cllr. Bannigan Cllr. McElvaney
<b>Magill Summer School</b>	<b>Reforming and Rebuilding our State</b>	<b>Highlands Hotel, Glenties, Co. Donegal</b>	<b>22<sup>nd</sup> - 27<sup>th</sup> July</b>	Cllr. Coyle Cllr. Gallagher Cllr. P. Treanor Cllr. Connolly Cllr. Maxwell Cllr. Murray Cllr. Bannigan
<b>William Carleton Society</b>	<b>A Decade of Commemorations 2012 - 2022</b>	<b>Corick House Hotel Clogher</b>	<b>06<sup>th</sup> - 9<sup>th</sup> August</b>	Cllr. O’Brien Cllr. Coyle Cllr. Crowe Cllr. Maxwell
<b>Parnell Summer School</b>	<b>Sovereignty and Society</b>	<b>Avondale House &amp; Conference Hall Co. Wicklow</b>	<b>12<sup>th</sup> - 17<sup>th</sup> August</b>	Cllr. Gallagher Cllr. O’Brien Cllr. Conlon Cllr. Carville Cllr. Bannigan Cllr. Murray

**17. Conferences (contd):**

<b>Promoting Authority</b>	<b>Subject/Theme</b>	<b>Venue</b>	<b>Dates</b>	<b>Members</b>
<b>AMAI</b>	<b>Centenary Annual Conference</b>	<b>Shearwater Hotel, Ballinasloe, Co. Galway</b>	<b>13<sup>th</sup> - 15<sup>th</sup> September</b>	Cllr. O'Hanlon Cllr. McNally Cllr. Keelan Cllr. Connolly Cllr. McElvaney

**Urgent Business:**

***(1) Cllr Murray proposed, Cllr McPhillips seconded***

*Re: The Gathering 2013*

*To receive an update on the Council's involvement with the above Government initiative and to propose that the Council take an active role in promoting and co-ordinating events in the county.*

Cllr Murray requested the A/County Manager to update the Council in relation to activities being planned for 'The Gathering 2013'.

The minutes of the first meeting of the recently formed Tourism Sub-Committee were circulated to the Members.

In response to Cllr Murray, the A/County Manager stated that he would issue a statement on the matter.

***(2) Cllr Carthy proposed, Cllr Conlon seconded***

*That Monaghan County Council calls on the Government to introduce a Universal Service Obligation on mobile phone operators to ensure that all areas in this state have adequate mobile phone coverage. That we ask the Government to put this obligation in place prior to new licences being put up for auction which is expected shortly.*

The motion was put to the members and agreed. It was further agreed that the motion would be forwarded to the Minister for Communications.

The meeting then concluded.