

Minutes of Meeting of Monaghan County Council held in the Mtek Building, Armagh Road, Monaghan on Tuesday 8th June, 2010 at 10.00 a.m.

Chair: Cllr S. Treanor, Deputy Mayor.

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

Mr. D. Nelson, County Manager, Mr. P. Clifford, Mr. A. King, Mr. D. Fallon, Directors of Service, Mr. J. Murray, Head of Finance, Mr. T. Gourley, Senior Executive Planner, Ms. D. Kierans, Executive Planner and Ms. C. Thornton, Meetings Administrator.

Apology: Cllrs Gallagher and Humphreys

On the proposal of Cllr S. Treanor, seconded by Cllr Maxwell, it was agreed that good wishes for a speedy return to good health be extended to Mayor Heather Humphreys.

1. Confirmation of Minutes:

- (i) *On the proposal of Cllr P. Treanor, seconded by Cllr Crowe it was agreed that the minutes of the Council Meeting held on Tuesday 4th May, 2010 be confirmed.*

2. Correspondence

The following correspondence was circulated to the Members:

- Letter of acknowledgement from An Taoiseach in relation to Council's resolution regarding Quinn Insurance.
- Letter of acknowledgement from An Taoiseach in relation to Council's resolution regarding costs for Eirgrid oral hearing.
- Letter of acknowledgement from Minister Gormley in relation to Council's resolution regarding septic tank upgrades.
- Letter from the Department of the Environment, Water Quality Section in relation to the adoption of River Basin Management Plans.
- Letter from IE Domain Registry regarding the presence of online headships on the .ie namespace.
- Letter of acknowledgement from the Office of Public Works regarding presentation on flooding.
- Letter from the Financial Regulator regarding Quinn Insurance.
- Letter from the National Roads Authority regarding Ballinacarry Bridge Improvement scheme.
- Resolution from Monaghan Town Council regarding the basis on which rates are levied by local authorities on commercial properties.

- Resolution from Castleblayney Town Council regarding a financial aid package or relief for residential mortgage holders and SMEs.
- Letter from Failte Ireland regarding proposed alterations in the Regional Tourism Board structures.
- Resolution from Dublin City Council regarding contracts with Veolia
- Letter from the North Eastern Regional Drugs Task Force regarding cuts in funding for the Foroige drugs education initiative project.
- Letter from Tom Brown, Dublin highlighting the need for the 116000 Number EU hotline number for missing children to be set up in Ireland immediately.
- Letter from the Irish Flying Disc Association Ltd., advising that Conor Phelan and Fintan Darcy from Co. Monaghan will represent Ireland at the under age World Ultimate Championship events.
- Letter from Carrickmacross Town Council in relation to the OPD's in Cloughvalley, Carrickmacross.
- Letter from the Reception and Intergration Agency declining the Council's request for a visit to the St. Patrick's Asylum Centre in Monaghan.

Proposals arising out of correspondence:

On the proposal of Cllr Bannigan, seconded by Cllr Keelan it was agreed that the Council write again to An Taoiseach and Minister Gormley seeking an urgent meeting a meeting with either in relation to the payment of costs for community groups presenting submissions at the Eirgrid Oral Hearing.

It was further agreed that the letter be forwarded to the Oireachtas Members for the county asking them to ensure that such a meeting is facilitated.

On the proposal of Cllr Carville, seconded by Cllr Crowe, it was agreed that this Council write to Paul McLoone, Head of Operations, Failte Ireland, asking that –

- (i) Monaghan County Council and similar authorities be given adequate representation in the new structures of the Midland East/Lakeland Tourism Board.*
- (ii) The tourism potential of Co. Monaghan be maximised by the new structure, taking into account the natural beauty and potential of our county and our membership of the East Border Region Tourism Partnership as well as the capacity of Co. Monaghan to help deliver cross border tourism opportunities.*

On the proposal of Cllr Murray, seconded by Cllr Carville, it was agreed that the Council write to Failte Ireland asking it to consult with the Council before a decision is made in relation to the new tourism structure.

On the proposal of Cllr Carville, seconded by Cllr Crowe, it was agreed that the Council adopt the resolution from Castleblayney Town Council calling on the Minister for Finance and the Government to adopt a financial aid package or relief for residential mortgage holders and S.M.Es, who find themselves through no fault of their own, having great difficulty meeting their financial commitments at this time.

On the proposal of Cllr Crowe, seconded by Cllr P. Treanor it was agreed that the Council write to the Department of Regional Development Northern Ireland and the National Roads Authority, requesting that the Ballinacarry Bridge improvement project be taken as a stand alone project and be considered for inclusion in the Interreg IV programme.

On the proposal of Cllr Crowe, seconded by Cllr Carville, it was agreed that the Council write to Minister Conor Murphy outlining the importance of the Ballinacarry Bridge improvement project and enquiring what happened to the business plan that had been prepared for same. A similar letter to issue to the National Roads Authority and Minister Noel Dempsey.

On the proposal of Cllr B. McKenna, seconded by Cllr Conlon it was agreed that the Council write again to the Reception and Integration Agency asking that the agency reconsider its decision to deny permission to the Council to visit the St. Patrick's Asylum Centre in Monaghan.

On the proposal of Cllr McElvaney, seconded by it was agreed to write to the Joint Oireachtas Committee for Health and Children seeking permission for a delegation from the Council to visit the St. Patrick's Asylum Centre in conjunction with the visit of the Joint Oireachtas Committee to that facility.

On the proposal of Cllr Murray, seconded by Cllr Maxwell, it was agreed that the Council write to the Minister for Children, Mr. Barry Andrews, T.D., expressing its support for the immediate setting up of the 116000 EU hotline number for missing children.

On the proposal of Cllr Maxwell, seconded by Cllr O'Hanlon it was agreed that the Council adopt the resolution from Monaghan Town Council calling on the Minister for Finance to explore the possibility of re-examining the basis on which rates are levied by local authorities on commercial properties throughout the country.

On the proposal of Cllr P. Treanor, seconded by Cllr Carthy, it was agreed that the Council adopt the motion from Dublin City Council calling on the Manager not to sign any new or renew any existing contracts with Veolia as it is a leading partner in the consortium contracted to build a light railway system linking Israel to illegal settlements in occupied East Jerusalem; that the Irish Government and the UN do not recognise Israel's annexation and occupation of East Jerusalem and have repeatedly stated their views that the Israeli settlements in East Jerusalem and the West Bank contravene international law; that Veolia's involvement in the project is in contravention of the UN's stated demand that Israeli settlement activities and occupation should not be supported.

On the proposal of Cllr Carthy, seconded by Cllr Keelan, it was agreed that if a meeting is confirmed with Minister Finneran T.D., to discuss the Carrickmacross Remedial Works Scheme that a representative from Carrickmacross Town Council be permitted to attend as part of the delegation.

On the proposal of Cllr Connolly, seconded by Cllr Keelan it was agreed that the Council write to the Minister for Communications requesting that legislation is put in place to ban the advertising of head shop products on Irish websites.

On the proposal of Cllr McElvaney, seconded by Cllrs Connolly and P. Treanor, it was agreed that the Council seek clarification from the Department of Community, Equality and Gaeltacht Affairs in relation to Clár funding for Local Improvement Schemes and that if clarification is not forthcoming that a meeting be sought with Minister Pat Carey to discuss the matter.

River Basin Management Plans:

Following consideration of the letter from the Department of the Environment's, Water Quality Section, in relation to the adoption of River Basin Management Plans a lengthy discussion took place. The Department letter had stated that if individual authorities within a river basin unilaterally attach conditions or make amendments to what was a jointly agreed plan, their advice is that there is then no longer a jointly agreed unitary plan for that river basin and, therefore, the objective of the Directive and the Regulations has not been achieved. The letter directed the County Manager to adopt the River Basin Management Plans, by executive function, free of any amendment or conditions. The letter also stated that it remains open to the Manager to convey the concerns of the elected members, eg the amendments proposed by them at adoption stage, to the Minister and that such concerns will then form part of the Minister's considerations during his review of the plans.

A number of members expressed their disappointment at the contents of the Department letter.

In response to comments made by the Members, the County Manager stated that he had no discretion in the matter and that he was obliged to abide by the Minister's direction.

On the proposal of Cllr Bannigan, seconded by Cllr Carville seconded that the Council write to the Minister for the Environment, Heritage and Local Government outlining the amendments proposed by the Council to the Neagh Bann and North Western River Basin Management Plans.

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

- (i) **Ref. No. 10/8001** - permission for construction of a reinforced concrete Salt Barn with storage capacity for 1500 tonne of salt, construction of concrete apron surround, access road and all associated site works at Lislanly, Castleblayney, Co. Monaghan..

Ms. D. Kierans, Executive Planner referred to the report of the Director of Planning Services dated 21 May 2010 which had been circulated to the Members.

On the proposal of Cllr Carville, seconded by Cllr Crowe it was agreed that the Council approve the proposed development (Ref 10/8001) as per Director's report dated 21 May, 2010 "

- (ii) **Ref. No. 10/8002** - permission for construction of a reinforced concrete Salt Barn with storage capacity for 1500 tonne of salt, construction of concrete apron surround, access road and all associated site works at Knockaconny, Monaghan.

Ms. D. Kierans, Executive Planner referred to the report of the Director of Planning Services dated 20 May 2010 which had been circulated to the Members.

On the proposal of Cllr Conlon, seconded by Cllr McElvaney it was agreed that the Council approve the proposed development(Ref 10/8002) as per Director's report dated 20 May, 2010 "

4. To consider Section 183 Notices, as follows:

(i) Disposal of land at Drummond Otra, Carrickmacross

On the proposal of Cllr McNally, seconded by Cllr O'Hanlon it was agreed that the disposal of 0.0012 hectares of land in the townland of Drummond Otra, Carrickmacross to the Electricity Supply Board, in accordance with notice dated 21 May, 2010 under Section 183 of the Local Government Act, 2001 be approved.

(ii) Disposal of land at Annahagh Monaghan

On the proposal of Cllr S. McKenna, seconded by Cllr Maxwell it was agreed that the disposal of 0.378 hectares of land in the townland of Annahagh, Monaghan to Mr. Leslie Crawford, in accordance with notice dated 21 May, 2010 under Section 183 of the Local Government Act, 2001 be approved.

5. To approve the Higher Education Grant Scheme 2010:

The Members considered the Higher Education Grant Scheme 2010 which had been circulated with the agenda.

On the proposal of Cllr Carthy, seconded by Cllr P. Treanor, it was agreed that the Council write to the Minister for Education and Science asking that she reduce the Student Services Charge of €1,500.

On the proposal of Cllr Maxwell, seconded by Cllr Connolly, it was agreed that the Council adopt the Higher Education Grants Scheme 2010, as presented.

6. To receive recommendations from Corporate Policy Group meeting held on 17th May, 2010

The Members considered the recommendations from the Corporate Policy Group meeting held on 17th May, 2010, as follows:

(i) Arts Acts Grants 2010

On the proposal of Cllr Conlon, seconded by Cllr P. Treanor it was agreed that the Council approve the allocation of grants under the Arts Act 2003, as follows:

Name of Applicant	Amount of Grant
Drumlin Players, Monaghan	€ 900
Castleblayney Drama Festival	€1,200
Swallow Studios, Doohamlet Project	€1,000
Muckno Mania Festival	€1,300
Comhaltas Ceoltoiri Eireann	€ 800
Ballybay Community Creche	€ 800
Youth Reach Castleblayney	€ 800
Froud, Castleblayney	€ 800
Jezz, Glaslough/Monaghan Town	€ 800
Sanzkrit, Carrickmacross	€1,000
	€9,400

(ii) Arts Partners 2010

On the proposal of Cllr Carville, seconded by Cllr O'Brien it was agreed that the Council approve the allocation of Arts Partners grants 2010, as follows:

Name of Applicant	Amount of Grant
The Garage Theatre	€9,000
Clones Film Festival	€7,000
The Flat Lake festival	€6,500
Feile Oriel	€5,000
Castleblayney Arts & Resource Centre	€5,500
Patrick Kavanagh Centre	€8,000
Scoil Cheoil na Botha	€3,000
	€64,000

(iii) Environmental Fund 2010

On the proposal of Cllr McElvaney, seconded by Cllr P. Treanor it was agreed that the Council approve the allocation of grants under the Environmental Fund 2010 as recommended in the report from the Administrative Officer Environment Section dated 10th May, 2010.

(iv) Colaiste Oiriall

On the proposal of Cllr P. Treanor, seconded by Cllr Carville it was agreed that a grant of €1,000 be allocated to Colaiste Oiriall towards the running of a cultural weekend for incoming first year students to the college in 2010 – the College to be advised that this funding may not be available in future years.

(v) Minutes of SPC meetings.

The Members noted the minutes of the following SPC meetings:

- (i) Housing SPC meeting held on 9th March, 2010
- (ii) Planning SPC meeting held on 10th March, 2010
- (iii) Community, Enterprise, Social and Cultural SPC meeting held on 10th March, 2010.

(vi) Update on Lough Muckno:

On the proposal of Cllr O'Brien, seconded by Cllr Connolly it was agreed that the Council go 'into Committee' to discuss this matter.

The Manager updated the Members in relation to Lough Muckno and responded to queries from a number of members.

On the proposal of Cllr B. McKenna, seconded by Cllr McElvaney it was agreed that the Council continue with its High Court appeal against the Circuit Court decision to grant Mr. Chris Haren a lease and that it reject the draft lease terms put forward by Mr. Haren.

On the proposal of Cllr B. McKenna, seconded by Cllr S. McKenna, it was agreed that the Muckno Sub Committee meet with the Council's Solicitor in Castleblayney and that the committee visit the property immediately following the meeting.

On the proposal of Cllr Maxwell, seconded by Cllr Bannigan it was agreed that the Council return to public session.

On the proposal of Cllr Carville, seconded by Cllr Bannigan, it was agreed that the minutes of the Corporate Policy Group meeting held on 17th May, 2010 be approved.

7. Water Services Investment Programme 2010-2012:

Mr. D. Fallon, Director of Services referred to the Report on the Water Services Investment Programme 2010 – 2012, which had been circulated with the agenda. The members noted the contents of the report.

8. To fix date for Speed Limit Committee Meeting.

It was agreed that a meeting of the Speed Limit Committee would be held on Monday 21 June, 2010 at 10.00 a.m.

9. Proposed Eirgrid Interconnector

Cllr Keelan commended all the groups and individuals who made submissions to the oral hearing into the Eirgrid planning application.

Cllr Bannigan paid tribute to the Council's planning staff for the work done by them in relation to this application and for their help and assistance to date. A number of members joined in the sentiments expressed by Cllrs Keelan and Bannigan.

10. To receive reports from Members attending Conferences (*attached*)

The Members noted the report from Cllrs Keelan, McElvaney, B. McKenna and McNally in respect of their attendance at the following conferences.

- Joint Policing Conference, Rosscarbery, West Cork
- The Law of Defamation Conference, Limerick

11. Business submitted by County Manager

There was no business submitted by the County Manager.

12. Matters arising out of minutes of Council meeting held on 4th May, 2010

Matters arising out of the minutes of the Council meeting held on 4th May 2010 were responded to by the appropriate officials.

13. Presentation from 3 Ireland

The Chair welcomed Mr. Damien Gallagher and Mr. Brian Purcell to the meeting and invited them to address the Council in relation to the roll-out of the National Broadband Scheme (NBS).

Mr. Gallagher stated that €600 million has been invested by 3 in the broadband network since 2004. He outlined the process undertaken by 3 Ireland in the roll-out of the NBS in Co. Monaghan. He stated that this is a predominantly rural scheme and he was of the view that the only way that this technology could be delivered to rural Ireland was through wireless technology. When the project is completed, later this year, 29 electoral divisions in the county will be covered for broadband. Currently broadband has been rolled out to 12 of these areas. He also outlined future plans for the upgrading of the service.

In response to queries from members regarding deficits in the current level of broadband coverage under the scheme, Mr. Gallagher stated that if people weren't receiving a full service, such devices as repeater units, external antennae and satellite connections could be provided to boost the wireless signal.

Mr. Purcell noted comments from the members which referred to areas of the county that had been excluded from the NBS and where broadband coverage was poor or non-existent. He stated that 3 Ireland had been led to believe that another scheme may be launched by the Department of Communications to pick up those areas which had been excluded from the current scheme. He pointed out that some areas of the county not directly included in the current scheme might benefit from it *by default* because of their proximity to masts and the nature of the technology by which broadband was delivered.

The Deputy Mayor thanked both Mr. Gallagher and Mr. Purcell for a very informative presentation.

On the proposal of Cllr Coyle, seconded by Cllr P. Treanor, it was agreed that the Council write to the Minister for Communications requesting that a second scheme be implemented to cover the areas not already covered by the National Broadband Scheme.

14. Questions

Cllr S. McKenna asked:

1. In view of the damage caused to washing machines, dishwashers etc. as a result of the supply of hard water to the Scotstown/Ballinode area, when and what measures does this Council propose to take in the medium to long term to address this matter?

Reply: *The water delivered to these houses classifies as 'hard' water, but does not fall into the 'very hard' bracket. Water hardness poses no health problems and the EPA and WHO provide no limits on hardness in drinking water supplies. It is unfortunate that heating elements are being damaged but in short term customers should use Calgon as it reduces effective hardness. In the long term, MCC hope to provide a 'mixed' supply comprising 50% hard with 50% soft from Monaghan town. However this involves laying some pipe work to join the supplies and funding has to be obtained for this.*

Cllr P. Treanor asked:

2. Will Monaghan County Council examine the need for traffic calming measures to reduce speeding and dangerous driving in the vicinity of the Scotshouse Community Centre and Oakland Grove?

Reply: *Clones area staff will carry out a traffic survey of the area in question to determine if traffic calming measures are necessary at this location and will liaise with local Gardai in relation to reported incidents of dangerous driving.*

14. Questions (contd):

Cllr P. Treanor asked:

3. Has this Council made progress in reaching agreement with the contractor for the Group Water Scheme to repair the damage done to the Hazel Brae in Newbliss and the road up to Kinturk? When will this work be carried out?

Reply: *The Clones area office engineers are currently inspecting the roads in question and the other roads included in the contract for Drumgole GWS in relation to the road opening licence refundable deposit for this contract. This inspection will determine whether there are any repairs necessary to the roads as a result of the works carried out and monies will be held from the refundable deposit of the road opening licence for the repairs if necessary.*

Clones Area is planning to surface the 'Hazel Brae' section sometime in the next 4 weeks.

4. What progress has the Council made to erect a bus shelter at Swans Cross, so that children waiting for the school bus will be safe and won't have to stand in the cold and rain for another winter?

Reply: *Clones area staff are discussing the issue with Bus Eireann at present in relation to the possible location for a bus shelter at Swanns Cross and what sources of funding are available for its installation.*

5. In relation to the Clones and Scotshouse water supply: what is the cause of the discolourment, odour and damage being done to emersion heaters and washing machines? What solutions are required? When will these be carried out?

Reply: *The water supply for Clones and Scotshouse comes from Clones Water Treatment Works. Clones Water Treatment Works is supplied from surface water sources (the open reservoir and lake behind the treatment works) and groundwater sources (two borewells outside of Scotshouse). Upon entering the works the supplies are combined. Supplies receive full treatment before going out into the public supply distribution network.*

The discoloration is caused by manganese in the water supply which is naturally present in the groundwater around Scotshouse. Although the manganese is generally within the limits prescribed by the EPA, it can lead to long term problems with staining and solid deposits in household appliances if scouring of water mains is not maintained.

In terms of the discoloration, Water Services has been working to minimise the impact by maintaining a scouring regime for the pipe network. This ensures that any build up of deposits in the pipes are flushed out before they have time to cause hardened deposits within the pipes, which can lead to discoloration. The scouring of the Clones & Scotshouse network areas was completed on Friday evening last (28th May 2010).

In terms of odour, the only odour off the treated water should be a slight smell of chlorine close to the Water Treatment Works, because the water is chlorinated to disinfect it prior to going into public supply.

The caretaker & plumbing staff have had a number of pipe bursts and treatment plant maintenance issues to attend to in recent months, which takes them away from scouring duties. Hence the works were not completed until Friday evening.

Of the two borewells, the first one has been out of action for a number of months, due to a clogged pump and damaged motor. The pump and motor have been repaired / refurbished and were reinstalled today (1st June 2010).

The second borewell has been operating under capacity, because the motor is not providing the power required to operate the pump fully. Flow from this well is down by approximately 50%. Water Services has obtained a new motor for the second borewell, which was delivered today (1st June 2010). Installation took place immediately.

Cllr M. Carthy asked:

6. What works have Monaghan County Council, in conjunction with the OPW, carried out to reduce and prevent flooding in the vicinity of Lough Aphuca including surrounding fields and the main Carrickmacross-Ballybay Road? Are further works planned in this regard?

Reply: *In 2009 the Area Office identified a break in the embankment of an adjoining river which crosses under the regional road to the north of Lough Aphuca. This was causing the river to divert over adjoining lands and flow into the Lough. The OPW was notified and they carried out repairs to the embankment. This reduced flooding, the regional road has not flooded since.*

7. What is the up-to-date position regarding the proposed Group Home for young women with physical and sensory disabilities planned for Carrickmacross? When is it expected that this important project will move to planning stage?

Reply: *A submission has been made to the Department of the Environment, Heritage and Local Government which includes a detailed appraisal, project brief and layout. A decision is awaited. Subject to the approval of the DEHLG the matter will then proceed to the planning stage.*

8. Will Monaghan County Council commence the necessary procedures to take-in-charge the road which surrounds Lough Derry in South Monaghan as this road (which adjoins the LT48031) is widely used by local people and visitors alike and is especially used by anglers?

Reply: *Monaghan County Council has no plans to take this road in charge at present.*

14. Questions (contd):

Cllr Carthy asked:

9. Since the introduction of Part V of the Planning & Development Act whereby developers were to provide 20% of development for social housing:
- (a) How many houses (and in each electoral area) have been secured by the Council and allocated to housing applicants?

Reply: *Part V development applied mainly to zoned lands in the Town Council areas.*

1) Acquisition under Part V by Monaghan County Council

<i>Smithboro</i>	<i>2</i>	<i>Clones Electoral Area</i>
<i>Rockcorry</i>	<i>4</i>	<i>Clones Electoral Area</i>
<i>Ballinode</i>	<i>2</i>	<i>Monaghan Electoral Area</i>
<i>Scotstown</i>	<i>2</i>	<i>Monaghan Electoral Area</i>
<i>Annyalla</i>	<i>8</i>	<i>Castleblayney Electoral Area</i>
<i>Conabury</i>	<i>5</i>	<i>Castleblayney Electoral Area</i>
<i>Oram</i>	<i>11 plus 4 under construction</i>	<i>Castleblayney E.A.</i>

2) Acquisition under Part V by Voluntary sector

Oaklee Housing Trust, Mullaghmonaghan, Monaghan E.A. 31 units

- (b) In how many instances was a cash payment accepted in lieu of housing and how much in total was paid and / or remains outstanding? How and where has this money be spent in the provision of housing?

Reply: *The Council received a financial contribution to comply with Part V in five separate developments. A total of €182,702 has been received to date. The Council is required to lodge this money to a separate account. The funds can only be used as capital by housing authorities for its Part V functions or its functions under the Housing Acts 1966 –2002. Expenditure from these funds requires the prior sanction of the Department. The Council will be seeking the permission of the DEHLG to use these funds when proposals are drawn up in due course.*

- (c) In how many instances (and where) was a land transfer accepted in lieu of housing and is there any land transfers outstanding? If land was accepted has the council developed houses or are there plans to develop houses on these lands?

Reply: *None.*

14. Questions (contd):

Cllr Carthy asked:

10. When will additional public lighting be erected at the following locations:
- (a) Rockdaniel Road, Carrickmacross.
 - (b) Donaghmoynes (in vicinity of graveyard & church)
 - (c) Magheraboy, Carrickmacross.

Reply: *It is planned to have this works carried out over the summer.*

Cllr P. Connolly asked:

11. In view of the fact that the North East Framework Homelessness Action Plan has been drawn up and a review of the Homeless Services has been carried out, how many people are considered homeless in Co Monaghan?

Reply: *Monaghan Local Authorities assist persons, who present and are deemed as homeless, into private rented accommodation with assistance through the Rent Supplement where eligible. All persons who presented as homeless in 2010 are now in accommodation.*

12. In relation to road safety issues on the N2 at St Macartan's College what response did Monaghan County Council receive from the NRA road safety engineer who had been asked to look at the situation?

Reply: *The NRA Road Safety Engineer agreed that a safe crossing point needed to be provided for school children at this busy location. The NRA has allocated €25,000 to Monaghan County Council in 2010 to carry out the work.*

13. In relation to safety issues for students crossing the N2 at St Macartan's College, what response has Monaghan County Council received to its application for funding from the NRA under the "Road Safety Remedial Measures Programme"?

Reply: *As above.*

14. In relation to the recent circular from Monaghan County Council to home owners re: the provision of a third refuse brown bin by refuse collectors to collect organic waste
- (a) Is this new service likely to attract additional charges, administrative or otherwise, on householders?

Reply: *The individual waste collector will determine the associated costs to complying with this policy.*

14. Questions (contd)

Cllr P. Connolly asked:

- 14 (b) Are home owners who already have their own composting systems obliged to avail of this service or are there any options to opt out of having a third bin?

Reply: *This is a two phase situation, firstly the collector will have to demonstrate they have offered the service and secondly if service is refused the presenter of waste will have to demonstrate they are complying with national policy and current byelaws regarding the presentation of waste.*

Cllr N. Keelan asked:

15. Given the anger expressed by members at a recent meeting of Carrickmacross Town Council in relation to the deplorable state of some of the approach roads to the town, including the poor condition of the Main Street, as a result of the ongoing necessary upgrading of the Sewerage Collection Network, will the Council publicise accurate dates and description of works to be carried out on a number of roads damaged including the Shercock Road, Rockdaniel Road, Cloughvalley Estate, Castleblayney Road and other roads that need attention including the Main Street of the town.

Reply: *As per the answer given to members last month, Monaghan County Council will undertake permanent reinstatement of all roads affected by the ongoing pipelaying works, as provided for in the contract.*

Permanent Road / Trench Reinstatements - Completed at End April 2010
Farney Street, O Neill Street, Parnell Street, Chapel Lane, Ballybay Road, Magheross Road and the Kingscourt Road.

Permanent Road / Trench Reinstatements Scheduled for Completion in by End June 2010
Oriel Road, Castleblayney Road (Half Width Reinstatement), Dundalk Road, Shercock Road (Full width – Road Closure required).

Pipe-laying works on the other approaches to Carrickmacross are incomplete at this time or have outstanding elements yet to be addressed by the main contractor.

Monaghan County Council are currently considering the options available for the permanent reinstatement of the concrete roads in the Cloughvalley estate area. Permanent reinstatement of the Cloughvalley estate / Rockdaniel road will be completed in July / August 2010. Works on Main Street are incomplete at this time and no permanent reinstatement will be completed on Main Street until Q3 / Q4 2010.

The contractor will continue to maintain temporary reinstatements as provided for in the contract.

14. Questions (contd):

Cllr Keelan asked:

16. In relation to the area adjacent to St. Joseph's Cemetery in Carrickmacross, have the Council any plans to put in place a footpath link from the Dundalk Road roundabout to the Killanny Road; are there any plans to put in place a crash barrier at the Cemetery location in the interest of road safety?

Reply: *The Area Office have looked at this area and have preliminary plans. However, no funding is available at present to undertake any works.*

17. How many planning applications have been received by Monaghan County Council in the last 12 months; what is the percentage reduction in applications compared to the years 2006, 2007 and 2008?

Reply: *The number of planning applications received by Monaghan County Council up to 31 May 2010 was 227, the corresponding figures for previous years were: 2009 – 256; 2008 – 599; 2007 – 1,133; 2006 – 735.*

18. Under the Housing Aid for Older People Scheme, how many applications have been received for the replacement of windows and doors in the previous 12 months; how many have been granted?

Reply:

<i>Housing Aid for Older People – Applications Received Period 1st May '09 – 27th May '10</i>				
<i>Total Received</i>	<i>No. Received Windows/Doors</i>	<i>No. Refused Windows/Doors</i>	<i>No. Pending Windows/Doors</i>	<i>No. Approved Windows/Doors</i>
68	29	12	11	6

19. Given a commitment by Louth County Council to reinstate any section of road in the Inniskeen area that was damaged as a result of the diverted traffic during the upgrading of the Carrick-Dundalk road, what contacts have been made with Louth Council to ensure that the Kednaminsha road, which was left in an unacceptable state, is fully reinstated?

Reply: *Louth County Council have responded to a letter sent by Monaghan County Council that no further funding is available to undertake repairs. Monaghan County Council will be seeking to place this road on the 2011 roads programme for restoration.*

Cllr R. Gallagher asked:

20. In circumstances where an individual owns a second property which is not in a fit state for habitation what is the situation regarding the tax on second homes?

14. Questions (contd):

Cllr Gallagher asked:

Reply:

The Guidance Notes issued to Local Authorities by the DEHLG on the Local Government (Charges) Act 2009 provides the following comment on the definition of a dwelling as provided in the Act.

Definition of 'Dwelling'

This definition is noteworthy in a number of respects. First, it contains the phrase 'suitable for use' as a dwelling. A property that is not suitable for use as a dwelling should not be regarded as dwelling within the meaning of the Act. It is suggested that local authorities might consider what is habitable or not (i.e. suitable for use as a dwelling) by reference to the structure of the building (Does it have a sound roof? Is it so affected by dampness as to render it unsuitable for habitation?), and the availability of services (Does it have sanitary facilities, including a water closet and water supply?). A water supply that is simply turned off or temporarily disconnected would still be available for use and this in itself should not be regarded as rendering a dwelling uninhabitable.

21. Re Glaslough:

(a) Regarding trees at Tullyree, Glaslough, branches of which are growing through ESB lines, what is the situation regarding safety?

Reply: *Monaghan County Council has agreed to cut these trees.*

(b) What is the situation with regard to the cutting of grass in Ardbannagher, Glaslough, how often is it done and is the cut grass removed afterwards?

Reply: *The grass in Ardbannagher is maintained by the community using the local FAS employment scheme. The cut grass is removed.*

22. Can the Council repair the very uneven surface on the road approaching Emyvale from Glaslough at the sports grounds?

Reply: *The Council has investigated and plans are in place to repair this section.*

23. Can the Council outline the safety measures currently being put in place on the N2 between Monaghan and Emyvale?

Reply: *Improved visibility on corners, verge-trimming, renewed road lining, and placed chevron signs on corners.*

16. Votes of Sympathy/Congratulations:

The Council agreed to extend a vote of sympathy to the following:

- Pat McMeel, Corryarabeg, Carrickroe (former member of the Council's outdoor staff) on the death of his brother James, R.I.P.
- The family of the late Gerry Dillon, Castleblayney, R.I.P. a member of the Council's outdoor staff.

The Council agreed to extend a vote of congratulations/good wishes to the following:

- Monsignor Liam McDaid on his forthcoming appointment as Bishop of Clogher.
- Bishop Joseph Duffy on the occasion of his retirement as Bishop of Clogher
- Aughnamullen Community Games U-13 soccer team on winning the Ulster Title and a bronze medal in the All Ireland Community Games Finals.
- Truagh Community Games U-13 Youth Choir and the U-16 Youth Choir on winning Silver and Bronze medals respectively at the All Ireland Community Games Finals in Athlone
- Andrea Gilligan, Northern Sound Radio on her forthcoming appointment as News Editor with Ocean FM radio.

Cllr S. McKenna thanked all those involved with the arrangements for the recent Geel visit and Cllr Maxwell who made alternative travel arrangements for the delegation when the flight home from Brussels was cancelled as a result of the volcanic eruption in Iceland.

17. Conferences:

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

Promoting Authority	Subject/Theme	Venue	Dates	Members
Tipperary Peace Convention	International Peace Conference	Ballykisteen Hotel & Golf Resort, Limerick Junction	17 th -20 th June, 2010	Pat Treanor David Maxwell Gary Carville Owen Bannigan Heather Humphreys Seamus Coyle Padraig McNally

17. Conferences (contd):

Promoting Authority	Subject/Theme	Venue	Dates	Members
Ards Borough Co. & Greystones Town Council	A Taste for Tourism	Portaferry Hotel	18 th -20 th June, 2010	Aidan Murray Hugh McElvaney Robbie Gallagher P. J. O'Hanlon
Celtic Conferences	Social Networking as the modern medium for Councillors	Silver Tassie Hotel, Letterkenny	18 th -20 th June, 2010	Noel Keelan John O'Brien
Byrne Perry Summer School	Entwined Histories II – Ireland, France & America	Christian Bros School, Wexford St., Gorey	25 th - 27 th June, 2010	Matt Carthy David Maxwell Hugh McElvaney Gary Carville Heather Humphreys Seamus Coyle John O'Brien Paudge Connolly
Sean MacDiarmada Summer School	Wars of Independence Challenging Authority	Kiltyclogher, Co. Leitrim	18 th -20 th June, 2010	Jackie Crowe

Urgent Business:

The Deputy Mayor advised the meeting that he had received a notice of urgent business in the names of the Sinn Fein Members calling on the Council to condemn the Israeli attack on the Gaza Freedom Flotilla's aid mission.

Following a vote by show of hands, it was agreed to deal with the motion of urgent business.

Cllr Carthy proposed, Cllr Keelan seconded that Monaghan County Council –

- *condemns the Israeli attack on the Gaza Freedom Flotilla's aid mission which has resulted in deaths and injuries of those attempting to bring much needed aid to the besieged city of Gaza, which has been subject to an Israeli blockade which is illegal under international law.*
- *commends all those Irish citizens, including County Monaghan man Paul McGeough, who participated in this humanitarian mission to bring 10,000 tonnes of aid to the people of Gaza and who were kidnapped by Israeli government forces.*

Recognising that this attack is an affront to international law and has endangered the lives of Irish citizens, the Council calls on the Irish Government to

- *expel the Israeli Ambassador*
- *use its influence to discontinue the EU's preferential trade agreement with Israel.*
- *Support and seek the backing of other countries for a new international aid mission to Gaza which will ensure that necessary vital supplies reach the suffering people of that besieged area.*

Cllr Carthy requested that the motion, if passed, be forwarded to the Minister for Foreign Affairs and the Israeli Embassy.

Following a debate on the motion to which a number of members contributed, the Deputy Mayor put the motion to the meeting. A vote by show of hands resulted in 9 for, 0 against, 4 abstentions. The motion was declared carried.

The meeting then concluded.

Signed: _____
Meara Meetings Administrator

Date: _____